

# Union Calendar No. 354

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6395

[Report No. 116-442]

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2020

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

JULY 9, 2020

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

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

[For text of introduced bill, see copy of bill as introduced on March 26, 2020]

# **A BILL**

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the “Wil-*  
5 *liam M. (Mac) Thornberry National Defense Authorization*  
6 *Act for Fiscal Year 2021”.*

7 (b) *REFERENCES.*—*Any reference in this or any other*  
8 *Act to the “National Defense Authorization Act for Fiscal*  
9 *Year 2021” shall be deemed to refer to the “William M.*  
10 *(Mac) Thornberry National Defense Authorization Act for*  
11 *Fiscal Year 2021”.*

12 **SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF**  
13 **CONTENTS.**

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

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

18 (2) *Division B—Military Construction Author-*  
19 *izations.*

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

22 (4) *Division D—Funding Tables.*

23 (5) *Division E—National Artificial Intelligence*  
24 *Initiative Act of 2020.*

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

*Sec. 1. Short title.*

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

*Sec. 3. Congressional defense committees.*

*DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS*

*TITLE I—PROCUREMENT*

*Subtitle A—Authorization Of Appropriations*

*Sec. 101. Authorization of appropriations.*

*Subtitle B—Navy Programs*

*Sec. 111. Independent cost estimate of FFG(X) frigate program.*

*Subtitle C—Air Force Programs*

*Sec. 121. Modification of force structure objectives for B-1 bomber aircraft.*

*Sec. 122. Extension of limitation on availability of funds for retirement of RC-135 aircraft.*

*Sec. 123. Modification of limitation on availability of funds for retirement of E-8 JSTARS aircraft.*

*Sec. 124. Limitation on availability of funds for the Advanced Battle Management System pending certification relating to RQ-4 aircraft.*

*Sec. 125. Inventory requirements for certain air refueling tanker aircraft.*

*Sec. 126. Limitation on production of KC-46A aircraft.*

*Sec. 127. Assessment and certification relating to OC-135 aircraft.*

*Sec. 128. Modernization plan for airborne intelligence, surveillance, and reconnaissance.*

*Sec. 129. Minimum bomber aircraft force level.*

*Subtitle D—Defense-wide, Joint, and Multiservice Matters*

*Sec. 131. Documentation relating to the F-35 aircraft program.*

*Sec. 132. Notification on software regression testing for F-35 aircraft.*

*Sec. 133. Notification on efforts to replace inoperable ejection seat aircraft locator beacons.*

*Sec. 134. Limitation on use of funds for the Armed Overwatch Program.*

*TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION*

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*Sec. 201. Authorization of appropriations.*

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

*Sec. 211. Modification of Science, Mathematics, and Research for Transformation (SMART) Defense Education Program.*

*Sec. 212. Enhanced participation of Department of Defense contractors in science, technology, engineering, and mathematics activities.*

*Sec. 213. Modification of requirements relating to certain cooperative research and development agreements.*

- Sec. 214. Pilot program on talent optimization.*
- Sec. 215. Codification of the National Security Innovation Network.*
- Sec. 216. Modification of pilot program on enhanced civics education.*
- Sec. 217. Modification of joint artificial intelligence research, development, and transition activities.*
- Sec. 218. Modification of national security innovation activities and manufacturing pilot program.*
- Sec. 219. Extension of pilot program for the enhancement of the research, development, test, and evaluation centers of the Department of Defense.*
- Sec. 220. Digital data management and analytics capability.*
- Sec. 221. Social science, management science, and information science research activities.*
- Sec. 222. Measuring and incentivizing programming proficiency.*
- Sec. 223. Information technology modernization and security efforts.*
- Sec. 224. Board of Directors for the Joint Artificial Intelligence Center.*
- Sec. 225. Directed Energy Working Group.*
- Sec. 226. Program Executive Officer for Autonomy.*
- Sec. 227. Accountability measures relating to the Advanced Battle Management System.*
- Sec. 228. Measures to address foreign talent programs.*
- Sec. 229. Disclosure of foreign funding sources in applications for Federal research awards.*
- Sec. 230. Limitations relating to large unmanned surface vessels and associated offensive weapon systems.*
- Sec. 231. Limitation on availability of funds pending review and report on next generation air dominance capabilities.*

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- Sec. 242. Training for human resources personnel in artificial intelligence and related topics.*
- Sec. 243. Unclassified workspaces for personnel with pending security clearances.*
- Sec. 244. Pilot program on the use of electronic portfolios to evaluate applicants for certain technical positions.*
- Sec. 245. Self-directed training in artificial intelligence.*
- Sec. 246. Part-time and term employment of university professors and students in the Defense science and technology enterprise.*
- Sec. 247. Microelectronics and national security.*
- Sec. 248. Acquisition of ethically and responsibly developed artificial intelligence technology.*
- Sec. 249. Enhancement of public-private talent exchange programs in the Department of Defense.*

*Subtitle D—Sustainable Chemistry Research and Development*

- Sec. 251. Short title.*
- Sec. 252. Findings.*
- Sec. 253. National coordinating entity for sustainable chemistry.*
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- Sec. 256. Partnerships in sustainable chemistry.*
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- Sec. 258. Rule of construction.*
- Sec. 259. Major multi-user research facility project.*

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- Sec. 261. Modification to annual report of the Director of Operational Test and Evaluation.*
- Sec. 262. Repeal of quarterly updates on the Optionally Manned Fighting Vehicle program.*
- Sec. 263. Independent evaluation of personal protective and diagnostic testing equipment.*
- Sec. 264. Reports on F-35 physiological episodes and mitigation efforts.*
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- Sec. 312. Military Aviation and Installation Assurance Clearinghouse for review of mission obstructions.*
- Sec. 313. Agreements to limit encroachments and other constraints on military training, testing, and operations.*
- Sec. 314. Modification of Department of Defense environmental restoration authorities to include Federal Government facilities used by National Guard.*
- Sec. 315. Increased transparency through reporting on usage and spills of aqueous film-forming foam at military installations.*
- Sec. 316. Replacement of non-tactical motor vehicles at the end of service life with electric or hybrid motor vehicles.*
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- Sec. 318. Assessment of Department of Defense operational energy usage.*
- Sec. 319. Improvement of the operational energy capability improvement fund of the Department of Defense.*
- Sec. 320. Five-year reviews of containment technologies relating to Red Hill Bulk Fuel Storage Facility.*
- Sec. 321. Limitation on use of funds for acquisition of furnished energy for Rhine Ordnance Barracks Army Medical Center.*
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- Sec. 323. Comptroller General report on Department of Defense installation energy.*
- Sec. 324. Department of Defense report on emissions levels.*
- Sec. 325. Objectives, performance standards, and criteria for use of wildlife conservation banking programs.*
- Sec. 326. Offshore wind energy development, Morro Bay, California.*
- Sec. 327. Long-duration demonstration initiative and joint program.*
- Sec. 328. Prizes for development of non-PFAS-containing fire-fighting agent.*
- Sec. 329. Survey of technologies for Department of Defense application in phasing out the use of fluorinated aqueous film-forming foam.*
- Sec. 330. Interagency body on research related to per- and polyfluoroalkyl substances.*

- Sec. 331. Restriction on procurement by defense logistics agency of certain items containing perfluoroalkyl substances and polyfluoroalkyl substances.*
- Sec. 332. Standards for removal or remedial actions with respect to PFOS or PFOA contamination.*
- Sec. 333. Research and development of alternative to aqueous film-forming foam.*
- Sec. 334. Notification to agricultural operations located in areas exposed to Department of Defense PFAS use.*
- Sec. 335. Public disclosure of results of Department of Defense testing for perfluoroalkyl or polyfluoroalkyl substances.*

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- Sec. 351. National Defense Sustainment and Logistics Review.*
- Sec. 352. Extension of sunset relating to charter air transportation services.*
- Sec. 353. Additional elements for inclusion in Navy ship depot maintenance budget report.*
- Sec. 354. Modification to limitation on length of overseas forward deployment of naval vessels.*
- Sec. 355. Independent advisory panel on weapon system sustainment.*
- Sec. 356. Biannual briefings on status of Shipyard Infrastructure Optimization Plan.*
- Sec. 357. Materiel readiness metrics and objectives for major weapon systems.*

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- Sec. 361. Chair of Department of Defense explosive safety board.*
- Sec. 362. Explosive Ordnance Disposal Defense Program.*
- Sec. 363. Assessment of resilience of Department of Defense munitions enterprise.*
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*Subtitle B—Reserve Forces*

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- Sec. 412. End strengths for Reserves on active duty in support of the Reserves.*
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*Sec. 539. Multidisciplinary board to evaluate suicide events.*

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- Sec. 541. Protection of attorney-client privilege between victims and Special Victims' Counsel.*
- Sec. 542. Authority of military judges and military magistrates to issue military court protective orders.*
- Sec. 543. Additional bases for provision of advice by the Defense Advisory Committee for the Prevention of Sexual Misconduct.*
- Sec. 544. Modification of reporting and data collection on victims of sexual offenses.*
- Sec. 545. Modification of annual report regarding sexual assaults involving members of the Armed Forces.*
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- Sec. 547. Policy on separation of victim and accused at military service academies.*
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- Sec. 554. Defense Language Institute Foreign Language Center.*
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- Sec. 563. Authority to provide financial assistance to certain in-home child care providers for members of the Armed Forces and survivors of members who die in combat in the line of duty.*
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- Sec. 566. Continuation of paid parental leave upon death of child.*
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- Sec. 568. Comptroller General of the United States report on the structural condition of Department of Defense Education Activity schools.*
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- Sec. 572. Establishment of Diversity and Inclusion Advisory Council of the Department of Defense.*
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- Sec. 574. Questions regarding racism, anti-Semitism, and supremacism in workplace surveys administered by the Secretary of Defense.*
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- Sec. 612. Increase in certain hazardous duty incentive pay for members of the uniformed services.*
- Sec. 613. Standardization of payment of hazardous duty incentive pay for members of the uniformed services.*

- Sec. 614. Clarification of 30 days of continuous duty on board a ship required for family separation allowance for members of the uniformed services.*
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- Sec. 625. Study on feasibility of TSP contributions by military spouses.*

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- Sec. 703. Assessments and testing relating to exposure to perfluoroalkyl and polyfluoroalkyl substances.*
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*Sec. 1721. Short title.*

*Sec. 1722. Findings.*

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*Subtitle D—AMBER Alert Nationwide*

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*Sec. 1744. Reauthorization of National Oceanographic Partnership Program.*

*Sec. 1745. Requirements relating to program and project management.*

*Sec. 1746. Quarterly briefings on Joint All Domain Command and Control concept.*

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*Sec. 1750. Deployment of real-time status of special use airspace.*

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- Sec. 1755. Nonimmigrant status for certain nationals of Portugal.*
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- Sec. 2302. Family housing and improvements to military family housing units.*
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- Sec. 2841. Renewal of land withdrawal and reservation to benefit Naval Air Facility, El Centro, California.*
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- Sec. 2901. Authorized Navy construction and land acquisition projects.*
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- Sec. 3101. National Nuclear Security Administration.*
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- Sec. 3111. Nuclear warhead acquisition processes.*
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- Sec. 3113. Extension of limitation relating to reclassification of high-level waste.*
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- Sec. 3115. Plutonium pit production.*  
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*Sec. 3117. Independent study on effects of use of nuclear weapons.*  
*Sec. 3118. Reports on diversity of certain contractor employees of National Nuclear Security Administration.*  
*Sec. 3119. Findings, purpose, and apology relating to fallout emitted during the Government's atmospheric nuclear tests.*  
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- Sec. 3201. Authorization.*

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- Sec. 3401. Authorization of appropriations.*

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*Subtitle A—Maritime Administration*

- Sec. 3501. Authorization of the Maritime Administration.*  
*Sec. 3502. Sense of Congress regarding role of domestic maritime industry in national security.*  
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*Subtitle B—Tanker Security Fleet*

- Sec. 3511. Tanker Security Fleet.*

**DIVISION D—FUNDING TABLES**

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

**TITLE XLI—PROCUREMENT**

- Sec. 4101. Procurement.*  
*Sec. 4102. Procurement for overseas contingency operations.*

**TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

- Sec. 4201. Research, development, test, and evaluation.*  
*Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.*

**TITLE XLIII—OPERATION AND MAINTENANCE**

- Sec. 4301. Operation and maintenance.*  
*Sec. 4302. Operation and maintenance for overseas contingency operations.*

**TITLE XLIV—MILITARY PERSONNEL**

- Sec. 4401. Military personnel.*  
*Sec. 4402. Military personnel for overseas contingency operations.*

*TITLE XLV—OTHER AUTHORIZATIONS*

- Sec. 4501. Other authorizations.*  
*Sec. 4502. Other authorizations for overseas contingency operations.*

*TITLE XLVI—MILITARY CONSTRUCTION*

- Sec. 4601. Military construction.*  
*Sec. 4602. Military construction for overseas contingency operations.*

*TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS*

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

*DIVISION E—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE ACT OF 2020*

- Sec. 5001. Short title.*  
*Sec. 5002. Findings.*  
*Sec. 5003. Definitions.*

*TITLE I—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE*

- Sec. 5101. National Artificial Intelligence Initiative.*  
*Sec. 5102. National Artificial Intelligence Initiative Office.*  
*Sec. 5103. Coordination by Interagency Committee.*  
*Sec. 5104. National Artificial Intelligence Advisory Committee.*  
*Sec. 5105. National Academies artificial intelligence impact study on workforce.*  
*Sec. 5106. GAO report on computational needs.*  
*Sec. 5107. National AI Research Resource Task Force.*  
*Sec. 5108. Sense of Congress.*

*TITLE II—NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES*

- Sec. 5201. National Artificial Intelligence Research Institutes.*

*TITLE III—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ARTIFICIAL INTELLIGENCE ACTIVITIES*

- Sec. 5301. National Institute of Standards and Technology activities.*

*TITLE IV—NATIONAL SCIENCE FOUNDATION ARTIFICIAL INTELLIGENCE ACTIVITIES*

- Sec. 5401. Artificial intelligence research and education.*

*TITLE V—DEPARTMENT OF ENERGY ARTIFICIAL INTELLIGENCE RESEARCH PROGRAM*

- Sec. 5501. Department of Energy Artificial Intelligence Research Program.*

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 **DIVISION A—DEPARTMENT OF**  
6 **DEFENSE AUTHORIZATIONS**  
7 **TITLE I—PROCUREMENT**  
8 **Subtitle A—Authorization Of**  
9 **Appropriations**

10 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

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

15 **Subtitle B—Navy Programs**

16 **SEC. 111. INDEPENDENT COST ESTIMATE OF FFG(X) FRIG-**  
17 **ATE PROGRAM.**

18 *In accordance with section 2334(b) of title 10, United*  
19 *States Code, the Secretary of Defense shall ensure that an*  
20 *independent cost estimate of the full life-cycle cost of the*  
21 *FFG(X) frigate program of the Navy has been completed*  
22 *before the conclusion of milestone B of such program.*

## 1       ***Subtitle C—Air Force Programs***

### 2       ***SEC. 121. MODIFICATION OF FORCE STRUCTURE OBJECTIVES FOR B-1 BOMBER AIRCRAFT.***

3                   ***(a) MODIFICATION OF MINIMUM INVENTORY REQUIRE-***  
4                   ***MENT.—Section 9062(h)(2) of title 10, United States Code,***  
5                   ***is amended by striking “36” and inserting “24”.***

6                   ***(b) TEMPORARY AUTHORITY TO RETIRE AIRCRAFT.—***

7                   ***(1) IN GENERAL.—Notwithstanding section***  
8                   ***9062(h)(1) of title 10, United States Code, the Sec-***  
9                   ***retary of the Air Force may retire up to seventeen B-***  
10                   ***1 aircraft.***

11                   ***(2) TERMINATION OF AUTHORITY.—The author-***  
12                   ***ity of the Secretary of the Air Force to retire aircraft***  
13                   ***under paragraph (1) shall terminate on January 1,***  
14                   ***2023.***

15                   ***(c) PRESERVATION OF CERTAIN AIRCRAFT AND MAIN-***  
16                   ***TENANCE PERSONNEL.—Until the date on which the Sec-***  
17                   ***retary of the Air Force determines that the B-21 aircraft***  
18                   ***has attained initial operating capability, the Secretary—***

19                   ***(1) shall preserve each B-1 aircraft that is re-***  
20                   ***tired under subsection (b), in a manner that ensures***  
21                   ***the components and parts of such aircraft are main-***  
22                   ***tained in reclaimable condition that is consistent***  
23                   ***with type 2000 recallable storage, or better; and***  
24

1           (2) *may not reduce the number of billets assigned*  
2           *to maintenance of B–1 aircraft in effect on January*  
3           *1, 2020.*

4 **SEC. 122. EXTENSION OF LIMITATION ON AVAILABILITY OF**  
5                           **FUNDS FOR RETIREMENT OF RC–135 AIR-**  
6                           **CRAFT.**

7           *Section 148(a) of the National Defense Authorization*  
8 *Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.*  
9 *1243) is amended by striking “for fiscal year 2020” and*  
10 *inserting “for any of fiscal years 2020 through 2025”.*

11 **SEC. 123. MODIFICATION OF LIMITATION ON AVAILABILITY**  
12                           **OF FUNDS FOR RETIREMENT OF E–8 JSTARS**  
13                           **AIRCRAFT.**

14           *Section 147(a) of the John S. McCain National De-*  
15 *fense Authorization Act for Fiscal Year 2019 (Public Law*  
16 *115–232; 132 Stat. 1669) is amended by striking “certifies*  
17 *to the congressional defense committees that Increment 2 of*  
18 *the Advanced Battle-Management System of the Air Force*  
19 *has declared initial operational capability as defined in the*  
20 *Capability Development Document for the System” and in-*  
21 *serting “certifies to the congressional defense committees*  
22 *that—*

23                           *“(1) the Secretary has identified a replacement*  
24                           *capability and capacity for the current fleet of 16 E–*  
25                           *8 Joint Surveillance Target Attack Radar System*

1        *aircraft to meet global combatant command require-*  
2        *ments; and*

3                *“(2) such replacement delivers capabilities that*  
4        *are comparable or superior to the capabilities deliv-*  
5        *ered by such aircraft.”.*

6        **SEC. 124. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
7                        **THE ADVANCED BATTLE MANAGEMENT SYS-**  
8                        **TEM PENDING CERTIFICATION RELATING TO**  
9                        **RQ-4 AIRCRAFT.**

10        *(a) LIMITATION.—Of the funds authorized to be appro-*  
11        *priated by this Act or otherwise made available for fiscal*  
12        *year 2021 for the Department of the Air Force for the Ad-*  
13        *vanced Battle Management System, not more than 50 per-*  
14        *cent may be obligated or expended until—*

15                *(1) the Secretary of the Air Force certifies, in*  
16        *writing, to the Committees on Armed Services of the*  
17        *Senate and the House of Representatives that the Sec-*  
18        *retary will not retire, or prepare to retire, any RQ-*  
19        *4 aircraft during fiscal year 2021;*

20                *(2)(A) the Under Secretary of Defense for Acqui-*  
21        *sition and Sustainment certifies, in writing, to such*  
22        *Committees that, with respect to the RQ-4 aircraft,*  
23        *the validated operating and sustainment costs of any*  
24        *capability developed to replace the RQ-4 aircraft are*  
25        *less than the validated operating and sustainment*

1 *costs for the RQ-4 aircraft on a comparable flight-*  
2 *hour cost basis; and*

3 *(B) the Chairman of the Joint Requirements*  
4 *Oversight Council certifies, in writing, to such Com-*  
5 *mittees that any such capability to be fielded at the*  
6 *same time or before the retirement of the RQ-4 air-*  
7 *craft would result in equal or greater capability*  
8 *available to the commanders of the combatant com-*  
9 *mands and would not result in less capacity available*  
10 *to the commanders of the combatant commands; or*

11 *(3) the Secretary of Defense—*

12 *(A) certifies, in writing, to such Committees*  
13 *that the Secretary has determined, after ana-*  
14 *lyzing sufficient and relevant data, that a capa-*  
15 *bility superior to the RQ-4 aircraft is worth in-*  
16 *creased operating and sustainment costs; and*

17 *(B) provides to such Committees analysis*  
18 *supporting such determination.*

19 *(b) CONSULTATION REQUIREMENT.—Before issuing a*  
20 *certification under subsection (a), the official responsible for*  
21 *issuing such certification shall consult with the combatant*  
22 *commanders on the matters covered by the certification.*

23 *(c) ADVANCED BATTLE MANAGEMENT SYSTEM DE-*  
24 *FINED.—In this section, the term “Advanced Battle Man-*  
25 *agement System” has the meaning given that term in sec-*



1 *tion 236(c) of the National Defense Authorization Act for*  
2 *Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1281).*

3 **SEC. 125. INVENTORY REQUIREMENTS FOR CERTAIN AIR**  
4 **REFUELING TANKER AIRCRAFT.**

5 *(a) MINIMUM INVENTORY REQUIREMENTS FOR KC–*  
6 *10A AIRCRAFT.—*

7 *(1) FISCAL YEAR 2021.—During the period begin-*  
8 *ning on the date of the enactment of this Act and end-*  
9 *ing on October 1, 2021, the Secretary of the Air Force*  
10 *shall maintain a minimum of 50 KC–10A aircraft*  
11 *designated as primary mission aircraft inventory.*

12 *(2) FISCAL YEAR 2022.—During the period begin-*  
13 *ning on October 1, 2021, and ending on October 1,*  
14 *2022, the Secretary of the Air Force shall maintain*  
15 *a minimum of 38 KC–10A aircraft designated as pri-*  
16 *mary mission aircraft inventory.*

17 *(3) FISCAL YEAR 2023.—During the period begin-*  
18 *ning on October 1, 2022, and ending on October 1,*  
19 *2023, the Secretary of the Air Force shall maintain*  
20 *a minimum of 26 KC–10A aircraft designated as pri-*  
21 *mary mission aircraft inventory.*

22 *(b) PROHIBITION ON RETIREMENT OF KC–135 AIR-*  
23 *CRAFT.—*

24 *(1) PROHIBITION.—Except as provided in para-*  
25 *graph (2), during the period beginning on the date of*



1 *a contract for the production of more than twelve KC-46A*  
2 *aircraft until the date on which the Secretary of the Air*  
3 *Force certifies to the congressional defense committees that*  
4 *all category-one deficiencies in the systems of the aircraft*  
5 *have been corrected, including the deficiencies affecting the*  
6 *aircraft's remote visioning system, telescoping actuator in*  
7 *the boom system, and primary fuel containment system.*

8 (b) *REPORT.*—*Not later than February 1, 2021, the*  
9 *Secretary of the Air Force shall submit to the congressional*  
10 *defense committees a report on the KC-46A aircraft. The*  
11 *report shall include—*

12 (1) *a schedule for the correction of each category-*  
13 *one deficiency described in subsection (a);*

14 (2) *a plan to engage an independent test organi-*  
15 *zation to verify the effectiveness of any proposed solu-*  
16 *tions to such category-one deficiencies; and*

17 (3) *an acquisition strategy for the aircraft*  
18 *that—*

19 (A) *identifies principal acquisition mile-*  
20 *stones; and*

21 (B) *will ensure that there is sufficient com-*  
22 *petition for the procurement of a nondevelop-*  
23 *mental tanker aircraft at the conclusion of the*  
24 *KC-46A production contract in effect as of the*  
25 *date of the enactment of this Act.*

1           (c) *CATEGORY-ONE DEFICIENCY DEFINED.*—*The term*  
2 *“category-one deficiency” means a deficiency that may*  
3 *cause—*

4                   (1) *death or severe injury to personnel; or*

5                   (2) *major loss or damage to critical aircraft ca-*  
6 *pabilities.*

7 **SEC. 127. ASSESSMENT AND CERTIFICATION RELATING TO**  
8 **OC-135 AIRCRAFT.**

9           (a) *LIMITATION.*—*Except as provided in subsection*  
10 *(b), none of the funds authorized to be appropriated by this*  
11 *Act or otherwise made available for fiscal year 2021 for the*  
12 *Air Force may be obligated or expended to retire, divest,*  
13 *realign, or place in storage or on backup aircraft inventory*  
14 *status, or prepare to retire, divest, realign, or place in stor-*  
15 *age or backup inventory status, any OC-135 aircraft until*  
16 *a period of 90 days has elapsed following the date on which*  
17 *the Secretary of the Air Force submits to the congressional*  
18 *defense committees—*

19                   (1) *the report required under subsection (c); and*

20                   (2) *the certification required under subsection*

21 *(d).*

22           (b) *EXCEPTION.*—*The limitation in subsection (a)*  
23 *shall not apply to—*

24                   (1) *individual OC-135 aircraft that the Sec-*  
25 *retary of the Air Force determines, on a case-by-case*

1       *basis, to be no longer mission capable because of mis-*  
2       *haps or other damage; or*

3             (2) *funds obligated or expended—*

4                     (A) *for the preparation of the report re-*  
5                     *quired under subsection (c); or*

6                     (B) *for the Air Force to assess options to re-*  
7                     *purpose the OC–135 aircraft to support other*  
8                     *mission requirements.*

9       (c) *REPORT REQUIRED.—Not later than 180 days*  
10 *after the date of the enactment of this Act, the Secretary*  
11 *of the Air Force shall submit to the congressional defense*  
12 *committees a report that includes the following:*

13             (1) *Identification of any unclassified aerial im-*  
14 *agery requirements that the Air Force or Air Na-*  
15 *tional Guard can meet using the OC–135 aircraft, a*  
16 *version of the aircraft that is expected to replace the*  
17 *OC–135, or similar aerial imagery collection and*  
18 *processing capabilities.*

19             (2) *An assessment of the extent to which it is*  
20 *more appropriate for the Air Force or the Air Na-*  
21 *tional Guard to fulfill such requirements.*

22             (3) *A comparison of the costs and effectiveness of*  
23 *alternative means of meeting unclassified aerial im-*  
24 *agery requirements.*

1           (4) *An assessment of the utility and cost dif-*  
2           *ferential of performing international treaty moni-*  
3           *toring missions such as Olive Harvest with the OC-*  
4           *135 aircraft, a version of the aircraft that is expected*  
5           *to replace the OC-135, or similar aerial imagery col-*  
6           *lection and processing capabilities.*

7           (d) *CERTIFICATION REQUIRED.—Together with the re-*  
8           *port required under subsection (c), the Secretary of the Air*  
9           *Force shall certify to the congressional defense committees—*

10           (1) *whether there are unclassified aerial imagery*  
11           *requirements that the Air Force can meet with the*  
12           *OC-135 aircraft or a version of the aircraft that is*  
13           *expected to replace the OC-135; and*

14           (2) *whether the Secretary has identified methods*  
15           *of meeting such requirements that are more effective*  
16           *and more efficient than meeting such requirements*  
17           *through the use of the OC-135 aircraft or a version*  
18           *of the aircraft that is expected to replace the OC-135.*

19           (e) *UNCLASSIFIED AERIAL IMAGERY REQUIREMENTS*  
20           *DEFINED.—In this section, the term “unclassified aerial*  
21           *imagery requirements” means requirements for the Air*  
22           *Force to provide responsive unclassified aerial imagery sup-*  
23           *port to military forces, domestic civil authorities, other de-*  
24           *partments and agencies of the Federal Government, and for-*  
25           *foreign partners of the United States, including any require-*

1 *ments to provide unclassified aerial imagery in support of*  
2 *overseas contingency operations, humanitarian assistance*  
3 *and disaster relief missions, defense support to domestic*  
4 *civil authorities, and international treaty monitoring mis-*  
5 *sions.*

6 **SEC. 128. MODERNIZATION PLAN FOR AIRBORNE INTEL-**  
7 **LIGENCE, SURVEILLANCE, AND RECONNAIS-**  
8 **SANCE.**

9 *(a) MODERNIZATION PLAN.—*

10 *(1) IN GENERAL.—The Secretary of the Air*  
11 *Force shall develop a comprehensive plan for the mod-*  
12 *ernization of airborne intelligence, surveillance, and*  
13 *reconnaissance, which shall—*

14 *(A) ensure the alignment between require-*  
15 *ments, both current and future, and Air Force*  
16 *budget submissions to meet such requirements;*  
17 *and*

18 *(B) inform the preparation of future defense*  
19 *program and budget requests by the Secretary,*  
20 *and the consideration of such requests by Con-*  
21 *gress.*

22 *(2) ELEMENTS.—The plan required by para-*  
23 *graph (1) shall include the following:*

24 *(A) An assessment of all airborne intel-*  
25 *ligence, surveillance, and reconnaissance mis-*

1           sions, both current missions and those missions  
2           necessary to support the national defense strat-  
3           egy.

4           (B) An analysis of platforms, capabilities,  
5           and capacities necessary to fulfill such current  
6           and future missions.

7           (C) The anticipated life-cycle budget associ-  
8           ated with each platform, capability, and capac-  
9           ity requirement for both current and future re-  
10          quirements.

11          (D) An analysis showing operational, budg-  
12          et, and schedule trade-offs between sustainment  
13          of currently fielded capabilities, modernization of  
14          currently fielded capabilities, and development  
15          and production of new capabilities.

16          (b) REPORT TO CONGRESS.—

17           (1) IN GENERAL.—Not later than March 30,  
18          2021, the Secretary of the Air Force shall submit to  
19          the congressional defense committees a report that in-  
20          cludes—

21           (A) the comprehensive modernization plan  
22          required by subsection (a); and

23           (B) a strategy for carrying out such plan  
24          through fiscal year 2030.



1           (2) *FORM.*—*The report required under para-*  
2           *graph (1) shall be submitted in unclassified form but*  
3           *may include a classified annex.*

4 **SEC. 129. MINIMUM BOMBER AIRCRAFT FORCE LEVEL.**

5           (a) *IN GENERAL.*—*Not later than February 1, 2021,*  
6           *the Secretary of the Air Force shall submit to the congres-*  
7           *sional defense committees a report with recommendations*  
8           *for the bomber aircraft force structure that enables the Air*  
9           *Force to meet the requirements of its long-range strike mis-*  
10          *sion under the National Defense Strategy.*

11          (b) *ELEMENTS.*—*The report required under subsection*  
12          (a) *shall include each of the following elements:*

13                 (1) *The bomber force structure necessary to meet*  
14                 *the requirements of the Air Force’s long-range strike*  
15                 *mission under the National Defense Strategy, includ-*  
16                 *ing—*

17                         (A) *the total minimum number of bomber*  
18                         *aircraft; and*

19                         (B) *the minimum number of primary mis-*  
20                         *sion aircraft.*

21                 (2) *The penetrating bomber force structure nec-*  
22                 *essary to meet the requirements of the Air Force’s*  
23                 *long-range strike mission in contested or denied envi-*  
24                 *ronments under the National Defense Strategy, to in-*  
25                 *clude—*

1           (A) *the total minimum number of pene-*  
2           *trating bomber aircraft; and*

3           (B) *the minimum number of primary mis-*  
4           *sion penetrating bomber aircraft.*

5           (3) *A roadmap outlining how the Air Force*  
6           *plans to reach the force structure identified under*  
7           *paragraphs (1) and (2), including an established goal*  
8           *date for achieving the minimum number of bomber*  
9           *aircraft.*

10          (c) *FORM.—The report submitted under subsection (a)*  
11          *shall be submitted in unclassified form, but may include*  
12          *a classified annex.*

13          (d) *PUBLICATION.—The Secretary shall make avail-*  
14          *able to the public the unclassified form of the report sub-*  
15          *mited under subsection (a).*

16          (e) *BOMBER AIRCRAFT.—In this section, the term*  
17          *“bomber aircraft” includes penetrating bombers in addition*  
18          *to B-52H aircraft.*

19                 ***Subtitle D—Defense-wide, Joint,***  
20                 ***and Multiservice Matters***

21                 ***SEC. 131. DOCUMENTATION RELATING TO THE F-35 AIR-***  
22                 ***CRAFT PROGRAM.***

23           (a) *LIMITATION.—The Secretary of Defense may not*  
24           *grant Milestone C approval for the F-35 aircraft program*  
25           *pursuant to section 2366c of title 10, United States Code,*

1 *or enter into a contract for the full-rate production of F-*  
2 *35 aircraft, until a period of 30 days has elapsed following*  
3 *the date on which the Secretary has submitted to the con-*  
4 *gressional defense committees all of the documentation re-*  
5 *quired under subsection (b).*

6 *(b) DOCUMENTATION REQUIRED.—The Secretary of*  
7 *Defense shall submit to the congressional defense committees*  
8 *the following documentation with respect to the F-35 air-*  
9 *craft program:*

10 *(1) A certification from the Under Secretary of*  
11 *Defense for Acquisition and Sustainment that all al-*  
12 *ternative supply contractors for parts, required for*  
13 *the airframe and propulsion prime contractors of the*  
14 *F-35 program as a result of the removal of the Re-*  
15 *public of Turkey from the program—*

16 *(A) have been identified and all related*  
17 *undefinitized contract actions have been defini-*  
18 *tized (as described in section 7401 of part 217*  
19 *of the Defense Federal Acquisition Regulation*  
20 *Supplement);*

21 *(B) the parts produced by each such con-*  
22 *tractor have been qualified and certified as meet-*  
23 *ing applicable technical design and use specifica-*  
24 *tions; and*

1           (C) each such contractor has reached the re-  
2           quired rate of production to meet supply require-  
3           ments for parts under the F-35 aircraft pro-  
4           gram.

5           (2) A cost analysis, prepared by the joint pro-  
6           gram office for the F-35 aircraft program, that as-  
7           sesses and defines —

8                   (A) how the full integration of Block 4 and  
9                   Technical Refresh 3 capabilities for each lot of  
10                  Block 4 production aircraft beginning after lot  
11                  14 will affect the average procurement unit cost  
12                  of United States variants of the F-35A, F-35B,  
13                  and F-35C aircraft; and

14                   (B) how the establishment of alternate  
15                  sources of production and sustainment supply  
16                  and repair parts due to the removal of the Re-  
17                  public of Turkey from the F-35 program will af-  
18                  fect such unit cost.

19           (3) All reports required under section 167 of the  
20           National Defense Authorization Act for Fiscal Year  
21           2020 (Public Law 116-92; 133 Stat. 1250).

22           (4) An independent cost estimate, prepared by  
23           Director of Cost Assessment and Program Evaluation,  
24           that defines, for each phase of the F-35 aircraft pro-  
25           gram, the cost to develop, procure, integrate, and ret-

1        *refit F-35 aircraft with all Block 4 capability re-*  
2        *quirements that are specified in the most recent Block*  
3        *4 capabilities development document.*

4            (5) *A plan to correct or mitigate any deficiency*  
5        *in the aircraft, identified as of the date of enactment*  
6        *of this Act—*

7            (A) *that may cause death, severe injury or*  
8        *occupational illness, or major loss or damage to*  
9        *equipment or a system, and for which there is no*  
10       *identified workaround (commonly known as a*  
11       *“category 1A deficiency”); or*

12           (B) *that critically restricts combat readi-*  
13       *ness capabilities or results in the inability to at-*  
14       *tain adequate performance to accomplish mission*  
15       *requirements (commonly known as a “category*  
16       *1B deficiency”).*

17           (6) *A software and hardware capability, up-*  
18       *grade, and aircraft modification plan that defines the*  
19       *cost and schedule for retrofitting F-35 aircraft that*  
20       *currently have Technical Refresh 2 capabilities in-*  
21       *stalled to ensure compatibility with Block 4 and*  
22       *Technical Refresh 3 aircraft capabilities.*

23           (7) *The following reports for the F-35 aircraft*  
24       *program, as prepared by the Director of Operational*  
25       *Test and Evaluation:*

1           (A) *A report on the results of the realistic*  
2           *survivability testing of the aircraft, as described*  
3           *in section 2366(d) of title 10, United States*  
4           *Code.*

5           (B) *A report on the results of the initial*  
6           *operational test and evaluation conducted for*  
7           *program, as described in section 2399(b)(2) of*  
8           *such title.*

9           (8) *A mitigation strategy and implementation*  
10          *plan to address each critical deficiency in the F-35*  
11          *autonomic logistics information system that has been*  
12          *identified as of the date of enactment of this Act.*

13          (9) *A certification that the F-35A meets the re-*  
14          *quired mission reliability performance using an aver-*  
15          *age sortie duration of 2 and one-half hours.*

16          (10) *A certification that the Secretary has devel-*  
17          *oped and validated a fully integrated and realistic*  
18          *schedule for the development, production and integra-*  
19          *tion of Block 4 Technical Refresh 3 capabilities, that*  
20          *includes a strategy for resolving all software technical*  
21          *debt that has accumulated within the F-35 oper-*  
22          *ational flight program source code during develop-*  
23          *ment, production, and integration of Technical Re-*  
24          *fresh 1 and Technical Refresh 2 capabilities.*

1           (11)(A) *A complete list of hardware modifica-*  
2           *tions that will be required to integrate Block 4 capa-*  
3           *bilities into lot 16 and lot 17 production aircraft.*

4           (B) *An estimate of the costs of any engineering*  
5           *changes required as a result of such modifications.*

6           (C) *A comparison of those engineering changes*  
7           *and costs with the engineering changes and costs for*  
8           *lot 15 production aircraft.*

9   **SEC. 132. NOTIFICATION ON SOFTWARE REGRESSION TEST-**  
10                           **ING FOR F-35 AIRCRAFT.**

11           (a) *NOTIFICATION REQUIRED.*—*The Under Secretary*  
12           *of Defense for Acquisition and Sustainment, in consultation*  
13           *with the Director of Operational Test and Evaluation, shall*  
14           *notify the congressional defense committees, in writing, not*  
15           *later than 30 days after the date on which mission systems*  
16           *production software for the F-35 aircraft is released to*  
17           *units operating such aircraft under the F-35 continuous*  
18           *capability development and delivery program.*

19           (b) *ELEMENTS.*—*The notification required under sub-*  
20           *section (a) shall include, with respect to the mission systems*  
21           *production software for the F-35 aircraft, the following:*

22                   (1) *An explanation of the types and methods of*  
23                   *regression testing that were completed for the produc-*  
24                   *tion release of the software to ensure compatibility*  
25                   *and proper functionality with—*

1           (A) the fire control radar system of each  
2 variant of the F-35 aircraft; and

3           (B) all weapons certified for carriage and  
4 employment on each variant of the F-35 air-  
5 craft.

6           (2) Identification of any entities that conducted  
7 regression testing of the software, including any devel-  
8 opment facilities of the Federal Government or con-  
9 tractors that conducted such testing.

10           (3) A list of deficiencies identified during regres-  
11 sion testing of the software or by operational units  
12 after fielding of the software, and an explanation of—

13           (A) any software modifications, including  
14 quick-reaction capability, that were completed to  
15 resolve or mitigate the deficiencies;

16           (B) with respect to any deficiencies that  
17 were not resolved or mitigated, whether the defi-  
18 ciencies will be corrected in later releases of the  
19 software; and

20           (C) any effects resulting from such defi-  
21 ciencies, including—

22           (i) any effects on the cost and schedule  
23 for delivery of the software; and

24           (ii) in cases in which the deficiencies  
25 resulted in additional, unplanned, software



1                   *releases, any effects on the ongoing testing of*  
2                   *software capability releases.*

3   **SEC. 133. NOTIFICATION ON EFFORTS TO REPLACE INOPER-**  
4                   **ABLE EJECTION SEAT AIRCRAFT LOCATOR**  
5                   **BEACONS.**

6           (a) *NOTIFICATION.*—*Not later than 180 days after the*  
7   *date of the enactment of this Act and on a semi-annual*  
8   *basis thereafter until the date specified in subsection (b),*  
9   *the Under Secretary of Defense for Acquisition and*  
10 *Sustainment shall submit to the congressional defense com-*  
11 *mittees a written notification that describes, with respect*  
12 *to the period covered by the notification—*

13                   (1) *the efforts of the service acquisition executives*  
14                   *of the Department of the Air Force and the Depart-*  
15                   *ment of the Navy to replace ejection seat aircraft loca-*  
16                   *tor beacons that are—*

17                                   (A) *installed on covered aircraft; and*

18                                   (B) *inoperable in water or in wet condi-*  
19                   *tions; and*

20                   (2) *the funding allocated for such efforts.*

21           (b) *DATE SPECIFIED.*—*The date specified in this sub-*  
22 *section is the earlier of—*

23                   (1) *the date on which the Under Secretary of De-*  
24                   *fense for Acquisition and Sustainment determines*  
25                   *that all ejection seat aircraft locator beacons installed*

1       *on covered aircraft are operable in water and wet*  
2       *conditions; or*

3               *(2) the date that is five years after the date of*  
4       *the enactment of this Act.*

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

6               *(1) The term “covered aircraft” means aircraft*  
7       *of the Air Force, the Navy, and the Marine Corps that*  
8       *are equipped with ejection seats.*

9               *(2) The term “service acquisition executive of the*  
10       *Department of the Air Force” does not include the*  
11       *Service Acquisition Executive of the Department of*  
12       *the Air Force for Space Systems and Programs de-*  
13       *scribed in section 957 of the National Defense Author-*  
14       *ization Act for Fiscal Year 2020 (Public Law 116–*  
15       *92; 10 U.S.C. 9016 note).*

16       **SEC. 134. LIMITATION ON USE OF FUNDS FOR THE ARMED**  
17               **OVERWATCH PROGRAM.**

18       *None of the funds authorized to be appropriated by this*  
19       *Act or otherwise made available for fiscal year 2021 for pro-*  
20       *curement for the Armed Overwatch Program of the United*  
21       *States Special Operations Command may be obligated or*  
22       *expended until the date on which—*

23               *(1) the Secretary of Defense certifies to the con-*  
24       *gressional defense committees that—*

1           (A) the Secretary has completed a require-  
2           ments review of the Armed Overwatch Program;  
3           and

4           (B) the Secretary has conducted a review of  
5           the roles and responsibilities of the United States  
6           Air Force and the United States Special Oper-  
7           ations Command with respect to close air sup-  
8           port and armed intelligence, surveillance, and  
9           reconnaissance and, as a result of such review,  
10          the Secretary has identified the Armed  
11          Overwatch Program as a special operations  
12          forces-peculiar requirement; and

13          (2) the Commander of United States Special Op-  
14          erations Command submits to the congressional de-  
15          fense committees—

16               (A) certification that the Commander or  
17               Deputy Commander has approved the docu-  
18               mentation of the Special Operations Command  
19               Requirements Evaluation Board; and

20               (B) a requirements plan for the Armed  
21               Overwatch program that includes—

22                       (i) an analysis of alternatives;

23                       (ii) a procurement plan over the period  
24                       covered by the most recent future-years de-

1                    *fense program submitted under section 221*  
2                    *of title 10, United States Code;*  
3                    *(iii) a sustainment plan with projected*  
4                    *costs;*  
5                    *(iv) a phase out plan of existing armed*  
6                    *intelligence, surveillance, and reconnais-*  
7                    *sance platforms;*  
8                    *(v) a manpower and training analysis,*  
9                    *and;*  
10                    *(vi) doctrinal considerations for em-*  
11                    *ployment; and*  
12                    *(C) a roadmap analyzing whether the near-*  
13                    *term to mid-term multi-mission responsibilities*  
14                    *of the Armed Overwatch Program are consistent*  
15                    *with the intelligence, surveillance, and reconnais-*  
16                    *sance requirements of the various special oper-*  
17                    *ations forces units and missions, and the geo-*  
18                    *graphic combatant commands.*

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. MODIFICATION OF SCIENCE, MATHEMATICS, AND**  
14 **RESEARCH FOR TRANSFORMATION (SMART)**  
15 **DEFENSE EDUCATION PROGRAM.**

16 *(a) PILOT SUBPROGRAM.—Section 2192a of title 10,*  
17 *United States Code, is amended—*

18 *(1) by redesignating subsections (b) through (h)*  
19 *as subsections (c) through (i);*

20 *(2) by inserting after subsection (a) the following*  
21 *new subsection:*

22 *“(b) REQUIREMENT FOR PILOT SUBPROGRAM.—*

23 *“(1) IN GENERAL.—As a subprogram of the pro-*  
24 *gram under subsection (a), the Secretary of Defense*  
25 *shall carry out a pilot program to be known as the*

1       *‘National Security Pipeline Pilot Program’ (referred*  
2       *to in this section as the ‘Pilot Program’) under which*  
3       *the Secretary shall seek to enter into partnerships*  
4       *with minority institutions to diversify the partici-*  
5       *pants in the program under subsection (a).*

6               “(2) *ELEMENTS.—Under the Pilot Program, the*  
7       *Secretary of Defense shall—*

8                       “(A) *provide an appropriate amount of fi-*  
9                       *ancial assistance under subsection (c) to an in-*  
10                      *dividual who is pursuing an associate’s degree,*  
11                      *undergraduate degree, or advanced degree at a*  
12                      *minority institution;*

13                     “(B) *provide such financial assistance to re-*  
14                     *cipients in conjunction with summer internship*  
15                     *opportunities or other meaningful temporary ap-*  
16                     *pointments within the Department; and*

17                     “(C) *periodically evaluate the success of re-*  
18                     *cruiting individuals for scholarships under this*  
19                     *subsection and on hiring and retaining those in-*  
20                     *dividuals in the public sector workforce.*

21               “(3) *REPORTS.—*

22                     “(A) *INITIAL REPORT.—Not later than De-*  
23                     *cember 31, 2022, the Secretary of Defense shall*  
24                     *submit to the congressional defense committees a*  
25                     *report on the establishment of the Pilot Program.*

1           *At a minimum, the report shall identify the*  
2           *number of students participating in the pilot*  
3           *program as of the date of the report, the fields*  
4           *of study pursued by such students, and the mi-*  
5           *nority institutions at which such students are*  
6           *enrolled.*

7           “(B) *FINAL REPORT.*—*Not later than Sep-*  
8           *tember 30, 2024, the Secretary of Defense shall*  
9           *submit to the congressional defense committees a*  
10          *report that evaluates the success of the pilot pro-*  
11          *gram in recruiting individuals for scholarships*  
12          *under this section and hiring and retaining*  
13          *those individuals in the public sector workforce.*

14          “(4) *TERMINATION.*—*The Pilot Program shall*  
15          *terminate on December 31, 2026.”;*

16          (3) *in subsection (c)(1), as so redesignated—*

17                  (A) *in subparagraph (A), by striking “sub-*  
18                  *section (g)” and inserting “subsection (h)”;* and

19                  (B) *in subparagraph (C), by striking “sub-*  
20                  *section (c)” and inserting “subsection (d)”;*

21          (4) *in subsection (d), as so redesignated—*

22                  (A) *by redesignating paragraph (3) as*  
23                  *paragraph (4); and*

24                  (B) *by inserting after paragraph (2) the fol-*  
25                  *lowing new paragraph:*

1           “(3) Pursuant to regulations prescribed by the  
2           Secretary of Defense for such purpose, a scholarship  
3           recipient who is not serving in the Armed Forces at  
4           the time the scholarship is received may fulfill the  
5           condition described in paragraph (1) by serving on  
6           active duty in the Armed Forces.”; and

7           (5) by amending subsection (i), as so redesign-  
8           ated, to read as follows:

9           “(i) *DEFINITIONS.*—In this section:

10           “(1) The term ‘institution of higher education’  
11           has the meaning given such term in section 101 of the  
12           Higher Education Act of 1965 (20 U.S.C. 1001).

13           “(2) The term ‘minority institution’ means an  
14           institution of higher education at which not less than  
15           50 percent of the total student enrollment consists of  
16           students from ethnic groups that are underrepresented  
17           in the fields of science and engineering.”.

18           (b) *ADDITIONAL MODIFICATIONS.*—Section 2192a of  
19           title 10, United States Code, as amended by subsection (a),  
20           is further amended—

21           (1) in subsection (d), by adding at the end the  
22           following new paragraph:

23           “(5) In employing participants during the pe-  
24           riod of obligated service, the Secretary shall ensure  
25           that participants are compensated at a rate that is



1       comparable to the rate of compensation for employ-  
2       ment in a similar position in the private sector.”.

3               (2) by redesignating subsections (e) through (i)  
4       as subsections (f) through (j), respectively;

5               (3) by inserting after subsection (d) the following  
6       new subsection:

7       “(e) *INTERNSHIP REQUIREMENT.*—In addition to the  
8       period of obligated service required under subsection (d), be-  
9       fore completing a degree program for which a scholarship  
10      was awarded under this section, each participant shall par-  
11      ticipate in a paid internship for a period of not less than  
12      eight weeks with a defense industry sponsor. The Secretary  
13      shall work with each defense industry sponsor to ensure  
14      there are sufficient paid internships available for all par-  
15      ticipants, and that each such defense industry sponsor—

16              “(1)(A) may be a potential employer for purpose  
17      of the participant’s period of obligated service as de-  
18      scribed subsection (d)(1)(B)(ii); or

19              “(B) may offer full time employment for a par-  
20      ticipant’s last year of obligated service after the par-  
21      ticipant completes remaining years owed; and

22              “(2) has agreed to be a defense industry sponsor  
23      making a minimum contribution for each participant  
24      who receives an internship, which shall be a min-  
25      imum amount determined by the Secretary, but not

1       *less than an amount equal to 50 percent of the cost*  
2       *of an average scholarship under this section.”;*

3             *(4) in subsection (h), as so redesignated—*

4                     *(A) by striking “The Secretary of Defense*  
5                     *shall” and inserting*

6                     *“(1) The Secretary of Defense shall”;* and

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

9                     *“(2)(A) The Secretary of Defense shall establish*  
10                    *or designate an organization within the Department*  
11                    *of Defense which shall have primary responsibility for*  
12                    *building cohesion and collaboration across the various*  
13                    *scholarship and employment programs of the Depart-*  
14                    *ment.*

15                    *“(B) The organization described in subpara-*  
16                    *graph (A) shall have the following duties:*

17                             *“(i) Establish an interconnected network*  
18                             *and database across the scholarship and employ-*  
19                             *ment programs of the Department, including, at*  
20                             *a minimum the SMART Defense Education Pro-*  
21                             *gram, the Defense Civilian Training Corps, the*  
22                             *National Defense Science and Engineering Grad-*  
23                             *uate Fellowship, the Army AEOP apprenticeship*  
24                             *program, and the Consortium Research Fellows*  
25                             *Program;*

1           “(ii) aid in matching scholarships to indi-  
2           viduals pursuing courses of study in in-demand  
3           skill areas; and

4           “(iii) build a network of program partici-  
5           pants, past, present, and future whom DOD de-  
6           partments can draw on to fill skills gaps.

7           “(C) On an annual basis, the organization de-  
8           scribed in subparagraph (A) shall publish, on a pub-  
9           licly accessible website of the Department of Defense,  
10          an annual report on the workforce requirements and  
11          expected future needs of the civilian workforce of the  
12          Department of Defense.”;

13          (5) by redesignating subsection (j), as so redesign-  
14          ated, as subsection (k);

15          (6) by inserting after subsection (i) the following  
16          new subsection:

17          “(j) *SPECIAL RULE.*—In each year of the program  
18          under this section, not less than 20 percent of the applicants  
19          who are awarded scholarships shall be individuals pursuing  
20          degrees in computer science or a related field of study.”;  
21          and

22          (7) in subsection (k), as so redesignated, by add-  
23          ing at the end the following new paragraph:

24          “(3) The term ‘defense industry sponsor’  
25          means—

1           “(A) a defense contractor with an active  
2 government contract that makes the required  
3 minimum contribution described in subsection  
4 (e)(2); or

5           “(B) a company deemed critical to the na-  
6 tional security infrastructure that makes such a  
7 contribution.”.

8 **SEC. 212. ENHANCED PARTICIPATION OF DEPARTMENT OF**  
9           **DEFENSE CONTRACTORS IN SCIENCE, TECH-**  
10           **NOLOGY, ENGINEERING, AND MATHEMATICS**  
11           **ACTIVITIES.**

12       (a) *IN GENERAL.*—

13           (1) *PROGRAM REQUIRED.*—Chapter 111 of title  
14 10, United States Code, is amended by inserting after  
15 section 2192b the following new section:

16 **“§2192c. Program to enhance contractor participa-**  
17           **tion in science, technology, engineering,**  
18           **and mathematics activities**

19       “(a) *IN GENERAL.*—The Secretary of Defense shall  
20 carry out a program under which the Secretary shall seek  
21 to enter into partnerships with Department of Defense con-  
22 tractors to promote interest in careers in STEM disciplines.

23       “(b) *OBJECTIVES.*—The objectives of the program  
24 under subsection (a) are—

1           “(1) to maximize strategic partnerships between  
2           institutions of higher education and private sector or-  
3           ganizations to build and strengthen communities in-  
4           volved in STEM disciplines;

5           “(2) to increase diversity, equity, and inclusion  
6           by providing access to career paths in STEM in his-  
7           torically underserved and underrepresented commu-  
8           nities; and

9           “(3) to encourage employers in STEM dis-  
10          ciplines to establish work-based learning experiences  
11          such as internships and apprenticeships.

12          “(c) *ACTIVITIES.*—As part of the program under sub-  
13          section (a), the Secretary of Defense shall seek to encourage  
14          and provide support to Department of Defense contractors  
15          to enable such contractors to carry out activities to promote  
16          interest in careers in STEM disciplines. Such activities  
17          may include—

18               “(1) aiding in the development of educational  
19               programs and curriculum in STEM disciplines for  
20               students of elementary schools and secondary schools;

21               “(2) establishing volunteer programs in elemen-  
22               tary schools and secondary schools receiving assist-  
23               ance under part A of title I of the Elementary and  
24               Secondary Education Act of 1965 (20 U.S.C. 6311 *et*  
25               *seq.*) to enhance education in STEM disciplines.

1           “(3) *enhancing education in STEM disciplines*  
2 *at institutions of higher education by—*

3           “(A) *making personnel available to advise*  
4 *and assist faculty at such institutions in the per-*  
5 *formance of research and instruction in STEM*  
6 *disciplines that are determined to be critical to*  
7 *the functions of the Department of Defense;*

8           “(B) *awarding scholarships and fellowships*  
9 *to students pursuing courses of study in STEM*  
10 *disciplines; or*

11           “(C) *establishing cooperative work-edu-*  
12 *cation programs in STEM disciplines for stu-*  
13 *dents; or*

14           “(4) *enhancing education in STEM disciplines*  
15 *at minority institutions by—*

16           “(A) *establishing partnerships between*  
17 *offerors and such institutions for the purpose of*  
18 *training students in STEM disciplines;*

19           “(B) *conducting recruitment activities at*  
20 *such institutions; or*

21           “(C) *making internships or apprenticeships*  
22 *available to students of such institutions.*

23           “(d) *ALLOWABILITY OF COSTS.—Activities described*  
24 *in subsection (c) shall be considered as allowable commu-*

1 *nity service activities for the purposes of determining allow-*  
2 *ability of cost on a government contract.*

3 “(h) *DEFINITIONS.—In this section:*

4 “(1) *The terms ‘elementary school’ and ‘sec-*  
5 *ondary school’ have the meanings given those terms in*  
6 *section 8101 of the Higher Education Act of 1965 (20*  
7 *U.S.C. 7801).*

8 “(2) *The term ‘institution of higher education’*  
9 *has the meaning given that term in section 101 of the*  
10 *Higher Education Act of 1965 (20 U.S.C. 1001).*

11 “(3) *The term ‘minority institution’ means—*

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

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

22 “(4) *The term ‘STEM disciplines’ means dis-*  
23 *ciplines relating to science, technology, engineering*  
24 *and mathematics, including disciplines that are crit-*  
25 *ical to the national security functions of the Depart-*

1 *ment of Defense and that are needed in the Depart-*  
2 *ment of Defense workforce (as determined by the Sec-*  
3 *retary of Defense under section 2192a(a)).”.*

4 (2) *CLERICAL AMENDMENT.—The table of sec-*  
5 *tions at the beginning of such chapter is amended by*  
6 *inserting after the item relating to section 2192b the*  
7 *following new item:*

*“2192c. Program to enhance contractor participation in science, technology, engi-*  
*neering, and math activities.”.*

8 (b) *CONFORMING REPEAL.—Section 862 of the Na-*  
9 *tional Defense Authorization Act for Fiscal Year 2012 (Pub-*  
10 *lic Law 112–81; 10 U.S.C. note prec. 2191) is repealed.*

11 **SEC. 213. MODIFICATION OF REQUIREMENTS RELATING TO**  
12 **CERTAIN COOPERATIVE RESEARCH AND DE-**  
13 **VELOPMENT AGREEMENTS.**

14 *Section 2350a of title 10, United States Code, is*  
15 *amended—*

16 (1) *in subsection (b)(2), by striking “and the*  
17 *Under Secretary” and inserting “or the Under Sec-*  
18 *retary”;*

19 (2) *in subsection (c)—*

20 (A) *by striking “Each cooperative” and in-*  
21 *serting “(1) Except as provided in paragraph*  
22 *(2), each cooperative”;* and

23 (B) *by adding at the end the following new*  
24 *paragraphs:*



1       “(2) *A cooperative research and development project*  
2 *may be entered into under this section under which costs*  
3 *are shared between the participants on an unequal basis*  
4 *if the Secretary of Defense, or an official specified in sub-*  
5 *section (b)(2) to whom the Secretary delegates authority*  
6 *under this paragraph, makes a written determination that*  
7 *unequal cost sharing provides strategic value to the United*  
8 *States or another participant in the project.*

9       “(3) *For purposes of this subsection, the term ‘cost’*  
10 *means the total value of cash and non-cash contributions.’;*

11               *(3) in subsection (d)—*

12                       *(A) in paragraph (1), by striking “In order*  
13 *to” and inserting “Except as provided in para-*  
14 *graph (2), in order to”;*

15                       *(B) by redesignating paragraph (2) as*  
16 *paragraph (3); and*

17                       *(C) by inserting after paragraph (1) the fol-*  
18 *lowing new paragraph:*

19       “(2)(A) *The Secretary of Defense, or an official speci-*  
20 *fied in subsection (b)(2) to whom the Secretary delegates*  
21 *authority under this paragraph, may waive the prohibition*  
22 *under paragraph (1) to allow the procurement of qualified*  
23 *services from a foreign government, foreign research organi-*  
24 *zation, or other foreign entity on a case-by-case basis.*

1       “(B) Not later than 30 days before issuing a waiver  
2 under subparagraph (A), the Secretary of Defense or the  
3 official specified in subsection (b)(2) to whom the Secretary  
4 delegates authority under this paragraph (as the case may  
5 be) shall submit to the congressional defense committees, the  
6 Committee on Foreign Affairs of the House of Representa-  
7 tives, and the Committee on Foreign Relations of the Senate  
8 written notice of the intent to issue such a waiver.

9       “(C) For purposes of this paragraph, the term ‘quali-  
10 fied services’ means engineering support services and local  
11 management services, including launch support services,  
12 test configuration support services, test range support serv-  
13 ices, and development support services, that are not covered  
14 by a memorandum of understanding (or other formal agree-  
15 ment) to conduct a cooperative research and development  
16 project under this section.”.

17 **SEC. 214. PILOT PROGRAM ON TALENT OPTIMIZATION.**

18       Section 2358b of title 10, United States Code, is  
19 amended by adding at the end the following new subsection:

20       “(e) **PILOT PROGRAM ON TALENT OPTIMIZATION.**—

21               “(1) **IN GENERAL.**—The Under Secretary of De-  
22 fense for Research and Engineering, acting through  
23 the Director of the Defense Innovation Unit, shall  
24 carry out a pilot program to develop a software-based  
25 system that enables active duty military units to

1       *identify, access, and request support from members of*  
2       *the reserve components who have the skills and exper-*  
3       *tise necessary to carry out one or more functions re-*  
4       *quired of such units.*

5               “(2) *ELEMENTS.—In carrying out the pilot pro-*  
6       *gram, the Director of the Defense Innovation Unit*  
7       *shall—*

8                       “(A) *ensure that the system developed under*  
9       *paragraph (1)—*

10                               “(i) *enables active duty units, in near*  
11       *real-time, to identify members of the reserve*  
12       *components who have the qualifications nec-*  
13       *essary to meet certain requirements applica-*  
14       *ble to the units;*

15                               “(ii) *improves the ability of the mili-*  
16       *tary departments to access, on-demand,*  
17       *members of the reserve components who pos-*  
18       *sess relevant experience; and*

19                               “(iii) *prioritizes access to members of*  
20       *the reserve components who have private-*  
21       *sector experience in the fields identified in*  
22       *section (b);*

23                               “(iv) *leverages commercial best prac-*  
24       *tices for similar software systems;*

1           “(B) recommend policies and legislation to  
2           streamline the use of members of the reserve com-  
3           ponents by active duty units; and

4           “(C) carry out such other activities as the  
5           Director determines appropriate.

6           “(3) *TERMINATION.*—The authority to carry out  
7           the pilot program under this subsection shall termi-  
8           nate on September 30, 2025.”.

9   **SEC. 215. CODIFICATION OF THE NATIONAL SECURITY IN-**  
10                           **NOVATION NETWORK.**

11           (a) *CODIFICATION.*—

12                   (1) *IN GENERAL.*—Chapter 139 of title 10,  
13           United States Code, is amended by inserting after sec-  
14           tion 2358b the following new section:

15   **“§2358c. National Security Innovation Network**

16           “(a) *ESTABLISHMENT.*—The Secretary of Defense shall  
17           establish a program office to be known as the ‘National Se-  
18           curity Innovation Network’ (referred to in this section as  
19           the ‘Network’). The Secretary shall establish the Network  
20           within the Office of the Under Secretary of Defense for Re-  
21           search and Engineering or within the office of another prin-  
22           cipal staff assistant to the Secretary.

23           “(b) *RESPONSIBILITIES.*—The responsibilities of the  
24           Network shall be—

1           “(1) to create a network throughout the United  
2 States that connects the Department of Defense to  
3 academic institutions, commercial accelerators and  
4 incubators, commercial innovation hubs, and non-  
5 profit entities with missions relating to national secu-  
6 rity innovation;

7           “(2) to expand the national security innovation  
8 base through integrated, project-based problem solving  
9 that leads to novel concept and solution development  
10 for the Department and facilitates dual-use venture  
11 creation;

12           “(3) to accelerate the adoption of novel concepts  
13 and solutions by facilitating dual-use technology ad-  
14 vancement to improve acquisition and procurement  
15 outcomes;

16           “(4) to work in coordination with the Under  
17 Secretary of Defense for Personnel and Readiness,  
18 other principal staff assistants within the Office of the  
19 Secretary, and the Armed Forces to create new path-  
20 ways and models of national security service that fa-  
21 cilitate term, temporary, and permanent employment  
22 within the Department for—

23           “(A) students and graduates in the fields of  
24 science, technology, arts, engineering, and mathe-  
25 matics;

1           “(B) *early-career and mid-career tech-*  
2           *nologists; and*

3           “(C) *entrepreneurs for purposes of project-*  
4           *based work;*

5           “(5) *to generate novel concepts and solutions to*  
6           *problems and requirements articulated by entities*  
7           *within the Department through programs, such as the*  
8           *Hacking for Defense program, that combine end users*  
9           *from the Department, students and faculty from aca-*  
10          *ademic institutions, and the early-stage dual-use ven-*  
11          *ture community;*

12          “(6) *to establish physical locations throughout*  
13          *the United States through which the Network will*  
14          *connect with academic and private sector partners for*  
15          *the purposes of carrying the responsibilities described*  
16          *in paragraphs (1) through (5); and*

17          “(7) *to carry out such other activities as the Sec-*  
18          *retary of Defense, in consultation with the head of the*  
19          *Network, determines to be relevant to such responsibil-*  
20          *ities.*

21          “(c) *AUTHORITIES.—In addition to the authorities*  
22          *provided under this section, in carrying out this section,*  
23          *the Secretary of Defense may use the following authorities:*

24                 “(1) *Section 1599g of this title relating to pub-*  
25                 *lic-private talent exchanges.*

1           “(2) Section 2368 of this title, relating to Cen-  
2           ters for Science, Technology, and Engineering Part-  
3           nerships.

4           “(3) Section 2374a of this title, relating to prizes  
5           for advanced technology achievements.

6           “(3) Section 2474 of this title, relating to Cen-  
7           ters of Industrial and Technical Excellence.

8           “(4) Section 2521 of this title, relating to the  
9           Manufacturing Technology Program.

10          “(5) Subchapter VI of chapter 33 of title 5, relat-  
11          ing to assignments to and from States.

12          “(6) Chapter 47 of such title, relating to per-  
13          sonnel research programs and demonstration projects.

14          “(7) Section 12 of the Stevenson-Wydler Tech-  
15          nology Innovation Act of 1980 (15 U.S.C. 3710a) and  
16          section 6305 of title 31 relating to cooperative re-  
17          search and development agreements.

18          “(8) Such other authorities as the Secretary con-  
19          siders appropriate.

20          “(d) DEFINITIONS.—In this section:

21                 “(1) The term ‘dual-use venture’ means a busi-  
22                 ness that provides products or services that are capa-  
23                 ble of meeting requirements for military and non-  
24                 military applications.

1           “(2) *The term ‘early-stage dual-use venture’*  
2           *means a business that provides products or services*  
3           *that are capable of meeting requirements for military*  
4           *and nonmilitary applications that has raised not*  
5           *more than \$20,000,000 in private venture capital,*  
6           *and whose principal product or service does not sup-*  
7           *port, either directly or indirectly, a current Depart-*  
8           *ment of Defense program of record.”.*

9           (2) *CLERICAL AMENDMENT.—The table of sec-*  
10          *tions at the beginning of such chapter is amended by*  
11          *inserting after the item relating to section 2358b the*  
12          *following new item:*

*“2358c. National Security Innovation Network.”.*

13          (b) *IMPLEMENTATION.—*

14                 (1) *TRANSFERS FROM OTHER DOD ELEMENTS.—*  
15                 *The Secretary of Defense may transfer to the National*  
16                 *Security Innovation Network established under sec-*  
17                 *tion 2358c of title 10, United States Code (as added*  
18                 *by subsection (a)) such personnel, resources, and func-*  
19                 *tions of other organizations and elements of the De-*  
20                 *partment of Defense as the Secretary considers appro-*  
21                 *priate to carry out such section.*

22                 (2) *INTEGRATION WITH EXISTING NSIN.—Effective*  
23                 *on the date of the enactment of this Act, the Na-*  
24                 *tional Security Innovation Network of the Depart-*  
25                 *ment of Defense (as in existence on the day before*



1        *such date of enactment) shall be transferred to and*  
2        *merged with the National Security Innovation Net-*  
3        *work established under section 2358c of title 10,*  
4        *United States Code (as added by subsection (a)).*

5            (3) *IMPLEMENTATION PLAN.—*

6            (A) *IN GENERAL.—Not later than 180 days*  
7        *after the date of the enactment of this Act, the*  
8        *Secretary of Defense shall submit to the congres-*  
9        *sional defense committees a plan for imple-*  
10       *menting the National Security Innovation Net-*  
11       *work under section 2358c of title 10, United*  
12       *States Code (as added by subsection (a)).*

13           (B) *ELEMENTS.—The plan required under*  
14       *paragraph (1) shall include the following:*

15           (i) *Plans for any transfers the Sec-*  
16       *retary intends to carry out under para-*  
17       *graph (1).*

18           (ii) *Plans for the funding, integration,*  
19       *and evaluation of the Network, including*  
20       *plans for—*

21           (I) *future funding and adminis-*  
22       *trative support of the Network;*

23           (II) *integration of the Network*  
24       *into the programming, planning, budg-*

1                    *eting, and execution process of the De-*  
2                    *partment of Defense;*

3                    *(III) integration of the Network*  
4                    *with the other programs and initia-*  
5                    *tives within the Department that have*  
6                    *missions relating to innovation and*  
7                    *outreach to the academic and the pri-*  
8                    *vate sector early-stage dual-use venture*  
9                    *community (as defined in section*  
10                   *2358c of title 10, United States Code*  
11                   *(as added by subsection (a)); and*

12                   *(IV) performance indicators by*  
13                   *which the Network will be assessed and*  
14                   *evaluated.*

15                   *(iii) A description of any additional*  
16                   *authorities the Secretary may require to en-*  
17                   *sure that the Network is able to effectively*  
18                   *carry out the responsibilities specified in*  
19                   *section 2358c(c) of title 10, United States*  
20                   *Code (as added by subsection (a)).*

21                   *(c) COMPTROLLER GENERAL REVIEWS AND RE-*

22                   *PORTS.—*

23                   *(1) REVIEW AND REPORT ON IMPLEMENTATION*  
24                   *PLAN.—Not later than 180 days after the date on*  
25                   *which the implementation plan is submitted under*

1 subsection (b)(3), the Comptroller General of the  
2 United States shall—

3 (A) complete a review of the implementa-  
4 tion plan;

5 (B) submit to the congressional defense com-  
6 mittees a report on the results of the review.

7 (2) PROGRAM EVALUATION AND REPORT.—

8 (A) IN GENERAL.—Not later than three  
9 years after the date of the enactment of this Act,  
10 the Comptroller General of the United States  
11 shall—

12 (i) complete an evaluation of the Na-  
13 tional Security Innovation Network under  
14 section 2358c of title 10, United States Code  
15 (as added by subsection (a)); and

16 (ii) submit to the appropriate congress-  
17 sional committees a report on the results of  
18 the evaluation.

19 (B) APPROPRIATE CONGRESSIONAL COMMIT-  
20 TEES DEFINED.—In this paragraph, the term  
21 “appropriate congressional committees” means—

22 (i) the congressional defense commit-  
23 tees;

1                   (ii) the Committee on Homeland Secu-  
2                   rity and Governmental Affairs of the Sen-  
3                   ate; and

4                   (iii) the Committee on Oversight and  
5                   Government Reform of the House of Rep-  
6                   resentatives.

7 **SEC. 216. MODIFICATION OF PILOT PROGRAM ON EN-**  
8 **HANCED CIVICS EDUCATION.**

9           (a) *IN GENERAL.*—Section 234 of the National Defense  
10 *Authorization Act for Fiscal Year 2020 (Public Law 116-*  
11 *92; 10 U.S.C. 2164 note) is amended—*

12                   (1) *in subsection (e)(1)—*

13                           (A) *in subparagraph (H), by striking*  
14                           “and” *at the end; and*

15                           (B) *by adding at the end the following new*  
16                           subparagraph:

17                                   “(J) *the improvement of critical thinking*  
18                                   *and media literacy among students, including*  
19                                   *the improvement of students’ abilities with re-*  
20                                   *spect to—*

21   “(i) *research and information fluency;*

22   “(ii) *critical thinking and problem*  
23   *solving skills;*

24   “(iii) *technology operations and con-*  
25   *cepts;*

1                   “(iv) information and technological lit-  
2                   eracy;

3                   “(v) understanding of the importance  
4                   of obtaining information from multiple  
5                   media sources and evaluating sources for  
6                   quality; and

7                   “(vi) understanding how information  
8                   on digital platforms can be altered through  
9                   algorithms, editing, and augmented reality;  
10                  and”;

11                  (2) in subsection (g), by adding at the end the  
12                  following new paragraph:

13                  “(3) The term ‘media literacy’ means the ability  
14                  to—

15                         “(A) access relevant and accurate informa-  
16                         tion through media in a variety of forms;

17                         “(B) critically analyze media content and  
18                         the influences of different forms of media;

19                         “(C) evaluate the comprehensiveness, rel-  
20                         evance, credibility, authority, and accuracy of  
21                         information;

22                         “(D) make educated decisions based on in-  
23                         formation obtained from media and digital  
24                         sources;”.

1           (b) *DEADLINE FOR IMPLEMENTATION.*—Not later than  
2 90 days after the date of the enactment of this Act, the Sec-  
3 retary of Defense shall implement the pilot program under  
4 section 234 of the National Defense Authorization Act for  
5 Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 2164  
6 note), as amended by subsection (a).

7           (c) *PROGRESS REPORT.*—Not later than 30 days after  
8 the date of the enactment of this Act, the Secretary of De-  
9 fense shall submit to the congressional defense committees  
10 a report on the efforts of Secretary to implement the pilot  
11 program under section 234 of the National Defense Author-  
12 ization Act for Fiscal Year 2020 (Public Law 116–92; 10  
13 U.S.C. 2164 note), as amended by subsection (a).

14 **SEC. 217. MODIFICATION OF JOINT ARTIFICIAL INTEL-**  
15 **LIGENCE RESEARCH, DEVELOPMENT, AND**  
16 **TRANSITION ACTIVITIES.**

17           Section 238 of the John S. McCain National Defense  
18 Authorization Act for Fiscal Year 2019 (Public Law 115–  
19 232; 10 U.S.C. 2358 note) is amended—

20           (1) in the section heading, by inserting “**AND**  
21 **IMPROVEMENT OF THE JOINT ARTIFICIAL IN-**  
22 **TELLIGENCE CENTER**” before the period at the end;

23           (2) in subsection (a)—

24           (A) in paragraph (1), by inserting “ac-  
25           quire,” before “develop”; and

1                   (B) by amending paragraph (2) to read as  
2 follows:

3                   “(2) *EMPHASIS.*—*The set of activities established*  
4 *under paragraph (1) shall include—*

5                   “(A) *acquisition and development of mature*  
6 *artificial intelligence technology;*

7                   “(B) *applying artificial intelligence and*  
8 *machine learning solutions to operational prob-*  
9 *lems by directly delivering artificial intelligence*  
10 *capabilities to the Armed Forces and other orga-*  
11 *nizations and elements of the Department;*

12                   “(C) *accelerating the development, testing,*  
13 *and fielding of new artificial intelligence and ar-*  
14 *tificial intelligence-enabling capabilities; and*

15                   “(D) *coordinating and deconflicting activi-*  
16 *ties involving artificial intelligence and artificial*  
17 *intelligence-enabled capabilities within the De-*  
18 *partment.*”

19                   (3) by amending subsection (b) to read as fol-  
20 lows:

21                   “(b) *RESPONSIBLE OFFICIAL.*—*The Deputy Secretary*  
22 *of Defense shall be the official within the Department of*  
23 *Defense with principal responsibility for the coordination*  
24 *of activities relating to the acquisition, development, and*

1 *demonstration of artificial intelligence and machine learn-*  
2 *ing for the Department.”.*

3           (4) *by redesignating subsections (c) through (g)*  
4 *as subsections (d) through (h), respectively;*

5           (5) *by inserting after subsection (b) the following*  
6 *new subsection:*

7           “(c) *ORGANIZATION.—*

8                   “(1) *ROLE OF JOINT ARTIFICIAL INTELLIGENCE*  
9 *CENTER.—The set of activities established under sub-*  
10 *section (a)(1) shall be established within the Joint Ar-*  
11 *tificial Intelligence Center.*

12                   “(2) *AUTHORITY OF DEPUTY SECRETARY OF DE-*  
13 *FENSE.—The Deputy Secretary of Defense shall exer-*  
14 *cise authority and direction over the Joint Artificial*  
15 *Intelligence Center.*

16                   “(3) *AUTHORITY OF DIRECTOR.—The Director of*  
17 *the Joint Artificial Intelligence Center shall report di-*  
18 *rectly to the Deputy Secretary of Defense.*

19                   “(4) *DELEGATION.—In exercising authority and*  
20 *direction over the Joint Artificial Intelligence Center*  
21 *under subsection (a), the Deputy Secretary of Defense*  
22 *may delegate administrative and ancillary manage-*  
23 *ment duties to the Chief Information Officer of the*  
24 *Department of Defense, as needed, to effectively and*  
25 *efficiently execute the mission of the Center.”;*



1           (6) *in subsection (d), as so redesignated—*

2                   (A) *in the matter preceding paragraph (1),*  
3 *by striking “official designated under subsection*  
4 *(b)” and inserting “Deputy Secretary of De-*  
5 *fense”;*

6                   (B) *in paragraph (1), in the matter pre-*  
7 *ceding subparagraph (A), by inserting “ac-*  
8 *quire,” before “develop”;*

9                   (C) *in the heading of paragraph (2), by*  
10 *striking “DEVELOPMENT” and inserting “ACQUI-*  
11 *SITION, DEVELOPMENT,”; and*

12                   (D) *in paragraph (2)—*

13                           (i) *in the matter preceding subpara-*  
14 *graph (A), by striking “To the degree prac-*  
15 *ticable, the designated official” and insert-*  
16 *ing “The Deputy Secretary of Defense”;*

17                           (ii) *in subparagraph (A), by striking*  
18 *“development” and inserting “acquisition,*  
19 *development,”;*

20                           (iii) *by redesignating subparagraphs*  
21 *(H) and (I) as subparagraphs (J) and (K),*  
22 *respectively; and*

23                           (iv) *by inserting after subparagraph*  
24 *(G), the following new subparagraphs:*

1           “(H) develop standard data formats for the  
2           Department that—

3                   “(i) aid in defining the relative matu-  
4                   rity of datasets; and

5                   “(ii) inform best practices for cost and  
6                   schedule computation, data collection strate-  
7                   gies aligned to mission outcomes, and  
8                   dataset maintenance practices;

9           “(I) establish data and model usage agree-  
10           ments and collaborative partnership agreements  
11           for artificial intelligence product development  
12           with each organization and element of the De-  
13           partment, including each of the Armed Forces;”;  
14           (7) in subsection (e), as so redesignated—

15                   (A) by striking “the official designated  
16                   under subsection (b)” and inserting “the Direc-  
17                   tor of the Joint Artificial Intelligence Center”;

18                   (B) by striking “subsection (c)” and insert-  
19                   ing “subsection (d)”;and

20                   (C) by adding at the end the following: “At  
21                   a minimum, such access shall ensure that the Di-  
22                   rector has the ability to discover, access, share,  
23                   and reuse data and models of the Armed Forces  
24                   and other organizations and elements of the De-

1            *partment of Defense and to build and maintain*  
2            *data for the Department.”;*

3            *(8) in subsection (f), as so redesignated—*

4                    *(A) in paragraph (1)—*

5                            *(i) in the matter preceding subpara-*  
6                            *graph (A), by striking “official designated*  
7                            *under subsection (b)” and inserting “Dep-*  
8                            *uty Secretary of Defense”;* and

9                            *(ii) in subparagraph (B), by striking*  
10                           *“designated official” and inserting “Deputy*  
11                           *Secretary of defense”;* and

12                           *(B) in paragraph (2), by striking “des-*  
13                           *ignated official” and inserting “Deputy Sec-*  
14                           *retary of Defense”;* and

15            *(9) by adding at the end the following new sub-*  
16            *section:*

17            *“(i) JOINT ARTIFICIAL INTELLIGENCE CENTER DE-*  
18            *FINED.—The term ‘Joint Artificial Intelligence Center’*  
19            *means the Joint Artificial Intelligence Center of the Depart-*  
20            *ment of Defense established pursuant to the memorandum*  
21            *of the Secretary of Defense dated June 27, 2018, and titled*  
22            *‘Establishment of the Joint Artificial Intelligence Center’,*  
23            *or any successor to such Center.”.*

1 **SEC. 218. MODIFICATION OF NATIONAL SECURITY INNOVA-**  
2 **TION ACTIVITIES AND MANUFACTURING**  
3 **PILOT PROGRAM.**

4 (a) NATIONAL SECURITY INNOVATION ACTIVITIES.—  
5 Section 230 of the John S. McCain National Defense Au-  
6 thorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note)  
7 is amended—

8 (1) in subsection (a), by striking “The Under  
9 Secretary of Defense for Research and Engineering  
10 shall establish” and inserting “The Under Secretary  
11 of Defense for Research and Engineering, acting  
12 through the Director of the Defense Innovation Unit,  
13 shall establish”;

14 (2) by redesignating subsections (e) through (h)  
15 as subsections (f) through (i), respectively;

16 (3) by inserting after subsection (d) the following  
17 new subsection:

18 “(e) ESTABLISHMENT OF ADVISORY BOARD.—

19 “(1) IN GENERAL.—Not earlier than the date  
20 specified in paragraph (5), but no later than 180  
21 days after such date, the Under Secretary shall estab-  
22 lish an advisory board within the Defense Innovation  
23 Unit to advise the Under Secretary and the Director  
24 of the Unit with respect to the establishment and  
25 prioritization of activities under such subsection (a).

1           “(2) *DUTIES.*—*The advisory board established*  
2           *under paragraph (1) shall—*

3                   “(A) *identify activities that should be*  
4                   *prioritized for establishment under subsection*  
5                   *(a);*

6                   “(B) *not less frequently than semiannually,*  
7                   *reevaluate and update such priorities; and*

8                   “(C) *ensure continuing alignment of the ac-*  
9                   *tivities established under subsection (a), includ-*  
10                   *ing all elements of such activities described in*  
11                   *subsection (b), with the overall technology strat-*  
12                   *egy of the Department of Defense.*

13           “(3) *MEMBERSHIP.*—*The advisory board estab-*  
14           *lished under paragraph (1) shall be composed of one*  
15           *or more representatives from each of the following:*

16                   “(A) *Each science and technology reinven-*  
17                   *tion laboratory of the Department of Defense.*

18                   “(B) *The primary procurement organiza-*  
19                   *tion of each Armed Force.*

20                   “(C) *The Defense Innovation Board.*

21                   “(D) *Such other organizations and elements*  
22                   *of the Department of Defense as the Under Sec-*  
23                   *retary, in consultation with the Director of the*  
24                   *Defense Innovation Unit, determines appro-*  
25                   *priate.*

1           “(4) *PLAN.*—Not later than 90 days before the  
2           date on which the advisory board is established under  
3           paragraph (1), the Under Secretary shall submit to  
4           the congressional defense committees a plan for estab-  
5           lishing the advisory board, including a description of  
6           the expected roles, responsibilities, and membership of  
7           the advisory board.

8           “(5) *DATE SPECIFIED.*—The date specified in  
9           this paragraph is the date on which funds are first  
10          appropriated or otherwise made available to carry  
11          out subsection (a).”; and

12          (4) in subsection (h), as so redesignated, by  
13          striking “subsection (h)” and inserting “subsection  
14          (i)”.

15          (b) *PILOT PROGRAM ON DEFENSE MANUFACTURING.*—  
16          Section 1711 of the National Defense Authorization Act for  
17          Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2505  
18          note) is amended—

19          (1) in subsection (d), by striking “the date that  
20          is four years after the date of the enactment of this  
21          Act” and inserting “December 31, 2026”; and

22          (2) in subsection (e), by striking “January 31,  
23          2022” and inserting “January 31, 2027”.

1 **SEC. 219. EXTENSION OF PILOT PROGRAM FOR THE EN-**  
2 **HANCEMENT OF THE RESEARCH, DEVELOP-**  
3 **MENT, TEST, AND EVALUATION CENTERS OF**  
4 **THE DEPARTMENT OF DEFENSE.**

5 (a) *IN GENERAL.*—Section 233 of the National Defense  
6 Authorization Act for Fiscal Year 2017 (Public Law 114–  
7 328; 10 U.S.C. 2358 note) is amended—

8 (1) in subsection (e), by striking “2022” and in-  
9 serting “2027”; and

10 (2) in subsection (f)—

11 (A) by amending paragraph (1) to read as  
12 follows:

13 “(1) *IN GENERAL.*—Not later than one year after  
14 the date of the enactment of the National Defense Au-  
15 thorization Act for Fiscal Year 2021, the Secretary of  
16 Defense shall submit to the congressional defense com-  
17 mittees a report on the status of the pilot program.”;  
18 and

19 (B) in paragraph (2), by adding at the end  
20 the following new subparagraph:

21 “(F) With respect to any military depart-  
22 ment not participating in the pilot program, an  
23 explanation for such nonparticipation, including  
24 identification of—

25 “(i) any issues that may be preventing  
26 such participation; and

1                   “(ii) any offices or other elements of  
2                   the department that may be responsible for  
3                   the delay in participation.”.

4           (b) *TECHNICAL AMENDMENT.*—Effective as of Decem-  
5 ber 23, 2016, and as if included therein as enacted, section  
6 233(c)(2)(C)(ii) of the National Defense Authorization Act  
7 for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2358  
8 note) is amended by striking “Assistant Secretary of the  
9 Army for Acquisition, Technology, and Logistics” and in-  
10 serting “Assistant Secretary of the Army for Acquisition,  
11 Logistics, and Technology”.

12 **SEC. 220. DIGITAL DATA MANAGEMENT AND ANALYTICS CA-**  
13 **PABILITY.**

14           (a) *DIGITAL DATA MANAGEMENT AND ANALYTICS CA-*  
15 *PABILITY.*—

16                   (1) *IN GENERAL.*—The Secretary of Defense shall  
17 develop and implement an advanced digital data  
18 management and analytics capability to be used—

19                           (A) to digitally integrate all elements of the  
20 acquisition process of the Department of Defense;

21                           (B) to digitally record and track all rel-  
22 evant data generated during the research, devel-  
23 opment, testing, and evaluation of systems; and

24                           (C) to maximize the use of such data to in-  
25 form—



1                   (i) *the further development and im-*  
2                   *provement of such systems; and*

3                   (ii) *the acquisition process for such*  
4                   *systems.*

5                   (2) *REQUIREMENTS.—The capability developed*  
6                   *under paragraph (1) shall meet the following require-*  
7                   *ments:*

8                   (A) *The capability will be accessible to, and*  
9                   *useable by, individuals throughout the Depart-*  
10                  *ment of Defense who have responsibilities relat-*  
11                  *ing to capability requirements, research, design,*  
12                  *development, testing, evaluation, acquisition,*  
13                  *management, operations, and sustainment of*  
14                  *systems.*

15                  (B) *The capability will provide for the de-*  
16                  *velopment, use, curation, and maintenance of*  
17                  *authoritative and technically accurate digital*  
18                  *systems—*

19                         (i) *to reduce the burden of reporting by*  
20                         *officials responsible for executing programs;*

21                         (ii) *to ensure shared access to data*  
22                         *within the Department;*

23                         (iii) *to supply data to digital engineer-*  
24                         *ing models for use in the defense acquisition*  
25                         *process;*

1           (iv) to supply data to testing infra-  
2           structure and software to support auto-  
3           mated approaches for testing, evaluation,  
4           and deployment throughout the defense ac-  
5           quisition process; and

6           (v) to provide timely analyses to De-  
7           partment leadership.

8           (C) The capability will be designed—

9           (i) to improve data management proc-  
10          esses in the research, development, acquisi-  
11          tion, and sustainment activities of the De-  
12          partment;

13          (ii) to provide decision makers in the  
14          Department with timely, high-quality,  
15          transparent, and actionable analyses for op-  
16          timal development, acquisition, and  
17          sustainment decision making and execution;

18          (iii) to facilitate productivity, dis-  
19          covery, access, knowledge sharing, and anal-  
20          ysis of acquisition-related data across orga-  
21          nizational boundaries at all levels of the De-  
22          partment, including through the develop-  
23          ment of acquisition documentation; and

1                   (iv) to build and improve analytical  
2                   models and simulations to enhance the de-  
3                   velopment, test, and use of weapon systems.

4                   (3) *SOFTWARE REQUIREMENT.*—

5                   (A) *IN GENERAL.*—The capability developed  
6                   under paragraph (1) shall include software to  
7                   collect, organize, manage, make available, and  
8                   analyze relevant data throughout the life cycle of  
9                   defense acquisition programs, including any  
10                  data needed to satisfy milestone requirements  
11                  and reviews.

12                  (B) *PROCUREMENT AUTHORITY.*—The soft-  
13                  ware described in subparagraph (A) may be de-  
14                  veloped or procured using the authorities pro-  
15                  vided under section 800 of the National Defense  
16                  Authorization Act for Fiscal Year 2020 (Public  
17                  Law 116–92; 133 Stat. 1478).

18                  (4) *REVIEW.*—In developing the capability re-  
19                  quired under paragraph (1) the Secretary of Defense  
20                  shall—

21                         (A) review data content and requirements to  
22                         support planning and reporting of functions and  
23                         remove redundant data requests across functions.

24                         (B) based on such review, develop rec-  
25                         ommended approaches for—

1                   (i) moving supporting processes from  
2 analog to digital format, including plan-  
3 ning and reporting processes;

4                   (ii) making new data active through  
5 digitalization;

6                   (iii) making legacy data, including  
7 data currently residing in program docu-  
8 mentation, active through digitalization;  
9 and

10                  (iv) modernizing the storage, retrieval,  
11 and reporting capabilities for stakeholders  
12 within the Department, including research  
13 entities, Program Management Offices, ana-  
14 lytic organizations, enterprise oversight,  
15 and decision makers.

16           (b) *DEMONSTRATION ACTIVITIES.*—

17                   (1) *IN GENERAL.*—*The Secretary of Defense shall*  
18 *carry out demonstration activities to test various ap-*  
19 *proaches to building the capability required under*  
20 *subsection (a).*

21                   (2) *PROGRAM SELECTION.*—*Not later than 180*  
22 *days after the date of the enactment of this Act, the*  
23 *Secretary of Defense shall assess and select not fewer*  
24 *than two and not more than five programs of the De-*

1        *partment of Defense to participate in the demonstra-*  
2        *tion activities under paragraph (1), including—*

3                *(A) one or more acquisition data manage-*  
4                *ment test cases; and*

5                *(B) one or more development and test mod-*  
6                *eling and simulation test cases to demonstrate*  
7                *the ability to collect data from tests and oper-*  
8                *ations in the field, and feed the data back into*  
9                *models and simulations for better software devel-*  
10               *opment and testing.*

11               *(3) ADDITIONAL REQUIREMENTS.—As part of the*  
12               *demonstration activities under paragraph (1), the*  
13               *Secretary shall—*

14               *(A) conduct a comparative analysis that as-*  
15               *sesses the risks and benefits of the digital man-*  
16               *agement and analytics capability used in each of*  
17               *the programs participating in the demonstration*  
18               *activities relative to the Department's traditional*  
19               *data collection, reporting, exposing, and analysis*  
20               *approaches;*

21               *(B) ensure that the intellectual property*  
22               *strategy for each of the programs participating*  
23               *in the demonstration activities is best aligned to*  
24               *meet the goals of the program; and*

1           (C) develop a workforce and infrastructure  
2           plan to support any new policies and guidance  
3           implemented in connection with the demonstra-  
4           tion activities, including any policies and guid-  
5           ance implemented after the completion of such  
6           activities.

7           (c) *POLICIES AND GUIDANCE REQUIRED.*—Not later  
8           than 18 months after the date of the enactment of this Act,  
9           based on the results of the demonstration activities carried  
10          out under subsection (b), the Secretary of Defense shall issue  
11          or modify policies and guidance to—

12                 (1) promote the use of digital management and  
13                 analytics capabilities; and

14                 (2) address roles, responsibilities, and procedures  
15                 relating to such capabilities.

16          (d) *STEERING COMMITTEE.*—

17                 (1) *IN GENERAL.*—The Secretary of Defense shall  
18                 establish a steering committee to assist the Secretary  
19                 in carrying out subsections (a) through (c).

20                 (2) *MEMBERSHIP.*—The steering committee shall  
21                 be composed of the following members or their des-  
22                 ignees:

23                         (A) The Chief Management Officer.

24                         (B) The Chief Information Officer.

1           (C) *The Director of Cost Assessment and*  
2 *Program Evaluation.*

3           (D) *The Under Secretary of Defense for Re-*  
4 *search and Engineering.*

5           (E) *The Under Secretary of Defense for Ac-*  
6 *quisition and Sustainment.*

7           (F) *The Director of Operational Test and*  
8 *Evaluation.*

9           (G) *The Service Acquisition Executives.*

10          (H) *The Director for Force Structure, Re-*  
11 *sources, and Assessment of the Joint Staff.*

12          (I) *The Director of the Defense Digital*  
13 *Service.*

14       (e) *INDEPENDENT ASSESSMENTS.—*

15           (1) *INITIAL ASSESSMENT.—*

16           (A) *IN GENERAL.—The Defense Innovation*  
17 *Board, in consultation with the Defense Digital*  
18 *Service, shall conduct an independent assessment*  
19 *to identify recommended approaches for the im-*  
20 *plementation of subsections (a) through (c).*

21           (B) *ELEMENTS.—The assessment under sub-*  
22 *paragraph (A) shall include the following:*

23           (i) *A plan for the development and im-*  
24 *plementation of the capability required*  
25 *under subsection (a), including a plan for*

1           *any procurement that may be required as*  
2           *part of such development and implementa-*  
3           *tion.*

4           *(ii) An independent cost assessment of*  
5           *the total estimated cost of developing and*  
6           *implementing the capability.*

7           *(iii) An independent estimate of the*  
8           *schedule for the development and implemen-*  
9           *tation of the capability, including a reason-*  
10           *able estimate of the dates on which the ca-*  
11           *pability can be expected to achieve initial*  
12           *operational capability and full operational*  
13           *capability, respectively.*

14           *(iv) A recommendation identifying the*  
15           *office or other organization of the Depart-*  
16           *ment of Defense that would be most appro-*  
17           *priate to manage and execute the capa-*  
18           *bility.*

19           *(C) REPORT.—Not later than 180 days*  
20           *after the date of the enactment of this Act, the*  
21           *Defense Innovation Board, in consultation with*  
22           *the Defense Digital Service, shall submit to the*  
23           *Secretary of Defense and the congressional de-*  
24           *fense committees a report on the findings of the*  
25           *assessment under subparagraph (A), including*



1           *the findings of the assessment with respect to*  
2           *each element specified in subparagraph (B).*

3           (2) *FINAL ASSESSMENT.*—

4                   (A) *IN GENERAL.*—*Not later than March*  
5                   *15, 2022, the Defense Innovation Board and the*  
6                   *Defense Science Board shall jointly complete an*  
7                   *independent assessment of the progress of the*  
8                   *Secretary in implementing subsections (a)*  
9                   *through (c). The Secretary of Defense shall en-*  
10                   *sure that the Defense Innovation Board and the*  
11                   *Defense Science Board have access to the re-*  
12                   *sources, data, and information necessary to com-*  
13                   *plete the assessment.*

14                   (B) *INFORMATION TO CONGRESS.*—*Not later*  
15                   *than 30 days after the date on which the assess-*  
16                   *ment under subparagraph (A) is completed, the*  
17                   *Defense Innovation Board and the Defense*  
18                   *Science Board shall jointly provide to the con-*  
19                   *gressional defense committees—*

20                           (i) *a report summarizing the assess-*  
21                           *ment; and*

22                           (ii) *a briefing on the findings of the*  
23                           *assessment.*

24           (f) *REPORT AND BRIEFING.*—



1 *and Engineering, shall carry out a program of research and*  
2 *development in social science, management science, and in-*  
3 *formation science.*

4 (b) *PURPOSES.—The purposes of the program required*  
5 *under subsection (a) are as follows:*

6 (1) *To ensure that the Department of Defense has*  
7 *access to innovation and expertise in social science,*  
8 *management science, and information science to en-*  
9 *able the Department to improve the effectiveness and*  
10 *efficiency of the Department’s operational and man-*  
11 *agement activities.*

12 (2) *To coordinate all research and development*  
13 *within the Department in the fields of social science,*  
14 *management science, and information science.*

15 (3) *To enhance cooperation and collaboration on*  
16 *research and development in the fields of social*  
17 *science, management science, and information science*  
18 *among the Department of Defense and appropriate*  
19 *private sector and international entities that are in-*  
20 *involved in such research and development.*

21 (4) *To develop and manage a portfolio of re-*  
22 *search initiatives in fundamental and applied social*  
23 *science, management science, and information science*  
24 *that is stable, consistent, and balanced across relevant*  
25 *disciplines.*

1           (5) *To accelerate efforts to transition and deploy*  
2 *technologies and concepts derived from research and*  
3 *development in the fields of social science, manage-*  
4 *ment science, and information science into the De-*  
5 *partment of Defense, and to establish policies, proce-*  
6 *dures, and standards for measuring the success of*  
7 *such efforts.*

8           (6) *To collect, synthesize, and disseminate crit-*  
9 *ical information on research and development in the*  
10 *fields of social science, management science, and in-*  
11 *formation science.*

12           (7) *To support the missions and systems of the*  
13 *Department by developing the fields of social science,*  
14 *management science, and information science, includ-*  
15 *ing by supporting—*

16                   (A) *appropriate research and innovation in*  
17 *such fields; and*

18                   (B) *the development of an industrial base*  
19 *in such fields, including development of the fa-*  
20 *ilities, workforce, and infrastructure that com-*  
21 *prise such industrial base.*

22           (c) *ADMINISTRATION.—The Under Secretary of De-*  
23 *fense for Research and Engineering shall supervise the*  
24 *planning, management, and coordination of the program*  
25 *under subsection (a).*

1           (d) *ACTIVITIES.*—*The Under Secretary of Defense for*  
2 *Research and Engineering, in consultation with the Secre-*  
3 *taries of the military departments and the heads of relevant*  
4 *Defense Agencies, shall—*

5                   (1) *prescribe a set of long-term challenges and a*  
6 *set of specific technical goals for the program, includ-*  
7 *ing—*

8                           (A) *optimization of analysis of national se-*  
9 *curity data sets;*

10                           (B) *development of defense-related manage-*  
11 *ment innovation activities;*

12                           (C) *improving the operational use of social*  
13 *science, management science, and information*  
14 *science innovations by military commanders and*  
15 *civilian leaders;*

16                           (D) *improving understanding of the funda-*  
17 *mental social, cultural, and behavioral forces*  
18 *that shape the strategic interests of the United*  
19 *States; and*

20                           (E) *developing a Department of Defense*  
21 *workforce capable of developing and leveraging*  
22 *innovations and best practices in the fields of so-*  
23 *cial science, management science, and informa-*  
24 *tion science to support defense missions;*

1           (2) *develop a coordinated and integrated re-*  
2 *search and investment plan for meeting near-term,*  
3 *mid-term, and long-term national security, defense-re-*  
4 *lated, and Department management challenges that—*

5                   (A) *includes definitive milestones;*

6                   (B) *provides for achieving specific technical*  
7 *goals; and*

8                   (C) *builds upon the investments of the De-*  
9 *partment, other departments and agencies of the*  
10 *Federal Government, and the commercial sector*  
11 *in the fields of social science, management*  
12 *science, and information science;*

13           (3) *develop plans for—*

14                   (A) *the development of the Department’s*  
15 *workforce in social science, management science,*  
16 *and information science; and*

17                   (B) *enhancing awareness of social science,*  
18 *management science, and information science*  
19 *within the Department; and*

20           (4) *develop memoranda of agreement, joint fund-*  
21 *ing agreements, and such other cooperative arrange-*  
22 *ments as the Under Secretary determines necessary*  
23 *for carrying out the program under subsection (a).*

24           (e) *GUIDANCE REQUIRED.—*

1           (1) *IN GENERAL.*—Not later than 180 days after  
2           the date of the enactment of this Act, the Under Sec-  
3           retary of Defense for Research and Engineering shall  
4           develop and issue guidance for defense-related social  
5           science, management science, and information science  
6           activities, including—

7                   (A) classification and data management  
8                   plans for such activities; and

9                   (B) policies for control of personnel partici-  
10                  pating in such activities to minimize the effects  
11                  of the loss of intellectual property in social  
12                  science, management science, and information  
13                  science considered sensitive to the Federal Gov-  
14                  ernment.

15           (2) *UPDATES.*—Under Secretary of Defense for  
16           Research and Engineering shall regularly update the  
17           guidance issued under paragraph (4).

18           (f) *RESEARCH CENTERS.*—

19                   (1) *IN GENERAL.*—The Secretary of each mili-  
20                  tary department may establish or designate an entity  
21                  or activity under the jurisdiction of such Secretary,  
22                  which may include a Department of Defense Labora-  
23                  tory, to serve as a research center in the fields of so-  
24                  cial science, management science, and information  
25                  science. Each such research center shall engage with

1 appropriate public sector and private sector organiza-  
2 tions, including academic institutions, to enhance  
3 and accelerate the research, development, and deploy-  
4 ment of social science, management science, and in-  
5 formation science within the Department.

6 (2) *MINIMUM NUMBER.*—The Secretary of De-  
7 fense shall ensure that not less than one research cen-  
8 ter is established or designated under paragraph (1)  
9 by not later than 180 days after the date of the enact-  
10 ment of this Act.

11 (g) *REPORT.*—

12 (1) *IN GENERAL.*—Not later than December 31,  
13 2022, the Secretary shall submit to the congressional  
14 defense committees a report on the program.

15 (2) *FORM OF REPORT.*—The report required  
16 under paragraph (1) may be submitted in unclassi-  
17 fied or classified form.

18 **SEC. 222. MEASURING AND INCENTIVIZING PROGRAMMING**

19 **PROFICIENCY.**

20 (a) *IN GENERAL.*—Not later than two years after the  
21 date of the enactment of this Act, the Secretary of Defense  
22 shall carry out the following activities:

23 (1) Leverage existing civilian software develop-  
24 ment and software architecture certification programs  
25 to implement coding language proficiency and artifi-



1 *cial intelligence competency tests within the Depart-*  
2 *ment of Defense that—*

3 *(A) measure an individual’s competency in*  
4 *using machine learning tools, in a manner simi-*  
5 *lar to the way the Defense Language Proficiency*  
6 *Test measures competency in foreign language*  
7 *skills;*

8 *(B) enable the identification of members of*  
9 *the Armed Forces and civilian employees of the*  
10 *Department of Defense who have varying levels*  
11 *of quantified coding comprehension and skills*  
12 *and a propensity to learn new programming*  
13 *paradigms, algorithms, and data analytics; and*

14 *(C) include hands-on coding demonstrations*  
15 *and challenges.*

16 *(2) Update existing record keeping systems to*  
17 *track artificial intelligence and programming certifi-*  
18 *cation testing results in a manner that is comparable*  
19 *to the system used for tracking and documenting for-*  
20 *oreign language competency, and use that record keep-*  
21 *ing system to ensure that workforce coding and artifi-*  
22 *cial intelligence comprehension and skills are taken*  
23 *into consideration when making assignments.*

24 *(3) Implement a system of rewards, including*  
25 *appropriate incentive pay and retention incentives,*

1       *for members of the Armed Forces and civilian em-*  
2       *ployees of the Department of Defense who perform*  
3       *successfully on specific language coding proficiency*  
4       *and artificial intelligence competency tests and make*  
5       *their skills available to the Department.*

6       **(b) INFORMATION SHARING WITH OTHER FEDERAL**  
7       **AGENCIES.**—*The Secretary of Defense shall share informa-*  
8       *tion on the activities carried out under subsection (a) with*  
9       *the Secretary of Homeland Security, the Attorney General,*  
10      *the Director of National Intelligence, and the heads of such*  
11      *other organizations of the intelligence community as the*  
12      *Secretary determines appropriate, for purposes of—*

13           (1) *making information about the coding lan-*  
14           *guage proficiency and artificial intelligence com-*  
15           *petency tests developed under such subsection avail-*  
16           *able to other Federal national security agencies; and*

17           (2) *encouraging the heads of such agencies to im-*  
18           *plement tracking and reward systems that are com-*  
19           *parable to those implemented by the Department of*  
20           *Defense pursuant to such subsection.*

21      **SEC. 223. INFORMATION TECHNOLOGY MODERNIZATION**  
22                                    **AND SECURITY EFFORTS.**

23           **(a) MODERNIZATION EFFORT.**—

24           (1) **DEFINITIONS.**—*In this subsection—*

1           (A) the term “Assistant Secretary” means  
2           the Assistant Secretary of Commerce for Commu-  
3           nications and Information;

4           (B) the term “covered agency”—

5                 (i) means any Federal entity that the  
6                 Assistant Secretary determines is appro-  
7                 priate; and

8                 (ii) includes the Department of De-  
9                 fense;

10          (C) the term “Federal entity” has the mean-  
11          ing given the term in section 113(l) of the Na-  
12          tional Telecommunications and Information Ad-  
13          ministration Organization Act (47 U.S.C.  
14          923(l));

15          (D) the term “Federal spectrum” means fre-  
16          quencies assigned on a primary basis to a cov-  
17          ered agency;

18          (E) the term “infrastructure” means infor-  
19          mation technology systems and information tech-  
20          nologies, tools, and databases; and

21          (F) the term “NTIA” means the National  
22          Telecommunications and Information Adminis-  
23          tration.

24          (2) INITIAL INTERAGENCY SPECTRUM INFORMA-  
25          TION TECHNOLOGY COORDINATION.—Not later than

1       90 days after the date of enactment of this Act, the  
2       Assistant Secretary, in consultation with the Policy  
3       and Plans Steering Group, shall identify a process to  
4       establish goals, including parameters to measure the  
5       achievement of those goals, for the modernization of  
6       the infrastructure of covered agencies relating to man-  
7       aging the use of Federal spectrum by those agencies,  
8       which shall include—

9               (A) the standardization of data inputs,  
10              modeling algorithms, modeling and simulation  
11              processes, analysis tools with respect to Federal  
12              spectrum, assumptions, and any other tool to en-  
13              sure interoperability and functionality with re-  
14              spect to that infrastructure;

15             (B) other potential innovative technological  
16              capabilities with respect to that infrastructure,  
17              including cloud-based databases, artificial intel-  
18              ligence technologies, automation, and improved  
19              modeling and simulation capabilities;

20             (C) ways to improve the management of  
21              covered agencies' use of Federal spectrum  
22              through that infrastructure, including by—

23                   (i) increasing the efficiency of that in-  
24                    fastructure;

1                   (ii) addressing validation of usage  
2                   with respect to that infrastructure;

3                   (iii) increasing the accuracy of that  
4                   infrastructure;

5                   (iv) validating models used by that in-  
6                   frastructure; and

7                   (v) monitoring and enforcing require-  
8                   ments that are imposed on covered agencies  
9                   with respect to the use of Federal spectrum  
10                  by covered agencies;

11                 (D) ways to improve the ability of covered  
12                 agencies to meet mission requirements in con-  
13                 gested environments with respect to Federal spec-  
14                 trum, including as part of automated adjust-  
15                 ments to operations based on changing condi-  
16                 tions in those environments;

17                 (E) the creation of a time-based automated  
18                 mechanism—

19                   (i) to share Federal spectrum between  
20                   covered agencies to collaboratively and dy-  
21                   namically increase access to Federal spec-  
22                   trum by those agencies; and

23                   (ii) that could be scaled across Federal  
24                   spectrum; and

1           (F) the collaboration between covered agen-  
2           cies necessary to ensure the interoperability of  
3           Federal spectrum.

4           (3) *SPECTRUM INFORMATION TECHNOLOGY MOD-*  
5           *ERNIZATION.*—

6           (A) *IN GENERAL.*—Not later than 240 days  
7           after the date of enactment of this Act, the As-  
8           sistant Secretary shall submit to Congress a re-  
9           port that contains the plan of the NTIA to mod-  
10          ernize and automate the infrastructure of the  
11          NTIA relating to managing the use of Federal  
12          spectrum by covered agencies so as to more effi-  
13          ciently manage that use.

14          (B) *CONTENTS.*—The report required under  
15          subparagraph (A) shall include—

16               (i) an assessment of the current, as of  
17               the date on which the report is submitted,  
18               infrastructure of the NTIA described in that  
19               paragraph;

20               (ii) an acquisition strategy for the  
21               modernized infrastructure of the NTIA de-  
22               scribed in that paragraph, including how  
23               that modernized infrastructure will enable  
24               covered agencies to be more efficient and ef-  
25               fective in the use of Federal spectrum;

1           (iii) a timeline for the implementation  
2 of the modernization efforts described in  
3 that paragraph;

4           (iv) plans detailing how the modern-  
5 ized infrastructure of the NTIA described in  
6 that paragraph will—

7           (I) enhance the security and reli-  
8 ability of that infrastructure so that  
9 such infrastructure satisfies the re-  
10 quirements of the Federal Information  
11 Security Management Act of 2002  
12 (Public Law 107–296; 116 Stat. 2135);

13           (II) improve data models and  
14 analysis tools to increase the efficiency  
15 of the spectrum use described in that  
16 paragraph;

17           (III) enhance automation and  
18 workflows, and reduce the scope and  
19 level of manual effort, in order to—

20           (aa) administer the manage-  
21 ment of the spectrum use de-  
22 scribed in that paragraph; and

23           (bb) improve data quality  
24 and processing time; and

1           (IV) *improve the timeliness of*  
2           *spectrum analyses and requests for in-*  
3           *formation, including requests sub-*  
4           *mitted pursuant to section 552 of title*  
5           *5, United States Code;*

6           (v) *an operations and maintenance*  
7           *plan with respect to the modernized infra-*  
8           *structure of the NTIA described in that*  
9           *paragraph;*

10          (vi) *a strategy for coordination be-*  
11          *tween the covered agencies within the Policy*  
12          *and Plans Steering Group, which shall in-*  
13          *clude—*

14                (I) *a description of—*

15                   (aa) *those coordination ef-*  
16                   *forts, as in effect on the date on*  
17                   *which the report is submitted; and*

18                   (bb) *a plan for coordination*  
19                   *of those efforts after the date on*  
20                   *which the report is submitted, in-*  
21                   *cluding with respect to the efforts*  
22                   *described in paragraph (4);*

23                (II) *a plan for standardizing—*

24                   (aa) *electromagnetic spec-*  
25                   *trum analysis tools;*



1                    *(bb) modeling and simula-*  
2                    *tion processes and technologies;*  
3                    *and*

4                    *(cc) databases to provide*  
5                    *technical interference assessments*  
6                    *that are usable across the Federal*  
7                    *Government as part of a common*  
8                    *spectrum management infrastruc-*  
9                    *ture for covered agencies;*

10                    *(III) a plan for each covered*  
11                    *agency to implement a modernization*  
12                    *plan described in paragraph (4)(A)*  
13                    *that is tailored to the particular*  
14                    *timeline of the agency;*

15                    *(vii) identification of manually inten-*  
16                    *sive processes involved in managing Federal*  
17                    *spectrum and proposed enhancements to*  
18                    *those processes;*

19                    *(viii) metrics to evaluate the success of*  
20                    *the modernization efforts described in that*  
21                    *paragraph and any similar future efforts;*  
22                    *and*

23                    *(ix) an estimate of the cost of the mod-*  
24                    *ernization efforts described in that para-*  
25                    *graph and any future maintenance with re-*

1           *spect to the modernized infrastructure of the*  
2           *NTIA described in that paragraph, includ-*  
3           *ing the cost of any personnel and equipment*  
4           *relating to that maintenance.*

5           (4) *INTERAGENCY INPUTS.—*

6           (A) *IN GENERAL.—Not later than 1 year*  
7           *after the date of enactment of this Act, the head*  
8           *of each covered agency shall submit to the Assist-*  
9           *ant Secretary and the Policy and Plans Steering*  
10           *Group a report that describes the plan of the*  
11           *agency to modernize the infrastructure of the*  
12           *agency with respect to the use of Federal spec-*  
13           *trum by the agency so that such modernized in-*  
14           *frastructure of the agency is interoperable with*  
15           *the modernized infrastructure of the NTIA, as*  
16           *described in paragraph (3).*

17           (B) *CONTENTS.—Each report submitted by*  
18           *the head of a covered agency under subparagraph*  
19           *(A) shall—*

20           (i) *include—*

21           (I) *an assessment of the current,*  
22           *as of the date on which the report is*  
23           *submitted, management capabilities of*  
24           *the agency with respect to the use of*  
25           *frequencies that are assigned to the*

1            *agency, which shall include a descrip-*  
2            *tion of any challenges faced by the*  
3            *agency with respect to that manage-*  
4            *ment;*

5            *(II) a timeline for completion of*  
6            *the modernization efforts described in*  
7            *that paragraph; and*

8            *(III) a description of potential in-*  
9            *novative technological capabilities for*  
10           *the management of frequencies that are*  
11           *assigned to the agency, as determined*  
12           *under paragraph (2);*

13           *(IV) identification of agency-spe-*  
14           *cific requirements or constraints relat-*  
15           *ing to the infrastructure of the agency;*

16           *(V) identification of any existing,*  
17           *as of the date on which the report is*  
18           *submitted, systems of the agency that*  
19           *are duplicative of the modernized in-*  
20           *frastructure of the NTLA, as proposed*  
21           *under paragraph (3); and*

22           *(VI) with respect to the report*  
23           *submitted by the Secretary of De-*  
24           *fense—*

1           (aa) a strategy for the inte-  
2           gration of systems or the flow of  
3           data among the Armed Forces, the  
4           military departments, the Defense  
5           Agencies and Department of De-  
6           fense Field Activities, and other  
7           components of the Department of  
8           Defense;

9           (bb) a plan for the imple-  
10          mentation of solutions to the use  
11          of Federal spectrum by the De-  
12          partment of Defense involving in-  
13          formation at multiple levels of  
14          classification; and

15          (cc) a strategy for address-  
16          ing, within the modernized infra-  
17          structure of the Department of De-  
18          fense described in that paragraph,  
19          the exchange of information be-  
20          tween the Department of Defense  
21          and the NTIA in order to accom-  
22          plish required processing of all  
23          Department of Defense domestic  
24          spectrum coordination and man-  
25          agement activities; and

1                   (ii) be submitted in an unclassified  
2                   format, with a classified annex, as appro-  
3                   priate.

4                   (C) NOTIFICATION OF CONGRESS.—Upon  
5                   submission of the report required under subpara-  
6                   graph (A), the head of each covered agency shall  
7                   notify Congress that the head of the covered  
8                   agency has submitted the report.

9                   (5) GAO OVERSIGHT.—The Comptroller General  
10                  of the United States shall—

11                   (A) not later than 90 days after the date of  
12                   enactment of this Act, conduct a review of the in-  
13                   frastructure of covered agencies, as that infra-  
14                   structure exists on the date of enactment of this  
15                   Act;

16                   (B) after all of the reports required under  
17                   paragraph (4) have been submitted, conduct  
18                   oversight of the implementation of the mod-  
19                   ernization plans submitted by the NTIA and cov-  
20                   ered agencies under paragraphs (3) and (4), re-  
21                   spectively;

22                   (C) not later than 1 year after the date on  
23                   which the Comptroller General begins conducting  
24                   oversight under subparagraph (B), and annually

1           *thereafter, submit a report regarding that over-*  
2           *sight to—*

3                     *(i) with respect to the implementation*  
4                     *of the modernization plan of the Depart-*  
5                     *ment of Defense, the Committee on Armed*  
6                     *Services of the Senate and the Committee on*  
7                     *Armed Services of the House of Representa-*  
8                     *tives; and*

9                     *(ii) with respect to the implementation*  
10                    *of the modernization plans of all covered*  
11                    *agencies, including the Department of De-*  
12                    *fense, the Committee on Commerce, Science,*  
13                    *and Transportation of the Senate and the*  
14                    *Committee on Energy and Commerce of the*  
15                    *House of Representatives; and*

16            *(D) provide regular briefings to—*

17                    *(i) with respect to the application of*  
18                    *this section to the Department of Defense,*  
19                    *the Committee on Armed Services of the*  
20                    *Senate and the Committee on Armed Serv-*  
21                    *ices of the House of Representatives; and*

22                    *(ii) with respect to the application of*  
23                    *this section to all covered agencies, includ-*  
24                    *ing the Department of Defense, the Com-*  
25                    *mittee on Commerce, Science, and Trans-*

1                    *portation of the Senate and the Committee*  
2                    *on Energy and Commerce of the House of*  
3                    *Representatives.*

4                    *(b) TELECOMMUNICATIONS SECURITY PROGRAM.—*

5                    *(1) PROGRAM REQUIRED.—The Secretary of De-*  
6                    *fense shall carry out a program to identify and miti-*  
7                    *gate vulnerabilities in the telecommunications infra-*  
8                    *structure of the Department of Defense.*

9                    *(2) ELEMENTS.—In carrying out the program*  
10                   *under paragraph (1), the Secretary shall—*

11                   *(A) develop a capability to communicate*  
12                   *clearly and authoritatively about threats by for-*  
13                   *ign adversaries;*

14                   *(B) conduct independent red-team security*  
15                   *analysis of Department of Defense systems, sub-*  
16                   *systems, devices, and components including no-*  
17                   *knowledge testing and testing with limited or full*  
18                   *knowledge of expected functionalities;*

19                   *(C) verify the integrity of personnel who are*  
20                   *tasked with design fabrication, integration, con-*  
21                   *figuration, storage, test, and documentation of*  
22                   *noncommercial 5G technology to be used by the*  
23                   *Department of Defense;*

24                   *(D) verify the efficacy of the physical secu-*  
25                   *rity measures used at Department of Defense lo-*

1           *cations where system design, fabrication, inte-*  
2           *gration, configuration, storage, test, and docu-*  
3           *mentation of 5G technology occurs;*

4           *(E) direct the Chief Information Officer of*  
5           *the Department of Defense to use the Federal*  
6           *Risk and Authorization Management Program*  
7           *(commonly known as “FedRAMP”) moderate or*  
8           *high cloud standard baselines, supplemented*  
9           *with the Department’s FedRAMP cloud standard*  
10           *controls and control enhancements, to assess 5G*  
11           *core service providers whose services will be used*  
12           *by the Department of Defense through the De-*  
13           *partment’s provisional authorization process;*  
14           *and*

15           *(F) direct the Defense Information Systems*  
16           *Agency and the United States Cyber Command*  
17           *to Develop a capability for continuous, inde-*  
18           *pendent monitoring of packet streams for 5G*  
19           *data on frequencies assigned to the Department*  
20           *of Defense to validate availability, confiden-*  
21           *tiality, and integrity of Department of Defense*  
22           *communications systems.*

23           *(3) IMPLEMENTATION PLAN.—Not later than 90*  
24           *days after the date of the enactment of this Act, the*  
25           *Secretary of Defense shall submit to Congress a plan*



1       for the implementation of the program under para-  
2       graph (1).

3               (4) *REPORT REQUIRED.*—Not later than 270  
4       days after submitting the plan under paragraph (3),  
5       the Secretary of Defense shall submit to Congress a  
6       report that includes—

7                       (A) a comprehensive assessment of the find-  
8                       ings and conclusions of the program under para-  
9                       graph (1);

10                      (B) recommendations on how to mitigate  
11                      vulnerabilities in the Department of Defense tele-  
12                      communications infrastructure; and

13                      (C) an explanation of how the Department  
14                      of Defense plans to implement such recommenda-  
15                      tions.

16 **SEC. 224. BOARD OF DIRECTORS FOR THE JOINT ARTIFI-**  
17 **CIAL INTELLIGENCE CENTER.**

18       (a) *ESTABLISHMENT.*—The Secretary of Defense shall  
19       establish a Board of Directors for the Joint Artificial Intel-  
20       ligence Center.

21       (b) *DUTIES.*—The duties of the Board of Directors  
22       shall be the following:

23                      (1) Provide strategic guidance to the Director of  
24       the Joint Artificial Intelligence Center.

1           (2) *Advise the Secretary on matters relating to*  
2 *the development and use of artificial intelligence by*  
3 *the Department of Defense.*

4           (3) *Evaluate and advise the Secretary on ethical*  
5 *matters relating to the development and use of artifi-*  
6 *cial intelligence by the Department.*

7           (4) *Conduct long-term and long-range studies on*  
8 *matters relating to artificial intelligence.*

9           (5) *Evaluate and provide recommendations to*  
10 *the Secretary regarding the Department's development*  
11 *of a robust workforce proficient in artificial intel-*  
12 *ligence.*

13           (6) *Assist the Secretary in developing strategic*  
14 *level guidance on artificial intelligence-related hard-*  
15 *ware procurement and supply-chain matters.*

16           (7) *Monitor and provide recommendations to the*  
17 *Secretary on computing power, usage, storage, and*  
18 *other technical matters relating to artificial intel-*  
19 *ligence.*

20           (c) *MEMBERSHIP.—The Board of Directors shall be*  
21 *composed of the following members:*

22           (1) *The official within the Department of De-*  
23 *fense to whom the Director of the Joint Artificial in-*  
24 *telligence center directly reports.*

25           (2) *The Under Secretary of Defense for Policy.*

1           (3) *The Under Secretary of Defense for Research*  
2           *and Engineering.*

3           (4) *The Under Secretary of Defense for Acquisi-*  
4           *tion and Sustainment.*

5           (5) *The Under Secretary of Defense for Intel-*  
6           *ligence and Security.*

7           (6) *The Under Secretary of Defense for Personnel*  
8           *and Readiness.*

9           (7) *Not more than five members from academic*  
10          *or private sector organizations outside the Depart-*  
11          *ment of Defense, who shall be appointed by the Sec-*  
12          *retary.*

13          (d) *CHAIRPERSON.*—*The chairperson of the Board of*  
14          *Directors shall be the official described in subsection (c)(1).*

15          (e) *MEETINGS.*—*The Board of Directors shall meet not*  
16          *less than once each fiscal quarter and may meet at other*  
17          *times at the call of the chairperson or a majority of the*  
18          *Board’s members.*

19          (f) *REPORTS.*—*Not later than September 30 of each*  
20          *year through September 30, 2024, the Board of Directors*  
21          *shall submit to the congressional defense committees a re-*  
22          *port that summarizes the activities of the Board over the*  
23          *preceding year.*

24          (g) *DEFINITIONS.*—*In this section:*

1           (1) *The term “artificial intelligence” has the*  
2 *meaning given that term in section 238(g) of the John*  
3 *S. McCain National Defense Authorization Act for*  
4 *Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.*  
5 *2358 note).*

6           (2) *The term “Board of Directors” means the*  
7 *Board of Directors established under subsection (a).*

8           (3) *The term “Joint Artificial Intelligence Cen-*  
9 *ter” means the Joint Artificial Intelligence Center of*  
10 *the Department of Defense established pursuant to the*  
11 *memorandum of the Secretary of Defense dated June*  
12 *27, 2018, and titled “Establishment of the Joint Arti-*  
13 *ficial Intelligence Center”, or any successor to such*  
14 *Center.*

15           (4) *The term “Secretary” means the Secretary of*  
16 *Defense.*

17 **SEC. 225. DIRECTED ENERGY WORKING GROUP.**

18           (a) *IN GENERAL.—The Secretary of Defense shall es-*  
19 *tablish a working group, to be known as the “Directed En-*  
20 *ergy Working Group”.*

21           (b) *RESPONSIBILITIES.—The working group shall—*

22                   (1) *discuss the current and planned directed en-*  
23 *ergy programs of each of the military departments;*

24                   (2) *make recommendations to the Secretary of*  
25 *Defense about establishing memoranda of under-*

1       *standing among the organizations and elements of the*  
2       *Department of Defense to coordinate directed energy*  
3       *activities using amounts authorized to be appro-*  
4       *propriated for research, development, test, and evalua-*  
5       *tion;*

6               *(3) identify methods of quickly fielding directed*  
7       *energy capabilities and programs; and*

8               *(4) develop a compendium on the effectiveness of*  
9       *directed energy weapon systems and integrate the*  
10       *compendium into an overall Joint Effectiveness Man-*  
11       *ual under the guidance from the Joint Technical Co-*  
12       *ordination Group for Munitions Effectiveness.*

13       *(c) HEAD OF WORKING GROUP.—The head of the*  
14       *working group shall be the Assistant Director of Directed*  
15       *Energy of the Office of the Under Secretary of Defense for*  
16       *Research and Engineering.*

17       *(d) MEMBERSHIP.—The members of the working group*  
18       *shall be appointed by not later than 60 days after the date*  
19       *of the enactment of this Act, as follows:*

20               *(1) One member from each military department,*  
21       *appointed by the Secretary of the military depart-*  
22       *ment concerned.*

23               *(2) One member appointed by the Under Sec-*  
24       *retary of Defense for Research and Engineering.*

1           (3) *One member appointed by the Under Sec-*  
2           *retary of Defense for Acquisition and Sustainment.*

3           (4) *One member appointed by the Director of the*  
4           *Strategic Capabilities Office of the Department of De-*  
5           *fense.*

6           (5) *One member appointed by the Director of the*  
7           *Defense Advanced Research Projects Agency.*

8           (e) *REPORTS TO CONGRESS.*—*Not later than 180 days*  
9           *after the date of the enactment of this Act, and not less fre-*  
10          *quently than once every 180 days thereafter, the working*  
11          *group shall submit to the congressional defense committees*  
12          *a report on the progress of each directed energy program*  
13          *being developed or fielded by the Department of Defense.*

14          (f) *TERMINATION.*—*The working group under this sec-*  
15          *tion shall terminate four years after the date of the enact-*  
16          *ment of this Act.*

17          **SEC. 226. PROGRAM EXECUTIVE OFFICER FOR AUTONOMY.**

18          (a) *IN GENERAL.*—*Not later than February 1, 2022,*  
19          *the Secretary of the Navy shall designate a program execu-*  
20          *tive officer for autonomy who shall be the official within*  
21          *the Department of the Navy with primary responsibility*  
22          *for the development and integration of autonomous tech-*  
23          *nology into weapon systems.*

24          (b) *PROGRAM EXECUTIVE OFFICER DEFINED.*—*In this*  
25          *section, the term “program executive officer” has the mean-*

1 *ing given that term in section 1737(a)(4) of title 10, United*  
2 *States Code.*

3 **SEC. 227. ACCOUNTABILITY MEASURES RELATING TO THE**  
4 **ADVANCED BATTLE MANAGEMENT SYSTEM.**

5 *(a) INDEPENDENT COST ESTIMATE.—*

6 *(1) IN GENERAL.—The Director of Cost Assess-*  
7 *ment and Program Evaluation shall—*

8 *(A) review any cost estimate of the Ad-*  
9 *vanced Battle Management System prepared by*  
10 *the Department of the Air Force; and*

11 *(B) conduct an independent cost estimate of*  
12 *the full life-cycle cost of the Advanced Battle*  
13 *Management System.*

14 *(2) SUBMITTAL TO CONGRESS.—At the same*  
15 *time as the budget of the President for fiscal year*  
16 *2022 is submitted to Congress pursuant to section*  
17 *1105(a) of title 31, United States Code, the Director*  
18 *of Cost Assessment and Program Evaluation shall*  
19 *submit to the congressional defense committees a re-*  
20 *port on the results of the review and independent cost*  
21 *estimate conducted under paragraph (1).*

22 *(b) AIR FORCE BRIEFING REQUIREMENT.—Section*  
23 *147(g) of the John S. McCain National Defense Authoriza-*  
24 *tion Act for Fiscal Year 2019 (Public Law 115–232; 132*  
25 *STAT. 1670) is amended by adding at the end the fol-*

1 *lowing: “Each briefing shall include a detailed explanation*  
2 *of any on-ramp exercise of the Advanced Battle Manage-*  
3 *ment System conducted during the quarter covered by the*  
4 *report, including an explanation of—*

5 *“(1) the objectives achieved by the exercise;*

6 *“(2) the realism of the exercise, including identi-*  
7 *fication of the portions of the exercise that were*  
8 *scripted and unscripted and any technical*  
9 *workarounds or substitutes used for purposes of the*  
10 *exercise;*

11 *“(3) the interim capabilities provided to combat-*  
12 *ant commanders after the conclusion of the exercise*  
13 *(commonly known as ‘leave behind’ capabilities) and*  
14 *a plan for the sustainment or upgrade of such capa-*  
15 *bilities; and*

16 *“(4) the total cost of the exercise and a break-*  
17 *down of the costs with respect to technology, range*  
18 *and demonstration resources, personnel, and logis-*  
19 *tics.”.*

20 *(c) REPORTS.—Not later than December 20, 2020, the*  
21 *Secretary of the Air Force shall submit to the congressional*  
22 *defense committees the following reports on the Advanced*  
23 *Battle Management System:*



1           (1) *REPORT ON PLANNED CAPABILITIES.*—A re-  
2           *port on the planned product line capabilities of the*  
3           *Advanced Battle Management System, including—*

4                   (A) *a description of the technologies needed*  
5                   *to implement and achieve such product line ca-*  
6                   *pabilities;*

7                   (B) *a timeline for the technical maturation*  
8                   *of such product line capabilities; and*

9                   (C) *a notional schedule for fielding such*  
10                  *product line capabilities over the period covered*  
11                  *by the current future-years defense program*  
12                  *under section 221 of title 10, United States Code.*

13          (2) *REPORT ON ACQUISITION AUTHORITIES.*—A  
14          *report on the allocation of responsibilities among the*  
15          *individuals and entities responsible for acquisition for*  
16          *the Advanced Battle Management System, including*  
17          *an explanation of how decision-making and govern-*  
18          *ance of the acquisition process is allocated among the*  
19          *Chief Architect Integration Office and other entities*  
20          *that are expected provide capabilities for the System.*

21          (3) *REPORT ON ALIGNMENT WITH COMMON MIS-*  
22          *SION CONTROL CENTER.*—A report, which may be  
23          *submitted in classified or unclassified form, that ex-*  
24          *plains how, and to what extent, the Advanced Battle*  
25          *Management System will be aligned and coordinated*

1       *with the Common Mission Control Center of the Air*  
2       *Force.*

3       (d) *REPORT ON SECURITY MEASURES.*—*At the same*  
4 *time as the budget of the President for fiscal year 2022 is*  
5 *submitted to Congress pursuant to section 1105(a) of title*  
6 *31, United States Code, the Secretary of the Air Force shall*  
7 *submit to the congressional defense committees a report that*  
8 *describes how the Secretary plans to ensure the security of*  
9 *the Advanced Battle Management System, including a de-*  
10 *scription of any information assurance and anti-tamper re-*  
11 *quirements for the System.*

12       (e) *ADVANCED BATTLE MANAGEMENT SYSTEM DE-*  
13 *FINED.*—*In this section, the term “Advanced Battle Man-*  
14 *agement System” has the meaning given that term in sec-*  
15 *tion 236(c) of the National Defense Authorization Act for*  
16 *Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1281).*

17 **SEC. 228. MEASURES TO ADDRESS FOREIGN TALENT PRO-**  
18 **GRAMS.**

19       (a) *LIST OF PROGRAMS.*—*The Secretary of Defense*  
20 *shall develop and maintain a list of foreign talent programs*  
21 *that pose a threat to the national security interests of the*  
22 *United States, as determined by the Secretary.*

23       (b) *CRITERIA.*—*In developing the list under subsection*  
24 *(a), the Secretary of Defense shall consider—*

1           (1) *the extent to which a foreign talent pro-*  
2           *gram—*

3                   (A) *poses a threat to research funded by the*  
4           *Department of Defense; and*

5                   (B) *engages in, or facilitates, cyber attacks,*  
6           *theft, espionage, or otherwise interferes in the af-*  
7           *fairs of the United States; and*

8           (2) *any other factors the Secretary determines*  
9           *appropriate.*

10          (c) *INFORMATION TO CONGRESS.—Not later than 90*  
11          *days after the date of the enactment of this Act, the Sec-*  
12          *retary of Defense shall submit to the Committees on Armed*  
13          *Services of the Senate and the House of Representatives a*  
14          *copy of the list developed under subsection (a).*

15          (d) *PUBLICATION IN FEDERAL REGISTER.—Not later*  
16          *than 30 days after making the submission required under*  
17          *subsection (c), the Secretary of Defense shall publish the list*  
18          *developed under subsection (a) in the Federal Register.*

19          (e) *NOTICE AND COMMENT PERIOD.—The list devel-*  
20          *oped under subsection (a), and any guidance, rules, up-*  
21          *dates, or other requirements relating to such list, shall not*  
22          *take effect until such list, or any such guidance, rules, up-*  
23          *dates, or other requirements (as the case may be) have*  
24          *been—*

25                   (1) *published in the Federal Register; and*

1           (2) open for public comment for a period of not  
2           less than 60 days.

3           (f) *FOREIGN TALENT PROGRAM DEFINED.*—In this  
4           section, the term “foreign talent program” has the meaning  
5           given that term for purposes of section 1286 of the John  
6           S. McCain National Defense Authorization Act for Fiscal  
7           Year 2019 (Public Law 115–232; 10 U.S.C. 2358 note).

8           **SEC. 229. DISCLOSURE OF FOREIGN FUNDING SOURCES IN**  
9                                   **APPLICATIONS FOR FEDERAL RESEARCH**  
10                                   **AWARDS.**

11           (a) *DISCLOSURE REQUIREMENT.*—Each Federal re-  
12           search agency shall require—

13                   (1) any individual applying for funds from that  
14                   agency as a principal investigator or co-principal in-  
15                   vestigator under a grant or cooperative agreement to  
16                   disclose all current and pending support and the  
17                   sources of such support at the time of the application  
18                   for funds; and

19                   (2) any institution of higher education applying  
20                   for funds from that agency to certify that every prin-  
21                   cipal investigator or co-principal investigator who is  
22                   employed by the institution of higher education and  
23                   is applying for such funds has been made aware of  
24                   the requirement under paragraph (1).

1           (b) *CONSISTENCY.*—*The Director of the Office of*  
2 *Science and Technology Policy, acting through the National*  
3 *Science and Technology Council and in accordance with the*  
4 *authority provided under section 1746 of the National De-*  
5 *fense Authorization Act for Fiscal Year 2020 (Public Law*  
6 *116–92; 42 U.S.C. 6601 note) shall ensure that the require-*  
7 *ments issued by Federal research agencies under subsection*  
8 *(a) are consistent.*

9           (c) *ENFORCEMENT.*—

10           (1) *IN GENERAL.*—*In the event that an indi-*  
11 *vidual or entity violates the disclosure requirements*  
12 *under subsection (a), a Federal research agency may*  
13 *take one or more of the following actions against such*  
14 *individual or entity:*

15                   (A) *Reject an application for a grant or co-*  
16 *operative agreement because the disclosed current*  
17 *and pending support violates agency terms and*  
18 *conditions.*

19                   (B) *Reject an application for a grant or co-*  
20 *operative agreement because current and pending*  
21 *support have not been disclosed as required*  
22 *under subsection (a).*

23                   (C) *Temporarily or permanently dis-*  
24 *continue any or all funding from that agency for*  
25 *any principal investigator or co-principal inves-*

1            *tigator who has failed to properly disclose cur-*  
2            *rent and pending support pursuant to subsection*  
3            *(a).*

4            *(D) Temporarily or permanently suspend*  
5            *or debar a researcher, in accordance with part*  
6            *180 of title 2, Code of Federal Regulations, from*  
7            *receiving funding from that agency when failure*  
8            *to disclose current and pending support pursu-*  
9            *ant to subsection (a) as done knowingly and*  
10           *willfully.*

11           *(E) Refer a failure to disclose under sub-*  
12           *section (a) to Federal law enforcement authori-*  
13           *ties to determine whether any criminal statutes*  
14           *have been violated.*

15           *(2) NOTICE.—A Federal research agency intend-*  
16           *ing to take action under any of subparagraphs (A),*  
17           *(B), (C), or (D) of paragraph (1) shall notify the in-*  
18           *stitution of higher education, principal investigator*  
19           *and any co-principal investigators subject to such ac-*  
20           *tion about the specific reason for the action, and shall*  
21           *provide the institution, principal investigator, and*  
22           *co-principal investigator, as applicable, with the op-*  
23           *portunity and a process by which to contest the pro-*  
24           *posed action.*

1           (3) *EVIDENTIARY STANDARDS.*—*A Federal re-*  
2           *search agency seeking suspension or debarment under*  
3           *paragraph (1)(D) shall abide by the procedures and*  
4           *evidentiary standards set forth in part 180 of title 2,*  
5           *Code of Federal Regulations.*

6           (d) *DEFINITIONS.*—*In this section:*

7           (1) *CURRENT AND PENDING SUPPORT.*—*The term*  
8           *“current and pending support” means all resources*  
9           *made available to an individual in direct support of*  
10           *the individual’s research efforts, regardless of whether*  
11           *such resources have monetary value, and includes in-*  
12           *kind contributions requiring a commitment of time*  
13           *and directly supporting the individual’s research ef-*  
14           *forts, such as the provision of office or laboratory*  
15           *space, equipment, supplies, employees, and students.*

16           (2) *INSTITUTION OF HIGHER EDUCATION.*—*The*  
17           *term “institution of higher education” has the mean-*  
18           *ing given that term in section 101 of the Higher Edu-*  
19           *cation Act of 1965 (20 U.S.C. 1001).*

20           (3) *FEDERAL RESEARCH AGENCY.*—*The term*  
21           *“Federal research agency” includes the following and*  
22           *any organizations and elements thereof:*

23                   (A) *The Department of Agriculture.*

24                   (B) *The Department of Commerce.*

25                   (C) *The Department of Defense.*

- 1                   (D) *The Department of Education.*
- 2                   (E) *The Department of Energy.*
- 3                   (F) *The Department of Health and Human*  
4                   *Services.*
- 5                   (G) *The Department of Homeland Security.*
- 6                   (H) *The Department of Transportation.*
- 7                   (I) *The Environmental Protection Agency.*
- 8                   (J) *The National Aeronautics and Space*  
9                   *Administration.*
- 10                  (K) *The National Science Foundation.*

11 **SEC. 230. LIMITATIONS RELATING TO LARGE UNMANNED**  
12 **SURFACE VESSELS AND ASSOCIATED OFFEN-**  
13 **SIVE WEAPON SYSTEMS.**

14           (a) *LIMITATION ON AVAILABILITY OF FUNDS FOR*  
15 *LUSV.—*

16                   (1) *LIMITATION.—None of the funds authorized*  
17 *to be appropriated by this Act or otherwise made*  
18 *available for fiscal year 2021 for the Department of*  
19 *the Navy for the procurement of a large unmanned*  
20 *surface vessel may be obligated or expended until a*  
21 *period of 60 days has elapsed following the date on*  
22 *which the Secretary of the Navy submits to the con-*  
23 *gressional defense committees the certification de-*  
24 *scribed in paragraph (2).*



1           (2) *CERTIFICATION DESCRIBED.*—*The certifi-*  
2           *cation described in this paragraph is a written state-*  
3           *ment of the Secretary of the Navy certifying, with re-*  
4           *spect to any large unmanned surface vessel to be pro-*  
5           *cured by the Secretary, the following:*

6                   (A) *A hull system, a mechanical system,*  
7                   *and an electrical system have been developed for*  
8                   *the vessel and each system—*

9                           (i) *has attained a technology readiness*  
10                           *level of seven or greater; and*

11                           (ii) *can be operated autonomously for*  
12                           *a minimum of 30 days.*

13                   (B) *A command control system has been de-*  
14                   *veloped for the vessel and the system—*

15                           (i) *can be operated autonomously;*

16                           (ii) *includes autonomous detection;*

17                           *and*

18                           (iii) *has attained a technology readi-*  
19                           *ness level of seven or greater.*

20                   (C) *A detailed plan has been developed for*  
21                   *measuring and demonstrating the reliability of*  
22                   *the vessel.*

23                   (D) *All payloads expected to be carried on*  
24                   *the vessel have attained a technology readiness*  
25                   *level of seven or greater.*

1           **(b) LIMITATION ON LUSV WEAPON INTEGRATION.**—  
2 *The Secretary of the Navy may not integrate any offensive*  
3 *weapon system into a large unmanned surface vessel until*  
4 *the date on which the Secretary of the Defense certifies to*  
5 *the congressional defense committees that any large un-*  
6 *manned surface vessel that employs offensive weapons will*  
7 *comply with the law of armed conflict. Such certification*  
8 *shall include a detailed explanation of how such compliance*  
9 *will be achieved.*

10 **SEC. 231. LIMITATION ON AVAILABILITY OF FUNDS PEND-**  
11 **ING REVIEW AND REPORT ON NEXT GENERA-**  
12 **TION AIR DOMINANCE CAPABILITIES.**

13           **(a) LIMITATION ON AIR FORCE FUNDS.**—*Of the funds*  
14 *authorized to be appropriated by this Act or otherwise made*  
15 *available for fiscal year 2021 for the next generation air*  
16 *dominance initiative of the Air Force, not more than 85*  
17 *percent may be obligated or expended until the date on*  
18 *which the Director of Cost Assessment and Program Eval-*  
19 *uation submits the report required under subsection (d)(1).*

20           **(b) LIMITATION ON NAVY FUNDS.**—*Of the funds au-*  
21 *thorized to be appropriated by this Act or otherwise made*  
22 *available for fiscal year 2021 for the next generation air*  
23 *dominance initiative of the Navy, not more than 85 percent*  
24 *may be obligated or expended until the date on which the*

1 *Director of Cost Assessment and Program Evaluation sub-*  
2 *mits the report required under subsection (d)(2).*

3 (c) *REVIEWS.—*

4 (1) *IN GENERAL.—The Director of Cost Assess-*  
5 *ment and Program Evaluation shall conduct—*

6 (A) *a non-advocate review of the next gen-*  
7 *eration air dominance initiative of the Air*  
8 *Force; and*

9 (B) *a non-advocate review of the next gen-*  
10 *eration air dominance initiative of the Navy.*

11 (2) *ELEMENTS.—Each review under paragraph*  
12 *(1) shall include an assessment of—*

13 (A) *all risks associated with cost, schedule,*  
14 *development, integration, production, fielding,*  
15 *and sustainment of next generation air domi-*  
16 *nance capabilities;*

17 (B) *the technological maturity of significant*  
18 *hardware and software efforts planned or carried*  
19 *out as part of the development of such capabili-*  
20 *ties; and*

21 (C) *affordability goals that the Air Force*  
22 *and the Navy (as the case may be) will be re-*  
23 *quired to achieve during development, produc-*  
24 *tion, and sustainment activities for such capa-*  
25 *bilities that will not jeopardize or otherwise be*

1           *detrimental to other high-priority future capa-*  
2           *bilities being developed and procured to support*  
3           *and execute other primary core competencies and*  
4           *missions.*

5           *(d) REPORTS.—The Director of Cost Assessment and*  
6           *Program Evaluation shall submit to the congressional de-*  
7           *fense committees—*

8                   *(1) a report on the results of the review con-*  
9                   *ducted under subsection (c)(1)(A) with respect to the*  
10                  *Air Force; and*

11                   *(2) a report on the results of the review con-*  
12                   *ducted under subsection (c)(1)(B) with respect to the*  
13                  *Navy.*

14           ***Subtitle C—Emerging Technology***  
15           ***and Artificial Intelligence Matters***

16           ***SEC. 241. STEERING COMMITTEE ON EMERGING TECH-***  
17                   ***NOLOGY.***

18           *(a) ESTABLISHMENT.—There is established in the exec-*  
19           *utive branch a steering committee on emerging technology*  
20           *and national security threats (referred to in this section as*  
21           *the “Steering Committee”).*

22           *(b) MEMBERSHIP.—The Steering Committee shall be*  
23           *composed of the following:*

24                   *(1) The Deputy Secretary of Defense.*

1           (2) *The Vice Chairman of the Joint Chiefs of*  
2           *Staff.*

3           (3) *The Under Secretary of Defense for Intel-*  
4           *ligence and Security.*

5           (4) *Such other officials of the Department of De-*  
6           *fense as are jointly appointed to Steering Committee*  
7           *by the officials specified in paragraphs (1) through*  
8           *(3).*

9           (c) *CO-CHAIRS.—The officials specified in paragraphs*  
10          *(1) through (3) of subsection (b) shall serve as co-chairs of*  
11          *the Steering Committee.*

12          (d) *STAFF AND SUPPORT SERVICES.—Upon request of*  
13          *the co-chairs, the Department of Defense shall provide to*  
14          *the Steering Committee, on a reimbursable basis, such staff*  
15          *and administrative support services as are necessary for the*  
16          *Committee to carry out its responsibilities under this sec-*  
17          *tion.*

18          (e) *RESPONSIBILITIES.—The Steering Committee shall*  
19          *be responsible for—*

20                 (1) *developing a strategic vision for the organi-*  
21                 *zational change, concept and capability development,*  
22                 *and technology investments in emerging technologies*  
23                 *that are needed to maintain the technological edge of*  
24                 *the military and intelligence community of the*  
25                 *United States;*

1           (2) *providing credible assessments of emerging*  
2 *threats and identifying investments and advances in*  
3 *emerging technology undertaken by adversaries of the*  
4 *United States;*

5           (3) *making recommendations to the Secretary of*  
6 *Defense on—*

7                 (A) *the implementation of the strategy de-*  
8 *veloped under to paragraph (1); and*

9                 (B) *steps that may be taken to address the*  
10 *threats identified under to paragraph (2);*

11           (4) *coordinating with the Joint Committee on*  
12 *Research Environments of the National Science and*  
13 *Technology Council; and*

14           (5) *carrying out such other activities as are as-*  
15 *signed to the Steering Committee by the Secretary of*  
16 *Defense.*

17           (f) *COORDINATION WITH JAIC.—The co-chairs shall*  
18 *coordinate the activities of the Steering Committee with the*  
19 *activities of the Board of Directors of the Joint Artificial*  
20 *Intelligence Center established under section 224, as appro-*  
21 *priate.*

22           (g) *EMERGING TECHNOLOGY DEFINED.—In this sec-*  
23 *tion, the term “emerging technology” means technology de-*  
24 *termined to be in an emerging phase of development by the*  
25 *Secretary of Defense, including quantum computing, tech-*

1 *nology for the analysis of large and diverse sets of data*  
2 *(commonly known as “big data analytics”), artificial intel-*  
3 *ligence, autonomous technology, robotics, directed energy,*  
4 *hypersonics, biotechnology, and such other technology as*  
5 *may be identified by the Secretary.*

6 **SEC. 242. TRAINING FOR HUMAN RESOURCES PERSONNEL**  
7 **IN ARTIFICIAL INTELLIGENCE AND RELATED**  
8 **TOPICS.**

9 *(a) DEPARTMENT OF DEFENSE.—*

10 *(1) TRAINING PROGRAM.—Not later than one*  
11 *year after the date of the enactment of this Act, the*  
12 *Secretary of Defense shall develop and implement a*  
13 *program to provide covered human resources per-*  
14 *sonnel with training in the fields of software develop-*  
15 *ment, data science, and artificial intelligence, as such*  
16 *fields related to the duties of such personnel.*

17 *(2) ELEMENTS.—The training provided under*  
18 *paragraph (1) shall include—*

19 *(A) a generalist’s introduction to—*

20 *(i) software development and business*  
21 *processes;*

22 *(ii) data management practices related*  
23 *to machine learning;*

24 *(iii) machine learning, deep learning,*  
25 *and artificial intelligence;*

1                   (iv) *artificial intelligence workforce*  
2                   *roles; and*

3                   (v) *cybersecurity and secure software*  
4                   *development; and*

5                   (B) *training in the authorities and proce-*  
6                   *dures that may be used to recruit software devel-*  
7                   *opers, data scientists, and artificial intelligence*  
8                   *professionals, including direct hiring authorities,*  
9                   *excepted service authorities, the Intergovern-*  
10                   *mental Personnel Act of 1970 (42 U.S.C. 4701 et*  
11                   *seq.), and authorities for hiring special govern-*  
12                   *ment employees and highly qualified experts.*

13                   (3) *CERTIFICATE OF COMPLETION.*—*The Sec-*  
14                   *retary of Defense shall issue a certificate of comple-*  
15                   *tion to each individual who successfully completes the*  
16                   *training provided under paragraph (1), as deter-*  
17                   *mined by the Secretary.*

18                   (4) *IMPLEMENTATION.*—*The Secretary of Defense*  
19                   *shall implement the training program under para-*  
20                   *graph (1) as follows:*

21                   (A) *In the first year in which the training*  
22                   *program is carried out, the Secretary shall en-*  
23                   *sure that not less than 20 percent of covered*  
24                   *human resource personnel complete the program.*



1           (B) *In each year of the training program*  
2 *after the first year, the Secretary shall ensure*  
3 *that not less than an additional 10 percent of*  
4 *covered human resources personnel complete the*  
5 *program until 80 percent of such personnel have*  
6 *completed the program.*

7           (C) *After achieving the 80 percent comple-*  
8 *tion rate specified in subparagraph (B), the Sec-*  
9 *retary shall ensure, in each year, that not less*  
10 *than 80 percent of covered human resources per-*  
11 *sonnel have completed the training program.*

12       (b) *COVERED HUMAN RESOURCES PERSONNEL DE-*  
13 *FINED.—In this section, the term “covered human resources*  
14 *personnel” means members of the Armed Forces and civil-*  
15 *ian employees of the Department of Defense, including*  
16 *human resources professionals, hiring managers, and re-*  
17 *cruiters, who are responsible for hiring software developers,*  
18 *data scientists, or artificial intelligence professionals for the*  
19 *Department.*

20 **SEC. 243. UNCLASSIFIED WORKSPACES FOR PERSONNEL**  
21 **WITH PENDING SECURITY CLEARANCES.**

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 ensure, to the extent prac-*  
25 *ticable, that all facilities the Department of Defense at*

1 *which covered personnel perform work functions have un-*  
2 *classified workspaces.*

3 (b) *USE OF WORKSPACES BY OTHER PERSONNEL.—*

4 *The guidance issued under subsection (a) shall include*  
5 *guidelines under which appropriately screened individuals*  
6 *other than covered personnel, such as interns and visiting*  
7 *experts, may use unclassified workspaces on a space-avail-*  
8 *able basis.*

9 (c) *REPORT REQUIRED.—Not later than 90 days after*  
10 *the issuance of the guidance under subsection (a), the Sec-*  
11 *retary of Defense shall submit to the congressional defense*  
12 *committees a report that includes—*

13 (1) *a plan for implementing the guidance;*

14 (2) *a description of how existing facilities may*  
15 *be modified to accommodate unclassified workspaces;*  
16 *and*

17 (3) *identification of any impediments to making*  
18 *unclassified workspace available as described in sub-*  
19 *section (a).*

20 (d) *DEFINITIONS.—*

21 (1) *In this section, the term “unclassified work-*  
22 *space” means a workspace at which unclassified work*  
23 *may be performed.*

24 (2) *The term “covered personnel” means a mem-*  
25 *ber of the Armed Forces or a civilian employee of the*

1        *Department of Defense who has applied for, but who*  
2        *has not yet received, a security clearance.*

3    **SEC. 244. PILOT PROGRAM ON THE USE OF ELECTRONIC**  
4                            **PORTFOLIOS TO EVALUATE APPLICANTS FOR**  
5                            **CERTAIN TECHNICAL POSITIONS.**

6        (a) *PILOT PROGRAM.*—*Beginning not later than one*  
7        *year after the date of the enactment of this Act, the Sec-*  
8        *retary of Defense shall carry out a pilot program under*  
9        *which applicants for technical positions within the Depart-*  
10       *ment of Defense will be evaluated, in part, based on elec-*  
11       *tronic portfolios of the applicant's work, as described in*  
12       *subsection (b).*

13       (b) *ACTIVITIES.*—*Under the pilot program, the human*  
14       *resources manager of an organization of the Department*  
15       *of Defense participating in the program, in consultation*  
16       *with relevant subject matter experts, shall assess each appli-*  
17       *cant for a technical position in the organization by review-*  
18       *ing an electronic portfolio of the applicant's best work, as*  
19       *selected by the applicant.*

20       (c) *SCOPE OF PROGRAM.*—*The Secretary of Defense*  
21       *shall carry out the pilot program under subsection (a) in*  
22       *at least one major command of each military department.*

23       (d) *REPORT.*—*Not later than two years after the com-*  
24       *mencement of the pilot program under subsection (a), the*  
25       *Secretary of Defense shall submit to the congressional de-*

1 *fense committees a report on the results of the program. At*  
2 *a minimum, the report shall describe—*

3           (1) *how the use of electronic portfolios in the hir-*  
4 *ing process affected the timeliness of the hiring proc-*  
5 *ess for technical positions in organizations of the De-*  
6 *partment of Defense participating in the program;*

7           (2) *the level of satisfaction of organization lead-*  
8 *ers, hiring authorities, and subject matter experts*  
9 *with the quality of applicants that were hired based*  
10 *on evaluations of electronic portfolios.*

11       (e) *TECHNICAL POSITION DEFINED.—In this section,*  
12 *the term “technical position” means a position in the De-*  
13 *partment of Defense requiring expertise in artificial intel-*  
14 *ligence, data science, or software development.*

15       (f) *TERMINATION.—The authority to carry out the*  
16 *pilot program under subsection (a) shall terminate five*  
17 *years after the date of the enactment of this Act.*

18 **SEC. 245. SELF-DIRECTED TRAINING IN ARTIFICIAL INTEL-**

19 **LIGENCE.**

20       (a) *ONLINE ARTIFICIAL INTELLIGENCE COURSES.—*  
21 *The Secretary of Defense shall make available a list of ap-*  
22 *proved online courses relating to artificial intelligence that*  
23 *may be taken by civilian employees of the Department of*  
24 *Defense and members of the Armed Forces on a voluntary*  
25 *basis while not engaged in the performance of their duties.*

1           (b) *DOCUMENTATION OF COMPLETION.*—*The Secretary*  
2 *of Defense shall develop and implement a system—*

3                 (1) *to confirm whether a civilian employee of the*  
4 *Department of Defense or member of the Armed*  
5 *Forces has completed an online course approved by*  
6 *the Secretary under paragraph (1); and*

7                 (2) *to document the completion of such course in*  
8 *the personnel file of such employee or member.*

9           (c) *REWARD SYSTEM.*—*The Secretary of Defense shall*  
10 *develop and implement a system to reward civilian employ-*  
11 *ees of the Department of Defense and members of the Armed*  
12 *Forces who complete an online course approved by the Sec-*  
13 *retary under paragraph (1), which may include—*

14                 (1) *for a member of the Armed Forces, a 24-hour*  
15 *pass which may be used on a stand-alone basis or in*  
16 *conjunction with other leave, holiday, or weekend pe-*  
17 *riods; and*

18                 (2) *for a civilian employees of the Department,*  
19 *up to 8 hours of additional leave.*

20           (d) *DEADLINE.*—*The Secretary of Defense shall carry*  
21 *out the activities described in subparagraphs (a) through*  
22 *(c) not later than 180 days after the date of the enactment*  
23 *of this Act.*

1 **SEC. 246. PART-TIME AND TERM EMPLOYMENT OF UNIVER-**  
2 **SITY PROFESSORS AND STUDENTS IN THE**  
3 **DEFENSE SCIENCE AND TECHNOLOGY EN-**  
4 **TERPRISE.**

5 (a) *IN GENERAL.*—Not later than 180 days after the  
6 date of the enactment of this Act, the Secretary of Defense,  
7 jointly with the Secretaries of the military departments,  
8 and in consultation with the Under Secretary of Defense  
9 for Research and Engineering and the Under Secretary of  
10 Defense for Personnel and Readiness, shall establish a pro-  
11 gram under which qualified professors and students may  
12 be employed on a part-time or term basis in an organiza-  
13 tion of the Defense science and technology enterprise for the  
14 purpose of conducting a research project.

15 (b) *SELECTION.*—

16 (1) *SELECTION AND HIRING.*—The head of an or-  
17 ganization in the Defense science and technology en-  
18 terprise at which positions are made available under  
19 subsection (a) shall be responsible for selecting quali-  
20 fied professors and students to fill such positions.

21 (2) *SELECTION CRITERIA.*—A qualified professor  
22 or student shall be selected for participation in the  
23 program under subsection (a) based on the following  
24 criteria:

25 (A) *In the case of a qualified professor—*

1                   (i) *the academic credentials and re-*  
2                   *search experience of the professor; and*

3                   (ii) *the extent to which the research*  
4                   *proposed to be carried out by the professor*  
5                   *will contribute to the objectives of the De-*  
6                   *partment of Defense.*

7                   (B) *In the case of qualified student assisting*  
8                   *a professor with a research project under the pro-*  
9                   *gram—*

10                   (i) *the academic credentials and other*  
11                   *qualifications of the student; and*

12                   (ii) *the ability of the student to carry*  
13                   *out the responsibilities assigned to the stu-*  
14                   *dent as part of the project.*

15                   (c) *IMPLEMENTATION.—*

16                   (1) *MINIMUM NUMBER OF POSITIONS.—In the*  
17                   *first year of the program under subsection (a), the*  
18                   *Secretary of Defense shall establish not fewer than 10*  
19                   *positions for qualified professors. Not fewer than five*  
20                   *of such positions shall be reserved for qualified profes-*  
21                   *sors to conduct research in the fields of artificial in-*  
22                   *telligence and machine learning.*

23                   (2) *AUTHORITIES.—In carrying out the program*  
24                   *under subsection (a), the Secretary of Defense and the*

1 *heads of organizations in the Defense science and*  
2 *technology enterprise may—*

3 *(A) use any hiring authority available to*  
4 *the Secretary or the head of such an organiza-*  
5 *tion;*

6 *(B) enter into cooperative research and de-*  
7 *velopment agreements under section 12 of the*  
8 *Stevenson-Wydler Technology Innovation Act of*  
9 *1980 (15 U.S.C. 3710a); and*

10 *(C) pay referral bonuses to professors or*  
11 *students participating in the program who iden-*  
12 *tify—*

13 *(i) students to assist in a research*  
14 *project under the program; or*

15 *(ii) students or recent graduates to*  
16 *participate in other programs in the De-*  
17 *fense science and technology enterprise, in-*  
18 *cluding internships at Department of De-*  
19 *fense Laboratories and in the Pathways*  
20 *Program of the Department.*

21 *(d) REPORTS TO CONGRESS.—*

22 *(1) INITIAL REPORT.—Not later than 30 days*  
23 *after the conclusion of the first year of the program*  
24 *under subsection (a), the Secretary of Defense shall*  
25 *submit to the congressional defense committees a re-*



1       *port on the status of the program. The report shall in-*  
2       *clude—*

3               *(A) identification of the number of qualified*  
4               *professors and students employed under the pro-*  
5               *gram;*

6               *(B) identification of the organizations in*  
7               *the Defense science and technology enterprise*  
8               *that employed such individuals; and*

9               *(C) a description of the types of research*  
10              *conducted by such individuals.*

11              *(2) SUBSEQUENT REPORTS.—Not later than 30*  
12              *days after the conclusion of the second and third*  
13              *years of the program under subsection (a), the Sec-*  
14              *retary of Defense shall submit to the congressional de-*  
15              *fense committees a report on the progress of the pro-*  
16              *gram. Each report shall include—*

17                      *(A) the information described in subpara-*  
18                      *graphs (A) through (C) of paragraph (1);*

19                      *(B) the results of any research projects con-*  
20                      *ducted under the program; and*

21                      *(C) the number of students and recent grad-*  
22                      *uates who, pursuant to a reference from a pro-*  
23                      *fessor or student participating in the program as*  
24                      *described in subsection (c)(2)(C), were hired by*  
25                      *the Department of Defense or selected for partici-*

1            *pation in another program in the Defense science*  
2            *and technology enterprise.*

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

4            *(1) The term “Defense science and technology en-*  
5            *terprise” means—*

6                    *(A) the research organizations of the mili-*  
7                    *tary departments;*

8                    *(B) the science and technology reinvention*  
9                    *laboratories (as designated under section 1105 of*  
10                    *the National Defense Authorization Act for Fis-*  
11                    *cal Year 2010 (Public Law 111–84; 10 U.S.C.*  
12                    *2358 note));*

13                    *(C) the facilities of the Major Range and*  
14                    *Test Facility Base (as defined in section*  
15                    *2358a(f)(3) of title 10, United States Code);*

16                    *(D) the Defense Advanced Research Projects*  
17                    *Agency; and*

18                    *(E) such other organizations as the Sec-*  
19                    *retary of Defense determines appropriate for in-*  
20                    *clusion in the enterprise.*

21            *(2) The term “institution of higher education”*  
22            *has the meaning given that term in section 101 of the*  
23            *Higher Education Act of 1965 (20 U.S.C. 1001).*

24            *(3) The term “qualified professor” means a pro-*  
25            *fessor of an institution of higher education who has*

1 *expertise in science, technology, engineering, and*  
2 *mathematics.*

3 (4) *The term “qualified student” means a stu-*  
4 *dent of an institution of higher education selected by*  
5 *a qualified professor to assist the professor in con-*  
6 *ducting research.*

7 **SEC. 247. MICROELECTRONICS AND NATIONAL SECURITY.**

8 (a) *MODIFICATION OF STRATEGY FOR ASSURED AC-*  
9 *CESS TO TRUSTED MICROELECTRONICS.—Section 231 of*  
10 *the National Defense Authorization Act for Fiscal Year*  
11 *2017 (Public Law 114–328; 10 U.S.C. 2302 note) is amend-*  
12 *ed—*

13 (1) *in subsection (a), by striking “September 30,*  
14 *2019” and inserting “December 30, 2020”;*

15 (2) *in subsection (b), by adding at the end the*  
16 *following new paragraphs:*

17 “(10) *An approach to ensuring the continuing*  
18 *production of cutting-edge microelectronics for na-*  
19 *tional security needs, including state-of-the-art node*  
20 *sizes, heterogeneous integration, boutique chip designs,*  
21 *and variable volume production capabilities.*

22 “(11) *An assessment of current microelectronics*  
23 *supply chain management practices, existing risks,*  
24 *and actions that may be carried out to mitigate such*  
25 *risks by organizations in the defense industrial base.*

1           “(12) A plan for increasing commercialization of  
2           intellectual property developed by the Department of  
3           Defense for commercial microelectronics research and  
4           development.

5           “(13) An assessment of the feasibility, usefulness,  
6           efficacy, and cost of—

7                   “(A) developing a national laboratory ex-  
8                   clusively focused on the research and develop-  
9                   ment of microelectronics to serve as a center for  
10                  Federal Government expertise in high-per-  
11                  forming, trusted microelectronics and as a hub  
12                  for Federal Government research into break-  
13                  through microelectronics-related technologies; and

14                  “(B) incorporating into such national lab-  
15                  oratory a commercial incubator to provide early-  
16                  stage microelectronics startups, which face dif-  
17                  ficulties scaling due to the high costs of micro-  
18                  electronics design and fabrication, with access to  
19                  funding resources, fabrication facilities, design  
20                  tools, and shared intellectual property.

21           “(14) Such other matters as the Secretary of De-  
22           fense determines to be relevant.”;

23           (3) in subsection (d), by striking “September 30,  
24           2019” and inserting “December 30, 2020”; and

1           (4) *in subsection (e), by striking “September 30,*  
2           *2019” and inserting “December 30, 2020”.*

3           (b) *ADVISORY PANEL ON MICROELECTRONICS LEAD-*  
4           *ERSHIP AND COMPETITIVENESS.—*

5           (1) *ESTABLISHMENT.—Not later than 30 days*  
6           *after the date of the enactment of this Act, the Presi-*  
7           *dent, in consultation with the National Security*  
8           *Council, the National Economic Council, and the Of-*  
9           *fice of Science and Technology Policy, shall establish*  
10           *an advisory panel on microelectronics leadership and*  
11           *competitiveness (referred to in this subsection as the*  
12           *“Advisory Panel”).*

13           (2) *MEMBERSHIP.—The Advisory Panel shall be*  
14           *composed of the following members:*

15                   (A) *The Secretary of Defense.*

16                   (B) *The Secretary of Energy.*

17                   (C) *The Director of the National Science*  
18                   *Foundation.*

19                   (D) *The Director of the National Institute*  
20                   *of Standards and Technology.*

21                   (E) *The heads of such other departments*  
22                   *and agencies of the Federal Government as the*  
23                   *President, in consultation with the National Se-*  
24                   *curity Council, determines appropriate.*

25           (3) *NATIONAL STRATEGY.—*

1           (A) *IN GENERAL*.—Not later than 180 days  
2 after the date on which the Advisory Panel is es-  
3 tablished, the Panel shall develop a national  
4 strategy to—

5           (i) *accelerate the development and de-*  
6 *ployment of state-of-the-art microelectronics;*

7           *and*

8           (ii) *ensure that the United States is a*  
9 *global leader in the field of microelectronics.*

10          (B) *ELEMENTS*.—The strategy developed  
11 under subparagraph (A) shall address the fol-  
12 lowing:

13           (i) *Activities that may be carried out*  
14 *to strengthen engagement and outreach be-*  
15 *tween the Department of Defense and indus-*  
16 *try, academia, international partners of the*  
17 *United States, and other departments and*  
18 *agencies of the Federal Government on*  
19 *issues relating to microelectronics.*

20           (ii) *Science, technology, research, and*  
21 *development efforts to facilitate the advance-*  
22 *ment and adoption of microelectronics and*  
23 *new uses of microelectronics and compo-*  
24 *nents, including efforts to—*

1                   (I) accelerate leap-ahead research,  
2                   development, and innovation in micro-  
3                   electronics; and

4                   (II) deploy heterogeneously inte-  
5                   grated microelectronics for machine  
6                   learning and other applications.

7                   (iii) The role of diplomacy and trade  
8                   in maintaining the position of the United  
9                   States as a global leader in the field of  
10                  microelectronics, including the feasibility  
11                  and advisability of—

12                  (I) implementing multilateral ex-  
13                  port controls tailored through direct co-  
14                  ordination with key allies of the  
15                  United States, including through the  
16                  Wassenaar Arrangement and other  
17                  multilateral fora, for specific semicon-  
18                  ductor manufacturing equipment such  
19                  as extreme ultraviolet photolithography  
20                  equipment and argon fluoride immer-  
21                  sion photolithography equipment;

22                  (II) additional trade enforcement  
23                  actions that may be initiated by the  
24                  United States to address any unfair or  
25                  excessive foreign semiconductor subsidy

1                    *programs or other unfair microelec-*  
2                    *tronics trade practices; and*

3                    *(III) the elimination of any trade*  
4                    *barriers or unilateral export controls*  
5                    *that harm United States companies*  
6                    *without producing a substantial benefit*  
7                    *to the competitiveness or national secu-*  
8                    *rity of the United States.*

9                    *(iv) The potential role of a national*  
10                    *laboratory and incubator exclusively focused*  
11                    *on the research and development of micro-*  
12                    *electronics, as described in section*  
13                    *231(b)(13) of the National Defense Author-*  
14                    *ization Act for Fiscal Year 2017 (Public*  
15                    *Law 114–328; 10 U.S.C. 2302 note) (as*  
16                    *added by subsection (a)) in carrying out the*  
17                    *strategy and plan required subparagraph*  
18                    *(A).*

19                    *(v) Such other activities as the Panel*  
20                    *determines may be appropriate to overcome*  
21                    *looming challenges to the innovation, com-*  
22                    *petitiveness, and supply chain integrity of*  
23                    *the United States in the area of*  
24                    *microelectronics.*



1       (c) *BRIEFINGS.*—Not later than 90 days after the date  
2 of the enactment of this Act—

3           (1) *the Secretary of Defense shall provide to the*  
4 *congressional defense committees a briefing on the*  
5 *progress of the Secretary in developing the strategy*  
6 *and implementation plan required under section*  
7 *231(a) of the National Defense Authorization Act for*  
8 *Fiscal Year 2017 (Public Law 114–328; 10 U.S.C.*  
9 *2302 note); and*

10          (2) *the Assistant to the President for National*  
11 *Security Affairs shall provide to the congressional de-*  
12 *fense committees a briefing on the progress of the Ad-*  
13 *visory Panel in developing the strategy required*  
14 *under subsection (b)(3).*

15 **SEC. 248. ACQUISITION OF ETHICALLY AND RESPONSIBLY**  
16 **DEVELOPED ARTIFICIAL INTELLIGENCE**  
17 **TECHNOLOGY.**

18       (a) *ASSESSMENT REQUIRED.*—Not later than 180  
19 days after the date of the enactment of this Act, the Sec-  
20 retary of Defense, acting through the Board of Directors of  
21 the Joint Artificial Intelligence Center established under  
22 section 224, shall conduct an assessment to determine  
23 whether the Department of Defense has the ability to ensure  
24 that any artificial intelligence technology acquired by the  
25 Department is ethically and responsibly developed.

1       (b) *ELEMENTS.*—*The assessment conducted under*  
2 *paragraph (1) shall address the following:*

3           (1) *Whether the Department of Defense has per-*  
4 *sonnel with sufficient expertise, across multiple dis-*  
5 *ciplines, to ensure the acquisition of ethically and re-*  
6 *sponsibly developed artificial intelligence technology,*  
7 *including personnel with sufficient ethical, legal, and*  
8 *technical expertise to advise on the acquisition of such*  
9 *technology.*

10          (2) *The feasibility and advisability of retaining*  
11 *outside experts as consultants to assist the Depart-*  
12 *ment in filling any gaps in expertise identified under*  
13 *paragraph (1).*

14          (3) *The extent to which existing acquisition proc-*  
15 *esses encourage or require consultation with relevant*  
16 *experts across multiple disciplines within the Depart-*  
17 *ment to ensure that artificial intelligence technology*  
18 *acquired by the Department is ethically and respon-*  
19 *sibly developed.*

20          (4) *Quantitative and qualitative standards for*  
21 *assessing the extent to which experts across multiple*  
22 *disciplines are engaged in the acquisition of artificial*  
23 *intelligence technology by the Department.*

24       (c) *REPORT.*—

1           (1) *IN GENERAL.*—Not later than 30 days after  
2           the date on which the Secretary completes the assess-  
3           ment under subsection (a), the Secretary shall submit  
4           to the congressional defense committees a report on  
5           the results of the assessment.

6           (2) *ELEMENTS.*—The report under paragraph  
7           (1) shall include, based on the results of the assess-  
8           ment—

9                   (A) an explanation of whether the Depart-  
10                  ment of Defense has personnel with sufficient ex-  
11                  pertise, across multiple disciplines, to ensure the  
12                  acquisition of ethically and responsibly developed  
13                  artificial intelligence technology;

14                  (B) an explanation of whether the Depart-  
15                  ment has adequate procedures to encourage or re-  
16                  quire the consultation of such experts as part of  
17                  the acquisition process for artificial intelligence  
18                  technology; and

19                  (C) with respect to any deficiencies identi-  
20                  fied under subparagraph (A) or subparagraph  
21                  (B), a description of any measures that have  
22                  been taken, and any additional resources that  
23                  may be needed, to mitigate such deficiencies.

1 **SEC. 249. ENHANCEMENT OF PUBLIC-PRIVATE TALENT EX-**  
2 **CHANGE PROGRAMS IN THE DEPARTMENT OF**  
3 **DEFENSE.**

4 (a) *PUBLIC-PRIVATE TALENT EXCHANGE.*-- .—Section  
5 1599g of title 10, United States Code is amended—

6 (1) in subsection (b)(1), by amending subpara-  
7 graph (C) to read as follows:

8 “(C) shall contain language ensuring that  
9 such employee of the Department does not im-  
10 properly use information that such employee  
11 knows relates to a Department acquisition, or  
12 procurement for the benefit or advantage of the  
13 private-sector organization.”.

14 (2) in subsection (f)—

15 (A) in paragraph (2)—

16 (i) by striking “is deemed to be an em-  
17 ployee of the Department of Defense for the  
18 purposes of” and inserting “is subject to”;

19 (ii) by striking subparagraph (D);

20 (iii) by redesignating subparagraphs  
21 (E) and (F) as subparagraphs (D) and (E),  
22 respectively;

23 (B) by striking paragraph (4);

24 (C) by redesignating paragraph (5) as  
25 paragraph (4); and

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

3                   “(5) shall be required to file a *Public Financial*  
4                   *Disclosure Report (OGE Form 278) and the Public*  
5                   *Financial Disclosure Report for a such a person and*  
6                   *a description of any waivers provided to such person*  
7                   *shall be made available on a publicly accessible*  
8                   *website of the Department of Defense.”.*

9                   (b) *APPLICATION OF EXCHANGE AUTHORITY TO ARTI-*  
10 *FICIAL INTELLIGENCE.*—*Not later than 90 days after the*  
11 *date of the enactment of this Act, the Secretary of Defense*  
12 *shall take steps to ensure that the authority for the Depart-*  
13 *ment of Defense to operate a public-private talent exchange*  
14 *program pursuant to section 1599g of title 10, United*  
15 *States Code, is used to exchange personnel with private sec-*  
16 *tor entities working on artificial intelligence applications.*  
17 *Such application of the authority of section 1599g shall be*  
18 *in addition to, not in lieu of, any other application of such*  
19 *authority by the Department of Defense.*

20                   (c) *GOALS FOR PROGRAM PARTICIPATION.*—*In car-*  
21 *rying out the requirement of subsection (b), the Secretary*  
22 *shall seek to achieve the following objectives:*

23                   (1) *In the Secretary of Defense Executive Fellows*  
24                   *program, the nomination of an additional five uni-*  
25                   *formed service members and three government civil-*

1        *ians by each service and by the Office of the Secretary*  
2        *of Defense, for sponsorship by private sector entities*  
3        *working on artificial intelligence applications.*

4            *(2) For the public-private talent exchange pro-*  
5        *gram of the Under Secretary of Defense for Acquisi-*  
6        *tion and Sustainment—*

7            *(A) an additional ten government employees*  
8        *to work with private sector entities working on*  
9        *artificial intelligence applications; and*

10           *(B) an additional ten employees of private*  
11        *sector entities working on artificial intelligence*  
12        *applications to work in the Department.*

13           *(3) The establishment of the following new pub-*  
14        *lic-private talent exchange programs in the Office of*  
15        *the Secretary of Defense, comparable to the program*  
16        *referred to in paragraph (2)—*

17           *(A) in the office of the Undersecretary of*  
18        *Defense for Research and Engineering, a pro-*  
19        *gram with twenty participants, focused on ex-*  
20        *changes with private sector entities working on*  
21        *artificial intelligence applications.*

22           *(B) in the office of the Chief Information*  
23        *Officer of the Department of Defense, a program*  
24        *with twenty participants, focused on exchanges*

1           *with private sector entities working on artificial*  
2           *intelligence applications.*

3           (4) *In the Army, Navy, and Marine Corps, the*  
4           *establishment of new public-private exchange pro-*  
5           *grams, comparable to the Air Force Education with*  
6           *Industry Program, each with twenty program par-*  
7           *ticipants, focused on private sector entities working*  
8           *on artificial intelligence applications.*

9           (d) *TREATMENT OF PROGRAM PARTICIPANTS.—*

10           (1) *The Army, Navy, and Marine Corps shall*  
11           *take steps to ensure that participation by a service*  
12           *member in a program described in subsection (c)(4)*  
13           *is treated, for purposes of promotion boards and sub-*  
14           *sequent assignments, as equivalent to attending resi-*  
15           *dent professional military education.*

16           (2) *The Secretary of Defense shall establish a*  
17           *public-private exchange program billet office to tem-*  
18           *porarily hold billets for civilian employees who par-*  
19           *ticipate in programs described in subsection (b), to*  
20           *ensure that participating Department of Defense of-*  
21           *fices are able to retain their staffing levels during the*  
22           *period of participation.*

23           (e) *BRIEFING ON EXPANSION OF EXISTING EXCHANGE*  
24           *PROGRAMS.—Not later than 180 days after the date of the*  
25           *enactment of this Act, and annually thereafter, the Sec-*

1 *retary of Defense shall provide to the Committees on Armed*  
2 *Services of the Senate and the House of Representatives a*  
3 *briefing on the efforts undertaken to expand existing public-*  
4 *private exchange programs of the Department of Defense*  
5 *and to ensure that such programs seek opportunities for ex-*  
6 *changes with private sector entities working on artificial*  
7 *intelligence applications, in accordance with the require-*  
8 *ments of this section.*

9 ***Subtitle D—Sustainable Chemistry***  
10 ***Research and Development***

11 ***SEC. 251. SHORT TITLE.***

12 *This subtitle may be cited as the “Sustainable Chem-*  
13 *istry Research and Development Act of 2020”.*

14 ***SEC. 252. FINDINGS.***

15 *Congress finds that—*

16 *(1) Congress recognized the importance and*  
17 *value of sustainable chemistry in section 114 of the*  
18 *American Innovation and Competitiveness Act (Pub-*  
19 *lic Law 114–329);*

20 *(2) sustainable chemistry and materials trans-*  
21 *formation is a key value contributor to business com-*  
22 *petitiveness across many industrial and consumer sec-*  
23 *tors;*

24 *(3) companies across hundreds of supply chains*  
25 *critical to the American economy are seeking to re-*



1        *duce costs and open new markets through innovations*  
2        *in manufacturing and materials, and are in need of*  
3        *new innovations in chemistry, including sustainable*  
4        *chemistry;*

5            *(4) sustainable chemistry can improve the effi-*  
6        *ciency with which natural resources are used to meet*  
7        *human needs for chemical products while avoiding*  
8        *environmental harm, reduce or eliminate the emis-*  
9        *sions of and exposures to hazardous substances, mini-*  
10       *mize the use of resources, and benefit the economy,*  
11       *people, and the environment; and*

12           *(5) a recent report by the Government Account-*  
13       *ability Office (GAO–18–307) found that the Federal*  
14       *Government could play an important role in helping*  
15       *realize the full innovation and market potential of*  
16       *sustainable chemistry technologies, including through*  
17       *a coordinated national effort on sustainable chemistry*  
18       *and standardized tools and definitions to support sus-*  
19       *tainable chemistry research, development, demonstra-*  
20       *tion, and commercialization.*

21    **SEC. 253. NATIONAL COORDINATING ENTITY FOR SUSTAIN-**  
22                                    **ABLE CHEMISTRY.**

23           *(a) ESTABLISHMENT.—Not later than 180 days after*  
24       *the date of enactment of this Act, the Director of the Office*  
25       *of Science and Technology Policy shall convene an inter-*

1 *agency entity (referred to in this subtitle as the “Entity”)*  
2 *under the National Science and Technology Council with*  
3 *the responsibility to coordinate Federal programs and ac-*  
4 *tivities in support of sustainable chemistry, including those*  
5 *described in sections 255 and 256.*

6 (b) *COORDINATION WITH EXISTING GROUPS.—In con-*  
7 *vening the Entity, the Director of the Office of Science and*  
8 *Technology Policy shall consider overlap and possible co-*  
9 *ordination with existing committees, subcommittees, or*  
10 *other groups of the National Science and Technology Coun-*  
11 *cil, such as—*

12 (1) *the Committee on Environment;*

13 (2) *the Committee on Technology;*

14 (3) *the Committee on Science; or*

15 (4) *related groups or subcommittees.*

16 (c) *CO-CHAIRS.—The Entity shall be co-chaired by the*  
17 *Director of the Office of Science and Technology Policy and*  
18 *a representative from the Environmental Protection Agen-*  
19 *cy, the National Institute of Standards and Technology, the*  
20 *National Science Foundation, or the Department of Energy,*  
21 *as selected by the Director of the Office of Science and Tech-*  
22 *nology Policy.*

23 (d) *AGENCY PARTICIPATION.—The Entity shall in-*  
24 *clude representatives, including subject matter experts, from*  
25 *the Environmental Protection Agency, the National Insti-*

1 *tute of Standards and Technology, the National Science*  
2 *Foundation, the Department of Energy, the Department of*  
3 *Agriculture, the Department of Defense, the National Insti-*  
4 *tutes of Health, the Centers for Disease Control and Preven-*  
5 *tion, the Food and Drug Administration, and other related*  
6 *Federal agencies, as appropriate.*

7       *(e) TERMINATION.—The Entity shall terminate on the*  
8 *date that is 10 years after the date of enactment of this*  
9 *Act.*

10 **SEC. 254. STRATEGIC PLAN FOR SUSTAINABLE CHEMISTRY.**

11       *(a) STRATEGIC PLAN.—Not later than 2 years after*  
12 *the date of enactment of this Act, the Entity shall—*

13               *(1) consult with relevant stakeholders, including*  
14 *representatives from industry, academia, national*  
15 *labs, the Federal Government, and international enti-*  
16 *tities, to develop and update, as needed, a consensus*  
17 *definition of “sustainable chemistry” to guide the ac-*  
18 *tivities under this subtitle;*

19               *(2) develop a working framework of attributes*  
20 *characterizing and metrics for assessing sustainable*  
21 *chemistry, as described in subsection (b);*

22               *(3) assess the state of sustainable chemistry in*  
23 *the United States as a key benchmark from which*  
24 *progress under the activities described in this subtitle*  
25 *can be measured, including assessing key sectors of*

1 *the United States economy, key technology platforms,*  
2 *commercial priorities, and barriers to innovation;*

3 *(4) coordinate and support Federal research, de-*  
4 *velopment, demonstration, technology transfer, com-*  
5 *mercialization, education, and training efforts in sus-*  
6 *tainable chemistry, including budget coordination*  
7 *and support for public-private partnerships, as ap-*  
8 *propriate;*

9 *(5) identify any Federal regulatory barriers to,*  
10 *and opportunities for, Federal agencies facilitating*  
11 *the development of incentives for development, consid-*  
12 *eration, and use of sustainable chemistry processes*  
13 *and products;*

14 *(6) identify major scientific challenges, road-*  
15 *blocks, or hurdles to transformational progress in im-*  
16 *proving the sustainability of the chemical sciences;*

17 *(7) identify other opportunities for expanding*  
18 *Federal efforts in support of sustainable chemistry;*  
19 *and*

20 *(8) review, identify, and make efforts to elimi-*  
21 *nate duplicative Federal funding and duplicative*  
22 *Federal research in sustainable chemistry.*

23 *(b) CHARACTERIZING AND ASSESSING SUSTAINABLE*  
24 *CHEMISTRY.—The Entity shall develop a working frame-*  
25 *work of attributes characterizing and metrics for assessing*

1 *sustainable chemistry for the purposes of carrying out the*  
2 *Act. In developing this framework, the Entity shall—*

3           (1) *seek advice and input from stakeholders as*  
4 *described in subsection (c);*

5           (2) *consider existing definitions of, or frame-*  
6 *works characterizing and metrics for assessing, sus-*  
7 *tainable chemistry already in use at Federal agencies;*

8           (3) *consider existing definitions of, or frame-*  
9 *works characterizing and metrics for assessing, sus-*  
10 *tainable chemistry already in use by international or-*  
11 *ganizations of which the United States is a member,*  
12 *such as the Organisation for Economic Co-operation*  
13 *and Development; and*

14           (4) *consider any other appropriate existing defi-*  
15 *nitions of, or frameworks characterizing and metrics*  
16 *for assessing, sustainable chemistry.*

17       (c) *CONSULTATION.—In carrying out the duties de-*  
18 *scribed in subsections (a) and (b), the Entity shall consult*  
19 *with stakeholders qualified to provide advice and informa-*  
20 *tion to guide Federal activities related to sustainable chem-*  
21 *istry through workshops, requests for information, or other*  
22 *mechanisms as necessary. The stakeholders shall include*  
23 *representatives from—*

1           (1) *business and industry (including trade asso-*  
2           *ciations and small- and medium-sized enterprises*  
3           *from across the value chain);*

4           (2) *the scientific community (including the Na-*  
5           *tional Academies of Sciences, Engineering, and Medi-*  
6           *cine, scientific professional societies, national labs,*  
7           *and academia);*

8           (3) *the defense community;*

9           (4) *State, Tribal, and local governments, includ-*  
10          *ing nonregulatory State or regional sustainable chem-*  
11          *istry programs, as appropriate;*

12          (5) *nongovernmental organizations; and*

13          (6) *other appropriate organizations.*

14          (d) *REPORT TO CONGRESS.—*

15           (1) *IN GENERAL.—Not later than 2 years after*  
16           *the date of enactment of this subtitle, the Entity shall*  
17           *submit a report to the Committee on Environment*  
18           *and Public Works, the Committee on Commerce,*  
19           *Science, and Transportation, and the Committee on*  
20           *Appropriations of the Senate, and the Committee on*  
21           *Science, Space, and Technology, the Committee on*  
22           *Energy and Commerce, and the Committee on Appro-*  
23           *priations of the House of Representatives. In addition*  
24           *to the elements described in subsections (a) and (b),*  
25           *the report shall include—*

1           (A) a summary of federally funded, sustain-  
2           able chemistry research, development, demonstra-  
3           tion, technology transfer, commercialization,  
4           education, and training activities;

5           (B) a summary of the financial resources  
6           allocated to sustainable chemistry initiatives by  
7           each participating agency;

8           (C) an assessment of the current state of  
9           sustainable chemistry in the United States, in-  
10          cluding the role that Federal agencies are play-  
11          ing in supporting it;

12          (D) an analysis of the progress made to-  
13          ward achieving the goals and priorities of this  
14          subtitle, and recommendations for future pro-  
15          gram activities;

16          (E) an evaluation of steps taken and future  
17          strategies to avoid duplication of efforts, stream-  
18          line interagency coordination, facilitate informa-  
19          tion sharing, and spread best practices among  
20          participating agencies; and

21          (F) an evaluation of duplicative Federal  
22          funding and duplicative Federal research in sus-  
23          tainable chemistry, efforts undertaken by the En-  
24          tity to eliminate duplicative funding and re-

1           *search, and recommendations on how to achieve*  
2           *these goals.*

3           (2) *SUBMISSION TO GAO.—The Entity shall also*  
4           *submit the report described in paragraph (1) to the*  
5           *Comptroller General of the United States for consider-*  
6           *ation in future Congressional inquiries.*

7           (3) *ADDITIONAL REPORTS.—The Entity shall*  
8           *submit a report to Congress and the Comptroller Gen-*  
9           *eral of the United States that incorporates the infor-*  
10          *mation described in subparagraphs (a), (b), (d), (e),*  
11          *and (f) every three years, commencing after the ini-*  
12          *tial report is submitted until the Entity terminates.*

13 **SEC. 255. AGENCY ACTIVITIES IN SUPPORT OF SUSTAIN-**  
14                                   **ABLE CHEMISTRY.**

15          (a) *IN GENERAL.—The agencies participating in the*  
16          *Entity shall carry out activities in support of sustainable*  
17          *chemistry, as appropriate to the specific mission and pro-*  
18          *grams of each agency.*

19          (b) *ACTIVITIES.—The activities described in subsection*  
20          (a) shall—

21                 (1) *incorporate sustainable chemistry into exist-*  
22                 *ing research, development, demonstration, technology*  
23                 *transfer, commercialization, education, and training*  
24                 *programs, that the agency determines to be relevant,*  
25                 *including consideration of—*



1           (A) merit-based competitive grants to indi-  
2           vidual investigators and teams of investigators,  
3           including, to the extent practicable, early career  
4           investigators for research and development;

5           (B) grants to fund collaborative research  
6           and development partnerships among univer-  
7           sities, industry, and nonprofit organizations;

8           (C) coordination of sustainable chemistry  
9           research, development, demonstration, and tech-  
10          nology transfer conducted at Federal laboratories  
11          and agencies;

12          (D) incentive prize competitions and chal-  
13          lenges in coordination with such existing Federal  
14          agency programs; and

15          (E) grants, loans, and loan guarantees to  
16          aid in the technology transfer and commer-  
17          cialization of sustainable chemicals, materials,  
18          processes, and products;

19          (2) collect and disseminate information on sus-  
20          tainable chemistry research, development, technology  
21          transfer, and commercialization, including informa-  
22          tion on accomplishments and best practices;

23          (3) expand the education and training of stu-  
24          dents at appropriate levels of education, professional  
25          scientists and engineers, and other professionals in-

1 *involved in all aspects of sustainable chemistry and en-*  
2 *gineering appropriate to that level of education and*  
3 *training, including through—*

4 *(A) partnerships with industry as described*  
5 *in section 256;*

6 *(B) support for the integration of sustain-*  
7 *able chemistry principles into chemistry and*  
8 *chemical engineering curriculum and research*  
9 *training, as appropriate to that level of edu-*  
10 *cation and training; and*

11 *(C) support for integration of sustainable*  
12 *chemistry principles into existing or new profes-*  
13 *sional development opportunities for profes-*  
14 *sionals including teachers, faculty, and individ-*  
15 *uals involved in laboratory research (product de-*  
16 *velopment, materials specification and testing,*  
17 *life cycle analysis, and management);*

18 *(4) as relevant to an agency's programs, examine*  
19 *methods by which the Federal agencies, in collabora-*  
20 *tion and consultation with the National Institute of*  
21 *Standards and Technology, may facilitate the devel-*  
22 *opment or recognition of validated, standardized tools*  
23 *for performing sustainability assessments of chemistry*  
24 *processes or products;*

1           (5) through programs identified by an agency,  
2           support (including through technical assistance, par-  
3           ticipation, financial support, communications tools,  
4           awards, or other forms of support) outreach and dis-  
5           semination of sustainable chemistry advances such as  
6           non-Federal symposia, forums, conferences, and publi-  
7           cations in collaboration with, as appropriate, indus-  
8           try, academia, scientific and professional societies,  
9           and other relevant groups;

10           (6) provide for public input and outreach to be  
11           integrated into the activities described in this section  
12           by the convening of public discussions, through mech-  
13           anisms such as public meetings, consensus con-  
14           ferences, and educational events, as appropriate;

15           (7) within each agency, develop or adapt metrics  
16           to track the outputs and outcomes of the programs  
17           supported by that agency; and

18           (8) incentivize or recognize actions that advance  
19           sustainable chemistry products, processes, or initia-  
20           tives, including through the establishment of a nation-  
21           ally recognized awards program through the Environ-  
22           mental Protection Agency to identify, publicize, and  
23           celebrate innovations in sustainable chemistry and  
24           chemical technologies.

1       (d) *LIMITATIONS.*—*Financial support provided under*  
2 *this section shall—*

3           (1) *be available only for pre-competitive activi-*  
4 *ties; and*

5           (2) *not be used to promote the sale of a specific*  
6 *product, process, or technology, or to disparage a spe-*  
7 *cific product, process, or technology.*

8 **SEC. 256. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.**

9       (a) *IN GENERAL.*—*The agencies participating in the*  
10 *Entity may facilitate and support, through financial, tech-*  
11 *nical, or other assistance, the creation of partnerships be-*  
12 *tween institutions of higher education, nongovernmental or-*  
13 *ganizations, consortia, or companies across the value chain*  
14 *in the chemical industry, including small- and medium-*  
15 *sized enterprises, to—*

16           (1) *create collaborative sustainable chemistry re-*  
17 *search, development, demonstration, technology trans-*  
18 *fer, and commercialization programs; and*

19           (2) *train students and retrain professional sci-*  
20 *entists, engineers, and others involved in materials*  
21 *specification on the use of sustainable chemistry con-*  
22 *cepts and strategies by methods, including—*

23           (A) *developing or recognizing curricular*  
24 *materials and courses for undergraduate and*  
25 *graduate levels and for the professional develop-*

1           *ment of scientists, engineers, and others involved*  
2           *in materials specification; and*

3                   *(B) publicizing the availability of profes-*  
4           *sional development courses in sustainable chem-*  
5           *istry and recruiting professionals to pursue such*  
6           *courses.*

7           *(b) PRIVATE SECTOR PARTICIPATION.—To be eligible*  
8           *for support under this section, a partnership in sustainable*  
9           *chemistry shall include at least one private sector organiza-*  
10          *tion.*

11           *(c) SELECTION OF PARTNERSHIPS.—In selecting part-*  
12          *nerships for support under this section, the agencies partici-*  
13          *pating in the Entity shall also consider the extent to which*  
14          *the applicants are willing and able to demonstrate evidence*  
15          *of support for, and commitment to, the goals outlined in*  
16          *the strategic plan and report described in section 254.*

17           *(d) PROHIBITED USE OF FUNDS.—Financial support*  
18          *provided under this section may not be used—*

19                   *(1) to support or expand a regulatory chemical*  
20          *management program at an implementing agency*  
21          *under a State law;*

22                   *(2) to construct or renovate a building or struc-*  
23          *ture; or*

1           (3) *to promote the sale of a specific product,*  
2           *process, or technology, or to disparage a specific prod-*  
3           *uct, process, or technology.*

4 **SEC. 257. PRIORITIZATION.**

5           *In carrying out this subtitle, the Entity shall focus its*  
6           *support for sustainable chemistry activities on those that*  
7           *achieve, to the highest extent practicable, the goals outlined*  
8           *in the Act.*

9 **SEC. 258. RULE OF CONSTRUCTION.**

10          *Nothing in this subtitle shall be construed to alter or*  
11          *amend any State law or action with regard to sustainable*  
12          *chemistry, as defined by the State.*

13 **SEC. 259. MAJOR MULTI-USER RESEARCH FACILITY**  
14                   **PROJECT.**

15          *Section 110 of the American Innovation and Competi-*  
16          *tiveness Act (42 U.S.C. 1862s-2) is amended by striking*  
17          *(g)(2) and inserting the following:*

18                   “(2) **MAJOR MULTI-USER RESEARCH FACILITY**  
19          **PROJECT.**—*The term ‘major multi-user research facil-*  
20          *ity project’ means a science and engineering facility*  
21          *project that exceeds \$100,000,000 in total construc-*  
22          *tion, acquisition, or upgrade costs to the Founda-*  
23          *tion.”.*

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

3   ***SEC. 261. MODIFICATION TO ANNUAL REPORT OF THE DI-***  
4                           ***RECTOR OF OPERATIONAL TEST AND EVAL-***  
5                           ***UATION.***

6           *Section 139(h)(2) of title 10, United States Code, is*  
7   *amended—*

- 8                   (1) *by striking “Engineering,” and inserting*  
9                   *“Engineering,”; and*  
10                  (2) *by striking “, through January 31, 2025”.*

11   ***SEC. 262. REPEAL OF QUARTERLY UPDATES ON THE OP-***  
12                           ***TIONALLY MANNED FIGHTING VEHICLE PRO-***  
13                           ***GRAM.***

14           *Section 261 of the National Defense Authorization Act*  
15   *for Fiscal Year 2020 (Public law 116–92; 133 Stat. 1294)*  
16   *is repealed.*

17   ***SEC. 263. INDEPENDENT EVALUATION OF PERSONAL PRO-***  
18                           ***TECTIVE AND DIAGNOSTIC TESTING EQUIP-***  
19                           ***MENT.***

20           (a) *INDEPENDENT EVALUATION REQUIRED.—The Di-*  
21   *rector of Operational Test and Evaluation shall conduct an*  
22   *independent evaluation of—*

- 23                   (1) *any processes used to test the effectiveness of*  
24                   *covered personal protective and diagnostic testing*  
25                   *equipment; and*

1           (2) *the results of such tests.*

2           (b) *AVAILABILITY OF INFORMATION.—The Secretary of*  
3 *Defense shall provide the Director of Operational Test and*  
4 *Evaluation with such information as may be necessary for*  
5 *the Director to conduct the evaluations required under sub-*  
6 *section (a), including any relevant documentation relating*  
7 *to testing processes and test results for covered personal pro-*  
8 *TECTIVE AND DIAGNOSTIC TESTING EQUIPMENT.*

9           (c) *REPORT TO CONGRESS.—Not later than 30 days*  
10 *after the completion of each evaluation under subsection (a),*  
11 *the Director of Operational Test and Evaluation shall sub-*  
12 *mit to the congressional defense committees a report on the*  
13 *results of the evaluation.*

14           (d) *COVERED PERSONAL PROTECTIVE AND DIAG-*  
15 *NOSTIC TESTING EQUIPMENT DEFINED.—In this section,*  
16 *the term “covered personal protective and diagnostic testing*  
17 *equipment” means any personal protective equipment or*  
18 *diagnostic testing equipment developed, acquired, or used*  
19 *by the Department of Defense—*

20                   (1) *in response to COVID–19; or*

21                   (2) *as part of any follow-on, long-term acquisi-*  
22 *tion and distribution program for such equipment.*

23 **SEC. 264. REPORTS ON F-35 PHYSIOLOGICAL EPISODES AND**  
24 **MITIGATION EFFORTS.**

25           (a) *STUDY AND REPORT.—*



1           (1) *IN GENERAL.*—*The Under Secretary of De-*  
2 *fense for Acquisition and Sustainment shall conduct*  
3 *a study to determine the underlying causes of physio-*  
4 *logical episodes affecting crewmembers of F-35 air-*  
5 *craft.*

6           (2) *ELEMENTS.*—*The study under subsection (a)*  
7 *shall include—*

8                   (A) *an examination of each physiological*  
9 *episode reported by a crewmember of an F-35*  
10 *aircraft as of the date of the enactment of this*  
11 *Act; and*

12                   (B) *a determination as to the underlying*  
13 *cause of the episode.*

14           (3) *REPORT.*—*Not later than 180 days after the*  
15 *date of the enactment of this Act, the Under Secretary*  
16 *of Defense for Acquisition and Sustainment shall sub-*  
17 *mit to the congressional defense committees a report*  
18 *that includes—*

19                   (A) *the results the study conducted under*  
20 *subsection (a), including a description of each*  
21 *physiological episode examined under the study*  
22 *and an explanation of the underlying cause of*  
23 *the episode;*

24                   (B) *a description of any actions that may*  
25 *be taken to address the underlying causes of such*

1           *episodes, including any resources that may be re-*  
2           *quired to carry out such actions; and*

3                   *(C) any other findings and recommenda-*  
4           *tions of the study.*

5           ***(b) ANNUAL REPORTS ON MITIGATION EFFORTS.—The***  
6           *Secretary of Defense, in consultation with the Under Sec-*  
7           *retary of Defense for Acquisition and Sustainment, shall*  
8           *include with the annual report required by section 224(d)*  
9           *of the National Defense Authorization Act for Fiscal Year*  
10          *2017 (Public Law 114–328; 130 Stat. 2059), a detailed de-*  
11          *scription of—*

12                   *(1) the efforts of the Department of Defense to*  
13           *address physiological episodes affecting crewmembers*  
14           *of F–35 aircraft; and*

15                   *(2) the funding allocated for such efforts.*

16          ***SEC. 265. STUDY ON MECHANISMS FOR ATTRACTING AND***  
17                   ***RETAINING HIGH QUALITY TALENT IN THE***  
18                   ***NATIONAL SECURITY INNOVATION BASE.***

19           ***(a) STUDY REQUIRED.—The Secretary of Defense shall***  
20           *conduct a study to determine the feasibility of establishing*  
21           *a program to attract and retain covered individuals for em-*  
22           *ployment in the national security innovation base.*

23                   ***(b) ELEMENTS.—The study required under subsection***  
24           ***(a) shall include an analysis of—***

1           (1) *mechanisms the Department of Defense may*  
2           *use to engage institutions of higher education to assist*  
3           *in the identification and recruitment of covered indi-*  
4           *viduals for employment in the national security inno-*  
5           *vation base;*

6           (2) *monetary and nonmonetary incentives that*  
7           *may be provided to retain covered individuals in po-*  
8           *sitions in the national security innovation base;*

9           (3) *methods that may be implemented to ensure*  
10          *the proper vetting of covered individuals;*

11          (4) *the number of covered individuals needed to*  
12          *advance the competitiveness of the research, develop-*  
13          *ment, test, and evaluation efforts of the Department*  
14          *of Defense in the critical technologies identified in the*  
15          *National Defense Strategy; and*

16          (5) *the type and amount of resources required to*  
17          *implement the program described in subsection (a).*

18          (c) *REPORT.*—*Not later than February 1, 2021, the*  
19          *Secretary of Defense shall submit to the congressional de-*  
20          *fense committees a report on the results of the study con-*  
21          *ducted under subsection (a).*

22          (d) *DEFINITIONS.*—*In this section:*

23                 (1) *The term “national security innovation*  
24                 *base” the means the network of persons and organiza-*  
25                 *tions, including Federal agencies, institutions of high-*

1 *er education, federally funded research and develop-*  
2 *ment centers, defense industrial base entities, non-*  
3 *profit organizations, commercial entities, and venture*  
4 *capital firms that are engaged in the military and*  
5 *nonmilitary research, development, funding, and pro-*  
6 *duction of innovative technologies that support the*  
7 *national security of the United States.*

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

11 *(3) The term “covered individual” means an in-*  
12 *dividual who—*

13 *(A) is employed by a United States em-*  
14 *ployer and engaged in work to promote and pro-*  
15 *tect the national security innovation base;*

16 *(B) is engaged in basic or applied research,*  
17 *funded by the Department of Defense, through an*  
18 *institution of higher education in the United*  
19 *States; and*

20 *(C) possesses scientific or technical expertise*  
21 *that will advance the development of critical*  
22 *technologies identified in the National Defense*  
23 *Strategy or the National Defense Science and*  
24 *Technology Strategy, required by section 218 of*  
25 *the John S. McCain National Defense Authoriza-*

1            *tion Act for Fiscal Year 2019 (Public Law 115–*  
 2            *232; 132 Stat. 1679).*

3            ***TITLE III—OPERATION AND***  
 4            ***MAINTENANCE***  
 5            ***Subtitle A—Authorization of***  
 6            ***Appropriations***

7            ***SEC. 301. AUTHORIZATION OF APPROPRIATIONS.***

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 ex-*  
 11           *penses, not otherwise provided for, for operation and main-*  
 12           *tenance, as specified in the funding table in section 4301.*

13           ***Subtitle B—Energy and***  
 14           ***Environment***

15           ***SEC. 311. MILITARY AVIATION AND INSTALLATION ASSUR-***  
 16           ***ANCE CLEARINGHOUSE FOR REVIEW OF MIS-***  
 17           ***SION OBSTRUCTIONS.***

18           *Section 183a(c) of title 10, United States Code, is*  
 19           *amended—*

20           *(1) by redesignating paragraphs (4) through (6)*  
 21           *as paragraphs (5) through (7), respectively;*

22           *(2) by inserting after paragraph (3) the fol-*  
 23           *lowing new paragraph (4):*

24           *“(4) If, after issuing the notices of presumed risk re-*  
 25           *quired by paragraphs (2) and (3), the Secretary of Defense*

1 *later concludes for any reason that the energy project will*  
 2 *not have an adverse impact on military readiness, the*  
 3 *Clearinghouse shall notify the applicant and the governor*  
 4 *in writing of that conclusion.”; and*

5 *(3) in paragraph (7), as so redesignated, by*  
 6 *striking “Any setback for a project pursuant to the*  
 7 *previous sentence shall not be more than what is de-*  
 8 *termined to be necessary by a technical analysis con-*  
 9 *ducted by the Lincoln Laboratory at the Massachu-*  
 10 *setts Institute of Technology or any successor entity.”.*

11 **SEC. 312. MILITARY AVIATION AND INSTALLATION ASSUR-**  
 12 **ANCE CLEARINGHOUSE FOR REVIEW OF MIS-**  
 13 **SION OBSTRUCTIONS.**

14 *Section 183a(c) of title 10, United States Code, is*  
 15 *amended—*

16 *(1) by redesignating paragraphs (4) through (6)*  
 17 *as paragraphs (5) through (7), respectively; and*

18 *(2) by inserting after paragraph (3) the fol-*  
 19 *lowing new paragraph (4):*

20 *“(4) If, after issuing the notices of presumed risk re-*  
 21 *quired by paragraphs (2) and (3), the Secretary of Defense*  
 22 *later concludes for any reason that the energy project will*  
 23 *not have an adverse impact on military readiness, the*  
 24 *Clearinghouse shall notify the applicant and the governor*  
 25 *in writing of that conclusion.”.*

1 **SEC. 313. AGREEMENTS TO LIMIT ENCROACHMENTS AND**  
2 **OTHER CONSTRAINTS ON MILITARY TRAIN-**  
3 **ING, TESTING, AND OPERATIONS.**

4 *Section 2684a of title 10, United States Code, is*  
5 *amended—*

6 *(1) in subsection (b), by striking “An agreement*  
7 *under this section may be entered into with” and in-*  
8 *serting “For purposes of this section, the term ‘eligible*  
9 *entity’ means”; and*

10 *(2) in subsection (d)(1)(A), by striking “the enti-*  
11 *ty” and inserting “the eligible entity”.*

12 **SEC. 314. MODIFICATION OF DEPARTMENT OF DEFENSE EN-**  
13 **VIRONMENTAL RESTORATION AUTHORITIES**  
14 **TO INCLUDE FEDERAL GOVERNMENT FACILI-**  
15 **TIES USED BY NATIONAL GUARD.**

16 *Section 2707(e) of title 10, United States Code, as*  
17 *added by section 316 of the National Defense Authorization*  
18 *Act for Fiscal Year 2020 (Public Law 116–92, is amend-*  
19 *ed—*

20 *(1) by inserting “where military activities are*  
21 *conducted by the state National Guard under title*  
22 *32,” after “facility”; and*

23 *(2) by adding at the end the following new sen-*  
24 *tence: “The Secretary concerned may also utilize the*  
25 *authority in section 2701(d) of this title for these en-*  
26 *vironmental restoration projects.”.*

1 **SEC. 315. INCREASED TRANSPARENCY THROUGH REPORT-**  
2 **ING ON USAGE AND SPILLS OF AQUEOUS**  
3 **FILM-FORMING FOAM AT MILITARY INSTALLA-**  
4 **TIONS.**

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

8 **“§2712. Reporting on usage and spills of aqueous**  
9 **film-forming foam**

10 “Not later than 48 hours after the Deputy Assistant  
11 Secretary of Defense for Environment receives notice of the  
12 usage or spill of aqueous film-forming foam, either as con-  
13 centrate or mixed foam, at any military installation, the  
14 Deputy Assistant Secretary shall submit to the Committees  
15 on Armed Services of the Senate and House of Representa-  
16 tives notice of such usage or spill. Each such notice shall  
17 include each of the following:

18 “(1) The name of the installation where the  
19 usage or spill occurred.

20 “(2) The date on which the usage or spill oc-  
21 curred.

22 “(3) The amount, type, and specified concentra-  
23 tion of aqueous film-forming foam that was used or  
24 spilled.

25 “(4) The cause of the usage or spill.



1           “(5) *A summary narrative of the usage or*  
2           *spill.*”.

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

          “2712. *Reporting on usage and spills of aqueous film-forming foam.*”.

6           **SEC. 316. REPLACEMENT OF NON-TACTICAL MOTOR VEHI-**  
7                                   **CLES AT THE END OF SERVICE LIFE WITH**  
8                                   **ELECTRIC OR HYBRID MOTOR VEHICLES.**

9           *Section 2922g of title 10, United States Code, is*  
10          *amended—*

11           (1) *by redesignating subsections (b) and (c) as*  
12           *subsections (c) and (d), respectively;*

13           (2) *by inserting after subsection (a) the following*  
14           *new subsection (b):*

15           “(b) *END OF LIFE REPLACEMENT.—Upon the end of*  
16           *the lease or service life of a motor vehicle, the Secretary*  
17           *of the military department or the head of the Defense Agen-*  
18           *cy shall, to the maximum extent possible, replace such*  
19           *motor vehicle with a motor vehicle that uses an electric or*  
20           *hybrid propulsion system, including a plug-in hybrid sys-*  
21           *tem.*”;

22           (3) *in subsection (c), as so redesignated, by strik-*  
23           *ing “Subsection (a) does not” and inserting “Sub-*  
24           *sections (a) and (b) do not”; and*

1           (4) *in subsection (d), as so redesignated, by*  
2           *striking “The preference required by subsection (a)*  
3           *does not” and inserting “The preference under sub-*  
4           *section (a) and the requirement under subsection (b)*  
5           *do not”.*

6 **SEC. 317. BUDGETING OF DEPARTMENT OF DEFENSE RE-**  
7                           **LATING TO OPERATIONAL ENERGY IMPROVE-**  
8                           **MENT.**

9           *The Secretary of Defense shall include in the annual*  
10 *budget submission of the President under section 1105(a)*  
11 *of title 31, United States Code, a dedicated budget line item*  
12 *for fielding operational energy improvements, including*  
13 *such improvements for which funds from the Operational*  
14 *Energy Capability Improvement Fund have been expended*  
15 *to create the operational and business case for broader em-*  
16 *ployment.*

17 **SEC. 318. ASSESSMENT OF DEPARTMENT OF DEFENSE**  
18                           **OPERATIONAL ENERGY USAGE.**

19           *(a) IN GENERAL.—Not later than 60 days after the*  
20 *date of the enactment of this Act, the Secretary of Defense*  
21 *shall enter into an agreement with a federally funded re-*  
22 *search and development center with relevant expertise under*  
23 *which such center shall conduct an assessment of Depart-*  
24 *ment of Defense operational energy usage, including an*

1 *agency-wide view and breakdowns of progress by service*  
2 *branch.*

3 (b) *ELEMENTS.*—*The assessment required under sub-*  
4 *section (a) shall include—*

5 (1) *an analysis of the extent to which the De-*  
6 *partment of Defense developed an integrated oper-*  
7 *ational energy strategy and the extent to which each*  
8 *of the military departments has implemented such*  
9 *strategy;*

10 (2) *an analysis of the viability of implementing*  
11 *net zero initiatives or meeting net zero goals within*  
12 *the operational energy enterprise without negatively*  
13 *impacting mission capability;*

14 (3) *an analysis of fossil fuel reduction regimes*  
15 *that may maximize reduction of reliance on fossil*  
16 *fuels, including impacts of lowering the reliance on*  
17 *fossil fuels, decreasing the need for refueling convoys,*  
18 *overcoming the tyranny of distance within United*  
19 *States Indo-Pacific Command through hybrid or other*  
20 *fuel efficient propulsion systems, and energy produc-*  
21 *tion, storage, and distribution systems that enhance*  
22 *logistics supply chain resiliency;*

23 (4) *a description of the options for achieving fos-*  
24 *sil fuel reduction benchmarks with respect to oper-*  
25 *ational energy of 25 percent, 50 percent, 75 percent,*

1        *and 100 percent, using fiscal year 2020 as the bench-*  
2        *mark, including anticipated funding requirements,*  
3        *statutory requirements, infrastructure needs, and*  
4        *timeframes; and*

5                *(5) an analysis of the integration between energy*  
6        *offices with program offices, budget, and operational*  
7        *planners within the Department of Defense and mili-*  
8        *tary departments, and recommendations for improv-*  
9        *ing coordination.*

10        *(c) FORM OF REPORT.—The report required under this*  
11        *section shall be submitted in unclassified form, but may*  
12        *contain a classified annex.*

13        **SEC. 319. IMPROVEMENT OF THE OPERATIONAL ENERGY**  
14                        **CAPABILITY IMPROVEMENT FUND OF THE DE-**  
15                        **PARTMENT OF DEFENSE.**

16        *(a) MANAGEMENT OF THE OPERATIONAL ENERGY CA-*  
17        *PABILITY IMPROVEMENT FUND.—The Under Secretary of*  
18        *Defense for Acquisition and Sustainment shall exercise au-*  
19        *thority, direction, and control over the Operational Energy*  
20        *Capability Improvement Fund of the Department of De-*  
21        *fense (in this section referred to as the “OECIF”).*

22        *(b) ALIGNMENT AND COORDINATION WITH RELATED*  
23        *PROGRAMS.—*

24                *(1) REALIGNMENT OF OECIF.—Not later than 60*  
25        *days after the date of the enactment of this Act, the*

1        *Secretary of Defense shall realign the OECIF under*  
2        *the Assistant Secretary of Defense for Sustainment,*  
3        *with such realignment to include personnel positions*  
4        *adequate for the mission of the OECIF.*

5            (2) *BETTER COORDINATION WITH RELATED PRO-*  
6        *GRAMS.—The Assistant Secretary shall ensure that*  
7        *this placement facilitates better alignment between*  
8        *OECIF, the Strategic Environmental Research Pro-*  
9        *gram, the Environmental Security Technology Cer-*  
10        *tification Program, and the Operational Energy*  
11        *Prototyping Program is utilized to advance common*  
12        *goals of the Department, promote organizational*  
13        *synergies, and avoid unnecessary duplication of effort.*

14        (c) *PROGRAM FOR OPERATIONAL ENERGY PROTO-*  
15        *TYPING.—*

16            (1) *IN GENERAL.—Commencing not later than*  
17        *90 days after the date of the enactment of this Act,*  
18        *the Secretary of Defense, through the Under Secretary*  
19        *of Defense for Acquisition and Sustainment, shall*  
20        *carry out a program for the demonstration of tech-*  
21        *nologies related to operational energy prototyping, in-*  
22        *cluding demonstration of operational energy tech-*  
23        *nology and validation prototyping.*

24            (2) *OPERATION OF PROGRAM.—The Secretary*  
25        *shall ensure that the program under paragraph (1)*

1       operates in conjunction with the OECIF to promote  
2       the transfer of innovative technologies that have suc-  
3       cessfully established proof of concept for use in pro-  
4       duction or in the field.

5               (3) *PROGRAM ELEMENTS.*—In carrying out the  
6       program under paragraph (1) the Secretary shall—

7               (A) identify and demonstrate the most  
8       promising, innovative, and cost-effective tech-  
9       nologies and methods that address high-priority  
10      operational energy requirements of the Depart-  
11      ment of Defense;

12              (B) in conducting demonstrations under  
13      subparagraph (A), the Secretary shall—

14              (i) collect cost and performance data to  
15      overcome barriers against employing an in-  
16      novative technology because of concerns re-  
17      garding technical or programmatic risk;  
18      and

19              (ii) ensure that components of the De-  
20      partment have time to establish new re-  
21      quirements where necessary and plan, pro-  
22      gram, and budget for technology transition  
23      to programs of record;

24              (C) utilize project structures similar to  
25      those of the OECIF to ensure transparency and

1           *accountability throughout the efforts conducted*  
2           *under the program; and*

3                   *(D) give priority, in conjunction with the*  
4           *OECIF, to the development and fielding of clean*  
5           *technologies that reduce reliance on fossil fuels.*

6           (4) *TOOL FOR ACCOUNTABILITY AND TRANSI-*  
7           *TION.—*

8                   *(A) IN GENERAL.—In carrying out the pro-*  
9           *gram under paragraph (1), the Secretary shall*  
10          *develop and utilize a tool to track relevant in-*  
11          *vestments in operational energy from applied re-*  
12          *search to transition to use to ensure user organi-*  
13          *zations have the full picture of technology matu-*  
14          *ration and development.*

15                  *(B) TRANSITION.—The tool developed and*  
16          *utilized under subparagraph (A) shall be de-*  
17          *signed to overcome transition challenges with*  
18          *rigorous and well-documented demonstrations*  
19          *that provide the information needed by all stake-*  
20          *holders for acceptance of the technology.*

21 **SEC. 320. FIVE-YEAR REVIEWS OF CONTAINMENT TECH-**  
22                   **NOLOGIES RELATING TO RED HILL BULK**  
23                   **FUEL STORAGE FACILITY.**

24           *(a) REVIEWS.—*

1           (1) *REVIEWS REQUIRED.*—*At least once every*  
2           *five years, the Secretary of the Navy shall conduct a*  
3           *review of available technologies relating to the con-*  
4           *tainment of fuel to determine whether any such tech-*  
5           *nology may be used to improve the containment of*  
6           *fuel with respect to storage tanks located at the Red*  
7           *Hill Bulk Fuel Storage Facility, Hawaii.*

8           (2) *DEADLINE FOR INITIAL REVIEW.*—*The Sec-*  
9           *retary shall begin the first review under paragraph*  
10          *(1) by not later than the date that is one year after*  
11          *the date of the enactment of this Act.*

12          (b) *BRIEFINGS.*—*Not later than 60 days after the date*  
13          *on which a review conducted under subsection (a) is com-*  
14          *pleted, the Secretary shall provide to the congressional de-*  
15          *fense committees a briefing on—*

16                (1) *any technology identified in such review that*  
17                *the Secretary determines may be used to improve the*  
18                *containment of fuel with respect to storage tanks lo-*  
19                *cated at the Red Hill Bulk Fuel Storage Facility; and*

20                (2) *the feasibility and cost of implementing any*  
21                *such technology at the Red Hill Bulk Fuel Storage*  
22                *Facility.*

23          (c) *TERMINATION.*—*The requirements to conduct re-*  
24          *views under subsection (a) and provide briefings under sub-*  
25          *section (b) shall terminate on the date on which the Red*



1 *Hill Bulk Fuel Storage Facility ceases operation, as deter-*  
2 *mined by the Secretary of the Navy.*

3 **SEC. 321. LIMITATION ON USE OF FUNDS FOR ACQUISITION**  
4 **OF FURNISHED ENERGY FOR RHINE ORD-**  
5 **NANCE BARRACKS ARMY MEDICAL CENTER.**

6 *None of the funds authorized to be appropriated by this*  
7 *Act or otherwise made available for the Department of De-*  
8 *fense for fiscal year 2021 may be used to enter into a con-*  
9 *tract for the acquisition of furnished energy for the new*  
10 *Rhine Ordnance Barracks Army Medical Center (hereafter*  
11 *referred to as the “Medical Center”) before the date on*  
12 *which Secretary of Defense submits to the congressional de-*  
13 *fense committees a written certification that the Medical*  
14 *Center does not use any energy sourced from inside the Rus-*  
15 *sian Federation as a means of generating the furnished en-*  
16 *ergy.*

17 **SEC. 322. REQUIREMENT TO UPDATE DEPARTMENT OF DE-**  
18 **FENSE CLIMATE CHANGE ROADMAP.**

19 *(a) IN GENERAL.—Not later than February 1, 2022,*  
20 *the Secretary of Defense shall submit to the Committees on*  
21 *Armed Services of the Senate and House of Representatives*  
22 *an update to the Department of Defense 2014 Climate*  
23 *Change Adaptation Roadmap. Such update shall include*  
24 *an outline of the strategy and implementation plan of the*  
25 *Department to address the current and foreseeable effects*

1 *of climate change on the mission of the Department of De-*  
2 *fense.*

3 (b) *ELEMENTS OF STRATEGY AND IMPLEMENTATION*

4 *PLAN.—The strategy and implementation plan required to*  
5 *be included in the update under subsection (a) shall in-*  
6 *clude—*

7 (1) *a description of the overarching approach of*  
8 *the Department to climate adaptation and climate*  
9 *mitigation measures; and*

10 (2) *a discussion of the current and foreseeable ef-*  
11 *fects of climate change on—*

12 (A) *plans and operations, including—*

13 (i) *military readiness;*

14 (ii) *increased frequency of extreme*  
15 *weather events, including flooding, drought,*  
16 *desertification, wildfires, thawing perma-*  
17 *frost, hurricanes, and extreme heat;*

18 (iii) *geopolitical instability caused by*  
19 *climate events, including extreme weather;*

20 (iv) *increased demand for Defense*  
21 *Support for Civil Authorities and disaster*  
22 *or humanitarian relief operations;*

23 (v) *the operating environment of the*  
24 *Arctic and of the strategic and geopolitical*

1                   *implications of a progressively more ice-free*  
2                   *Arctic Ocean; and*

3                   (i) *alteration or limitation on oper-*  
4                   *ation environments;*

5                   (B) *training and testing, including—*

6                   (i) *changes in land carrying capacity;*

7                   (ii) *increased maintenance and repair*  
8                   *requirements for equipment and infrastruc-*  
9                   *ture;*

10                  (iii) *mitigation of heat stress and heat-*  
11                  *related illnesses resulting from increasing*  
12                  *temperatures;*

13                  (iv) *increased dust generation and fire*  
14                  *hazards; and*

15                  (v) *maintaining testing and training*  
16                  *capacity to support increased operations*  
17                  *and civil support missions;*

18                  (C) *built and natural infrastructure, in-*  
19                  *cluding—*

20                  (i) *military installation resilience, as*  
21                  *such term is defined in section 101(e)(8) of*  
22                  *title 10, United States Code, of installations*  
23                  *both within and outside the United States*  
24                  *and its possessions and territories and of*

1           *the State-owned National Guard installa-*  
2           *tions of the several States;*

3           *(ii) resilience of the air and sea ports*  
4           *of our allies and partners that are critical*  
5           *to the training, deployment, and operations*  
6           *of the armed forces of the United States and*  
7           *its allies and partners;*

8           *(iii) resilience of the deployment sys-*  
9           *tem and structure of the Department of De-*  
10          *fense and of the United States, including*  
11          *the strategic highway network, the strategic*  
12          *rail network, and designated strategic air*  
13          *and sea ports;*

14          *(iv) best practices for modeling and*  
15          *mitigating risks posed to military installa-*  
16          *tions by increased inundation, erosion,*  
17          *flood, wind, and fire damage;*

18          *(v) changing energy demand at mili-*  
19          *tary installations to include heating and*  
20          *cooling, particularly in communities experi-*  
21          *encing grid stress;*

22          *(vi) disruption and competition for re-*  
23          *liable energy and water resources;*

24          *(vii) increased maintenance and*  
25          *sustainment costs;*

1                   (viii) damage to natural and con-  
2                   structed infrastructure from thawing per-  
3                   mafrost and sea ice; and

4                   (ix) the effects of climate stress on com-  
5                   munity support infrastructure, including  
6                   roads, transportation hubs, and medical fa-  
7                   cilities;

8                   (D) acquisition and supply chain, includ-  
9                   ing—

10                   (i) measures to ensure that the current  
11                   and projected future scale and impacts of  
12                   climate change are fully considered in the  
13                   research, development, testing, and acquisi-  
14                   tion of major weapon systems and of associ-  
15                   ated supplies and equipment;

16                   (ii) required alterations of stockpiles;

17                   (iii) reduced or changed availability  
18                   and access to materials, equipment, and  
19                   supplies, including water and food sources;

20                   (iv) disruptions in fuel availability  
21                   and distribution;

22                   (v) estimated climate security invest-  
23                   ments required to address foreseeable costs  
24                   incurred or influenced by climate change for  
25                   each of the lines of effort in this report, in-

1                    *cluding extreme weather response, over the*  
2                    *next five, ten, and twenty years, with*  
3                    *topline estimates and a qualitative discus-*  
4                    *sion of cost drivers for each; and*

5                    *(vi) equipment and infrastructure in-*  
6                    *vestments required to address a changing*  
7                    *Arctic environment; and*

8                    *(E) such other matters as the Secretary de-*  
9                    *termines appropriate.*

10                  *(c) ASSESSMENTS AND PROJECTIONS OF THE SCOPE*  
11                  *AND SCALE OF CLIMATE CHANGE.—In preparing the up-*  
12                  *date to the climate change roadmap as required under sub-*  
13                  *section (a), the Secretary shall consider—*

14                    *(1) climate projections from the Global Change*  
15                    *Research Office, National Climate Assessment, the Na-*  
16                    *tional Oceanic and Atmospheric Administration, and*  
17                    *other Federal agencies; and*

18                    *(2) data on, and analysis of, the national secu-*  
19                    *rity effects of climate prepared by the Climate Secu-*  
20                    *rity Advisory Council of the Office of the Director of*  
21                    *National Intelligence established pursuant to section*  
22                    *120 of the National Security Act of 1947 (50 U.S.C.*  
23                    *3060) and by other elements of the intelligence com-*  
24                    *munity.*

1       (d) *FORM.*—The update to the climate change road-  
2 map required under subsection (a) shall be submitted in  
3 an unclassified form, but may contain a classified annex.  
4 If the Secretary determines that the inclusion of a classified  
5 annex is necessary, the Secretary shall conduct an in-person  
6 briefing for Members of the Committees on Armed Services  
7 of the Senate and House of Representatives by not later  
8 than 90 days after date of the submission of the update.

9       **SEC. 323. COMPTROLLER GENERAL REPORT ON DEPART-**  
10                                   **MENT OF DEFENSE INSTALLATION ENERGY.**

11       (a) *GAO REPORT.*—Not later than one year after the  
12 date of the enactment of this Act, the Comptroller General  
13 of the United States shall submit to the Committees on  
14 Armed Services of the Senate and House of Representatives  
15 a report on the progress of the Department of Defense to-  
16 ward reaching net zero goals, including an agency-wide  
17 view and breakdowns of progress by service branch.

18       (b) *CONTENTS OF REPORT.*—The report required  
19 under subsection (a) shall include—

20               (1) *an analysis of the extent to which the De-*  
21 *partment of Defense has implemented net zero initia-*  
22 *tives to date and developed a forward-looking inte-*  
23 *grated net zero strategy for energy, emissions, water,*  
24 *and waste management and the extent to which each*

1       of the military departments has implemented such  
2       strategy;

3               (2) a description of the current challenges to im-  
4       plementing net zero initiatives or meeting net zero  
5       goals and the degree to which the Department of De-  
6       fense and the military departments have addressed  
7       applied lessons learned;

8               (3) a cost-benefit analysis of net zero initiatives,  
9       including a description of how such costs and benefits  
10      are identified, tracked, and validated;

11              (4) a description of the feasibility of achieving  
12      net zero benchmarks of 25 percent, 50 percent, 75 per-  
13      cent, and 100 percent of the energy, emissions, water,  
14      and waste management levels for 2020, including an-  
15      ticipated funding requirements, statutory require-  
16      ments, infrastructure needs, and timeframes; and

17              (5) an analysis of the integration between energy  
18      offices with program offices, budget, and operational  
19      planners within the Department of Defense and mili-  
20      tary departments across the enterprise, and rec-  
21      ommendations for improving coordination.

22              (c) *FORM OF REPORT.*—The report required under this  
23      section shall be submitted in unclassified form, but may  
24      contain a classified annex.



1 **SEC. 324. DEPARTMENT OF DEFENSE REPORT ON EMIS-**  
2 **SIONS LEVELS.**

3 (a) *IN GENERAL.*—Not later than 180 days after the  
4 date of the enactment of this Act, the Secretary of the De-  
5 partment of Defense shall submit to the Committees on  
6 Armed Services of the Senate and House of Representatives  
7 and to the Comptroller General a report on the total level  
8 of emissions for each of the last ten fiscal years. Such emis-  
9 sions levels shall include the agency-wide total, breakdowns  
10 by military department, and delineations between installa-  
11 tion and operational emissions.

12 (b) *FORM OF REPORT.*—The report required under this  
13 section shall be submitted in unclassified form, but may  
14 contain a classified annex.

15 **SEC. 325. OBJECTIVES, PERFORMANCE STANDARDS, AND**  
16 **CRITERIA FOR USE OF WILDLIFE CONSERVA-**  
17 **TION BANKING PROGRAMS.**

18 (a) *IN GENERAL.*—To ensure opportunities for De-  
19 partment of Defense participation in wildlife conservation  
20 banking programs pursuant to section 2694c of title 10,  
21 United States Code, the Secretary of the Interior, acting  
22 through the Director of the United States Fish and Wildlife  
23 Service, shall issue regulations of general applicability es-  
24 tablishing objectives, measurable performance standards,  
25 and criteria for use, consistent with the Endangered Species  
26 Act (16 U.S.C. 1531 et seq.), for mitigation banking offset-

1 *ting effects on a species, or habitat of such species, that is*  
2 *endangered, threatened, a candidate for listing, or otherwise*  
3 *at risk under such Act. To the maximum extent practicable,*  
4 *the regulatory standards and criteria shall maximize avail-*  
5 *able credits and opportunities for mitigation, provide flexi-*  
6 *bility for characteristics of various species, and apply*  
7 *equivalent standards and criteria to all mitigation banks.*

8       **(b) DEADLINE FOR REGULATIONS.**—*The Secretary of*  
9 *the Interior, acting through the Director of the United*  
10 *States Fish and Wildlife Service, shall publish an advance*  
11 *notice of proposed rulemaking for the regulations required*  
12 *by subsection (a) by not later than one year after the date*  
13 *of the enactment of this Act.*

14 **SEC. 326. OFFSHORE WIND ENERGY DEVELOPMENT, MORRO**  
15 **BAY, CALIFORNIA.**

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

17               **(1)** *Since 2016, the Department of Defense and*  
18 *Department of the Navy have been working with*  
19 *State and Federal stakeholders to determine whether*  
20 *a commercial lease for the development of renewable*  
21 *energy off the coast of Morro Bay, California could be*  
22 *developed in a manner that is compatible with the*  
23 *training and readiness requirements of the Depart-*  
24 *ment of Defense.*

1           (2) *Military readiness and the ability to conduct*  
2 *realistic training are critical to our national security;*  
3 *however, energy security and other ocean uses are also*  
4 *important. These interests should be balanced to the*  
5 *extent practicable when analyzing offshore energy*  
6 *proposals.*

7           (3) *In August 2019, Members of Congress, the*  
8 *Assistant Secretary of Defense for Sustainment, sen-*  
9 *ior officials from other Federal agencies, and state*  
10 *and local elected representatives met to discuss a path*  
11 *forward to accommodate wind energy development off*  
12 *the Central Coast of California while ensuring the De-*  
13 *partment of Defense was able to continue meeting its*  
14 *testing, training, and operational requirements.*

15           (4) *Following the initial meeting in August*  
16 *2019, the stakeholder group continued meeting at*  
17 *roughly monthly intervals through 2019 and into*  
18 *2020 to discuss options and work towards a mutually*  
19 *agreeable solution for renewable energy development*  
20 *and continued military testing, training, and oper-*  
21 *ational requirements off the Central Coast of Cali-*  
22 *fornia.*

23           (5) *In May 2020, the Assistant Secretary of the*  
24 *Navy for Energy, Installations, and Environment no-*  
25 *tified stakeholders that despite the previous year of*

1       *negotiations, it was his view any wind energy devel-*  
2       *opments off the Central Coast of California may not*  
3       *be viewed as being compatible with military activi-*  
4       *ties. This unilateral decision was made abruptly,*  
5       *without providing any supporting analysis or ac-*  
6       *knowledgment of the progress and commitments made*  
7       *during previous negotiations, and was not in the*  
8       *spirit of cooperation and collaboration that had driv-*  
9       *en the previous nine months of stakeholder engage-*  
10      *ments.*

11           (6) *Stakeholder confidence in the Department of*  
12      *Defense review process is paramount. Abrupt and*  
13      *unilateral changes of course erode confidence and un-*  
14      *dermine the State, local, and industry trust in a fair,*  
15      *transparent, and predictable adjudication of potential*  
16      *conflicts.*

17           (7) *In early 2019, in order to create continuity*  
18      *between the offshore and terrestrial processes, the De-*  
19      *partment of Defense consolidated its review of pro-*  
20      *posed energy development projects so that offshore en-*  
21      *ergy proposals were now included in the Military*  
22      *Aviation and Installation Assurance Clearinghouse*  
23      *(the Clearinghouse). The Clearinghouse has a proven*  
24      *record for reviewing proposed energy development*  
25      *projects through a fair and transparent process. The*

1 *Morro Bay proposal pre-dates this consolidation but*  
2 *underwent a similar Department of Defense led com-*  
3 *patibility review.*

4 (8) *Congress has generally supported the trans-*  
5 *parent and fair Clearinghouse review process, as well*  
6 *as all efforts between the Department of Defense and*  
7 *other stakeholders to reach solutions that allow for the*  
8 *development of energy projects in a manner that is*  
9 *compatible with military testing, training, and oper-*  
10 *ational requirements.*

11 (9) *Legislating a solution to a specific energy de-*  
12 *velopment proposal should only be reserved for rare*  
13 *occasions. Due to Navy's abrupt and unilateral deci-*  
14 *sion to walk away from productive negotiations, after*  
15 *months of good-faith efforts by other stakeholders and*  
16 *public engagement, the threshold for congressional*  
17 *intervention has been reached.*

18 (b) *RESPONSIBILITY.*—*All interaction on behalf of the*  
19 *Department of the Navy with the California Energy Com-*  
20 *mission, Federal agencies, State and local governments, and*  
21 *potential energy developers regarding proposed offshore*  
22 *wind energy off the central coast of California shall be per-*  
23 *formed through the Office of the Under Secretary of Defense*  
24 *for Acquisition and Sustainment.*

25 (c) *BRIEFING REQUIREMENT; LIMITATION.*—

1           (1) *BRIEFING.*—Not later than 180 days after  
2           the date of the enactment of this Act, the Secretary of  
3           Defense shall provide to the Committees on Armed  
4           Services and the Committee on Natural Resources of  
5           the House of Representatives a briefing on status of  
6           the review by the Offshore Energy Working Group of  
7           the request to locate at least two offshore wind lease  
8           areas proximate to and within the Morro Bay Call  
9           Area. Such briefing shall include—

10                   (A) a detailed map that shows any areas  
11                   identified;

12                   (B) proposed mitigations that would enable  
13                   compatible development in the areas identified;

14                   (C) any unresolved issues; and

15                   (D) any other terms of the agreement  
16                   reached with the California Energy Commission,  
17                   other Federal agencies, State and local govern-  
18                   ments, and potential energy developers.

19           (2) *LIMITATION.*—The Secretary of Defense may  
20           not issue a final offshore wind assessment that pro-  
21           poses wind exclusion areas and may not object to an  
22           offshore energy project in the Central Coast of Cali-  
23           fornia that has filed for review by the Military Avia-  
24           tion and Installation Assurance Clearinghouse until

1       *the Secretary provides the briefing required under*  
2       *paragraph (1).*

3       *(d) LIMITATION ON USE OF FUNDS.—Of the amounts*  
4       *authorized to be appropriated by this Act or otherwise made*  
5       *available for the Department of Defense for fiscal year 2021,*  
6       *not more than 75 percent may be obligated or expended for*  
7       *the Office of the Assistant Secretary of the Navy for Energy,*  
8       *Installations, and Environment until the date that is 30*  
9       *days after the date on which the briefing required under*  
10      *subsection (c)(1) is provided.*

11      **SEC. 327. LONG-DURATION DEMONSTRATION INITIATIVE**  
12                                      **AND JOINT PROGRAM.**

13      *(a) ESTABLISHMENT OF INITIATIVE.—Not later than*  
14      *January 15, 2021, the Director of the Environmental Secu-*  
15      *rity Technology Certification Program of the Department*  
16      *of Defense (hereinafter in this section referred to as the “Di-*  
17      *rector”)* *may establish a demonstration initiative composed*  
18      *of demonstration projects focused on the development of*  
19      *long-duration energy storage technologies.*

20      *(b) SELECTION OF PROJECTS.—To the maximum ex-*  
21      *tent practicable, in selecting demonstration projects to par-*  
22      *ticipate in the demonstration initiative under subsection*  
23      *(a), the Director may—*

24                      *(1) ensure a range of technology types;*

25                      *(2) ensure regional diversity among projects; and*

1           (3) *consider bulk power level, distribution power*  
2 *level, behind-the-meter, microgrid (grid-connected or*  
3 *islanded mode), and off-grid applications.*

4           (c) *JOINT PROGRAM.—*

5           (1) *ESTABLISHMENT.—As part of the demonstra-*  
6 *tion initiative under subsection (a), the Director, in*  
7 *consultation with the Secretary of Energy, may estab-*  
8 *lish within the Department of Defense a joint pro-*  
9 *gram to carry out projects—*

10                   (A) *to demonstrate promising long-duration*  
11 *energy storage technologies at different scales to*  
12 *promote energy resiliency; and*

13                   (B) *to help new, innovative long-duration*  
14 *energy storage technologies become commercially*  
15 *viable.*

16           (2) *MEMORANDUM OF UNDERSTANDING.—Not*  
17 *later than 200 days after the date of enactment of this*  
18 *Act, the Director may enter into a memorandum of*  
19 *understanding with the Secretary of Energy to ad-*  
20 *minister the joint program.*

21           (3) *INFRASTRUCTURE.—In carrying out the joint*  
22 *program, the Director and the Secretary of Energy*  
23 *may—*

24                   (A) *use existing test-bed infrastructure at—*



1                   (i) installations of the Department of  
2                   Defense; and

3                   (ii) facilities of the Department of En-  
4                   ergy; and

5                   (B) develop new infrastructure for identi-  
6                   fied projects, if appropriate.

7                   (4) GOALS AND METRICS.—The Director and the  
8                   Secretary of Energy may develop goals and metrics  
9                   for technological progress under the joint program  
10                  consistent with energy resilience and energy security  
11                  policies.

12                  (5) SELECTION OF PROJECTS.—

13                  (A) IN GENERAL.—To the maximum extent  
14                  practicable, in selecting projects to participate in  
15                  the joint program, the Director and the Sec-  
16                  retary of Energy may—

17                         (i) ensure that projects are carried out  
18                         under conditions that represent a variety of  
19                         environments with different physical condi-  
20                         tions and market constraints; and

21                         (ii) ensure an appropriate balance  
22                         of—

23                                 (I) larger, operationally-scaled  
24                                 projects, adapting commercially-proven

1                    *technology that meets military service*  
2                    *defined requirements; and*

3                    *(II) smaller, lower-cost projects.*

4                    *(B) PRIORITY.—In carrying out the joint*  
5                    *program, the Director and the Secretary of En-*  
6                    *ergy may give priority to demonstration projects*  
7                    *that—*

8                    *(i) make available to the public project*  
9                    *information that will accelerate deployment*  
10                   *of long-duration energy storage technologies*  
11                   *that promote energy resiliency; and*

12                   *(ii) will be carried out as field dem-*  
13                   *onstrations fully integrated into the instal-*  
14                   *lation grid at an operational scale.*

15 **SEC. 328. PRIZES FOR DEVELOPMENT OF NON-PFAS-CON-**  
16 **TAINING FIRE-FIGHTING AGENT.**

17                   *(a) AUTHORITY.—The Secretary of Defense, acting*  
18                   *through the Assistant Secretary of Defense for Sustainment*  
19                   *and the Strategic Environmental Research and Develop-*  
20                   *ment Program, may carry out a program to award cash*  
21                   *prizes and other types of prizes that the Secretary deter-*  
22                   *mines are appropriate to recognize outstanding achieve-*  
23                   *ments in the development of a non-PFAS-containing fire-*  
24                   *fighting agent to replace aqueous film-forming foam with*

1 *the potential for application to the performance of the mili-*  
2 *tary missions of the Department of Defense.*

3 (b) *COMPETITION REQUIREMENTS.*—*A program under*  
4 *subsection (a) shall use a competitive process for the selec-*  
5 *tion of recipients of cash prizes. The process shall include*  
6 *the widely-advertised solicitation of submissions of research*  
7 *results, technology developments, and prototypes.*

8 (c) *LIMITATIONS.*—*The following limitations shall*  
9 *apply to a program under subsection (a):*

10 (1) *No prize competition may result in the*  
11 *award of a prize with a fair market value of more*  
12 *than \$5,000,000.*

13 (2) *No prize competition may result in the*  
14 *award of more than \$1,000,000 in cash prizes without*  
15 *the approval of the Assistant Secretary of Defense for*  
16 *Sustainment.*

17 (3) *No prize competition may result in the*  
18 *award of a solely nonmonetary prize with a fair mar-*  
19 *ket value of more than \$10,000 without the approval*  
20 *of the Assistant Secretary of Defense for Sustainment.*

21 (d) *RELATIONSHIP TO OTHER AUTHORITY.*—*A pro-*  
22 *gram under subsection (a) may be carried out in conjunc-*  
23 *tion with or in addition to the exercise of any other author-*  
24 *ity of the Department of Defense.*

1       (e) *USE OF PRIZE AUTHORITY.*—Use of prize author-  
2   ity under this section shall be considered the use of competi-  
3   tive procedures for the purposes of section 2304 of title 10,  
4   United States Code.

5       (f) *PFAS.*—In this section, the term “PFAS” means—

6           (1) *man-made chemicals of which all of the car-*  
7       *bon atoms are fully fluorinated carbon atoms; and*

8           (2) *man-made chemicals containing a mix of*  
9       *fully fluorinated carbon atoms, partially fluorinated*  
10      *carbon atoms, and nonfluorinated carbon atoms.*

11      (g) *TERMINATION.*—The authority to carry out a pro-  
12   gram under this section shall terminate on October 1, 2024.

13   **SEC. 329. SURVEY OF TECHNOLOGIES FOR DEPARTMENT OF**  
14                   **DEFENSE APPLICATION IN PHASING OUT THE**  
15                   **USE OF FLUORINATED AQUEOUS FILM-FORM-**  
16                   **ING FOAM.**

17      (a) *SURVEY OF TECHNOLOGIES.*—The Secretary of De-  
18   fense shall conduct a survey of relevant technologies, other  
19   than fire-fighting agent solutions, to determine whether any  
20   such technologies are available and can be adapted for use  
21   by the Department of Defense to facilitate the phase-out of  
22   fluorinated aqueous film-forming foam. The technologies  
23   surveyed under this subsection shall include hangar flooring  
24   systems, fire-fighting agent delivery systems, containment

1 *systems, and other relevant technologies the Secretary deter-*  
2 *mines appropriate.*

3 (b) *REPORT.*—*Not later than one year after the date*  
4 *of enactment of this Act, the Secretary shall submit to the*  
5 *congressional defense committees a report on the results of*  
6 *the survey conducted under subsection (a). Such report shall*  
7 *include—*

8 (1) *a description of the technologies included in*  
9 *the survey;*

10 (2) *a list of the technologies that were considered*  
11 *for further testing or analysis; and*

12 (3) *any technologies that are undergoing addi-*  
13 *tional analysis for possible application within the De-*  
14 *partment.*

15 **SEC. 330. INTERAGENCY BODY ON RESEARCH RELATED TO**  
16 **PER- AND POLYFLUOROALKYL SUBSTANCES.**

17 (a) *ESTABLISHMENT.*—*The Director of the Office of*  
18 *Science and Technology Policy, acting through the National*  
19 *Science and Technology Council, shall establish an inter-*  
20 *agency working group to coordinate Federal activities to*  
21 *advance research and development needed to address PFAS.*

22 (b) *AGENCY PARTICIPATION.*—*The interagency work-*  
23 *ing group shall include a representative of each—*

24 (1) *the Environmental Protection Agency;*

1           (2) *the National Institute of Environmental*  
2           *Health Sciences;*

3           (3) *the Agency for Toxic Substances and Disease*  
4           *Registry;*

5           (4) *the National Science Foundation;*

6           (5) *the Department of Defense;*

7           (6) *the National Institutes of Health;*

8           (7) *the National Institute of Standards and*  
9           *Technology;*

10          (8) *the National Oceanic and Atmospheric Ad-*  
11          *ministration;*

12          (9) *the Department of Interior;*

13          (10) *the Department of Transportation;*

14          (11) *the Department of Homeland Security;*

15          (12) *the National Aeronautics and Space Ad-*  
16          *ministration;*

17          (13) *the National Toxicology Program;*

18          (14) *the Department of Agriculture;*

19          (15) *the Geological Survey;*

20          (16) *the Department of Commerce;*

21          (17) *the Department of Energy;*

22          (18) *the Office of Information and Regulatory*  
23          *Affairs;*

24          (19) *the Office of Management and Budget; and*

1           (20) any such other Federal department or agen-  
2           cy as the President considers appropriate.

3           (c) CO-CHAIRS.—The Interagency working group shall  
4 be co-chaired by the Director of the Office of Science and  
5 Technology Policy and, on an annual rotating basis, a rep-  
6 resentative from a Member agency, as selected by the Direc-  
7 tor of the Office of Science and Technology Policy.

8           (d) RESPONSIBILITIES OF THE WORKING GROUP.—  
9 The interagency working group established under subsection  
10 (a) shall—

11           (1) provide for interagency coordination of Fed-  
12 erally funded PFAS research and development; and

13           (2) not later than 12 months after the date of en-  
14 actment of this Act, develop a strategic plan for Fed-  
15 eral support for PFAS research and development (to  
16 be updated not less than every 2 years) that—

17           (A) identifies all current Federally funded  
18 PFAS research and development, including the  
19 nature and scope of such research and develop-  
20 ment and the amount of funding associated with  
21 such research and development during the cur-  
22 rent fiscal year, disaggregated by agency;

23           (B) identifies scientific and technological  
24 challenges that must be addressed to understand  
25 and to significantly reduce the environmental

1           *and human health impacts of PFAS and to*  
2           *identify cost-effective—*

3                     *(i) alternatives to PFAS that are de-*  
4                     *signed to be safer and more environmentally*  
5                     *friendly;*

6                     *(ii) methods for removal of PFAS from*  
7                     *the environment; and*

8                     *(iii) methods to safely destroy or de-*  
9                     *grade PFAS;*

10                    *(C) establishes goals, priorities, and metrics*  
11                    *for Federally funded PFAS research and develop-*  
12                    *ment that takes into account the current state of*  
13                    *research and development identified in para-*  
14                    *graph (A) and the challenges identified in para-*  
15                    *graph (B); and*

16                    *(D) an implementation plan for Federal*  
17                    *agencies.*

18            *(e) CONSULTATION.—In developing the strategic plan*  
19            *under subsection (d), the interagency working group shall*  
20            *consult with states, tribes, territories, local governments, ap-*  
21            *propriate industries, academic institutions and nongovern-*  
22            *mental organizations with expertise in PFAS research and*  
23            *development, treatment, management, and alternative de-*  
24            *velopment.*



1           (f) *ANNUAL REPORT.*—*For each fiscal year beginning*  
2 *with fiscal year 2022, not later than 90 days after submis-*  
3 *sion of the President’s annual budget request for such fiscal*  
4 *year, the Interagency working group shall prepare and sub-*  
5 *mit to Congress a report that includes—*

6                   (1) *a summary of Federally funded PFAS re-*  
7 *search and development for such fiscal year and the*  
8 *preceding fiscal year, including a disaggregation of*  
9 *spending for each participating Federal agency; and*

10                   (2) *a description of how Federal agencies are im-*  
11 *plementing the strategic plan described in subsection*  
12 *(d).*

13           (g) *PFAS RESEARCH AND DEVELOPMENT.*—*The term*  
14 *“PFAS research and development” includes any research*  
15 *or project that has the goal of accomplishing the following:*

16                   (1) *The removal of PFAS from the environment.*

17                   (2) *The safe destruction or degradation of PFAS.*

18                   (3) *The development and deployment of safer*  
19 *and more environmentally friendly alternative sub-*  
20 *stances that are functionally similar to those made*  
21 *with PFAS.*

22                   (4) *The understanding of sources of environ-*  
23 *mental PFAS contamination and pathways to expo-*  
24 *sure for the public.*

1           (5) *The understanding of the toxicity of PFAS to*  
2           *humans and animals.*

3 **SEC. 331. RESTRICTION ON PROCUREMENT BY DEFENSE**  
4           **LOGISTICS AGENCY OF CERTAIN ITEMS CON-**  
5           **TAINING PERFLUOROALKYL SUBSTANCES**  
6           **AND POLYFLUOROALKYL SUBSTANCES.**

7           (a) *PROHIBITION.—The Director of the Defense Logis-*  
8           *tics Agency may not procure any covered item containing*  
9           *a perfluoroalkyl substance or polyfluoroalkyl substance.*

10          (b) *DEFINITIONS.—In this section:*

11           (1) *The term “covered item” means—*

12                   (A) *non-stick cookware or food service ware*  
13                   *for use in galleys or dining facilities;*

14                   (B) *food packaging materials;*

15                   (C) *furniture or floor waxes;*

16                   (D) *carpeting, rugs, or upholstered fur-*  
17                   *niture;*

18                   (E) *personal care items;*

19                   (F) *dental floss; and*

20                   (G) *sunscreen.*

21           (2) *The term “perfluoroalkyl substance” means a*  
22           *man-made chemical of which all of the carbon atoms*  
23           *are fully fluorinated carbon atoms.*

24           (3) *The term “polyfluoroalkyl substance” means*  
25           *a man-made chemical containing a mix of fully*

1       *fluorinated carbon atoms, partially fluorinated car-*  
2       *bon atoms, and nonfluorinated carbon atoms.*

3       (c) *EFFECTIVE DATE.*—*This section shall take effect*  
4       *on the date that is one year after the date of the enactment*  
5       *of this Act.*

6       **SEC. 332. STANDARDS FOR REMOVAL OR REMEDIAL AC-**  
7                               **TIONS WITH RESPECT TO PFOS OR PFOA CON-**  
8                               **TAMINATION.**

9       (a) *IN GENERAL.*—*In conducting removal or remedial*  
10       *actions pursuant to the Comprehensive Environmental Re-*  
11       *sponse, Compensation, and Liability Act of 1980 (42 U.S.C.*  
12       *9601 et seq.) or section 332 of the National Defense Author-*  
13       *ization Act for Fiscal Year 2020 (Public Law 116–92) of*  
14       *PFOS or PFOA contamination from Department of De-*  
15       *fense or National Guard activities found in drinking water*  
16       *or in groundwater that is not currently used for drinking*  
17       *water, the Secretary of Defense shall ensure that such ac-*  
18       *tions result in a level that meets or exceeds the most strin-*  
19       *gent of the following standards for PFOS or PFOA in any*  
20       *environmental media:*

21               (1) *An enforceable State standard, in effect in*  
22       *that State, for drinking, surface, or ground water, as*  
23       *described in section 121(d)(2)(A)(ii) of the Com-*  
24       *prehensive Environmental Response, Compensation,*

1       *and Liability Act of 1980 (42 U.S.C.*  
2       *9621(d)(2)(A)(ii)).*

3             (2) *An enforceable Federal standard for drink-*  
4       *ing, surface, or ground water, as described in section*  
5       *121(d)(2)(A)(i) of the Comprehensive Environmental*  
6       *Response, Compensation, and Liability Act of 1980*  
7       *(42 U.S.C. 9621(d)(2)(A)(i)).*

8             (3) *A health advisory under section*  
9       *1412(b)(1)(F) of the Safe Drinking Water Act (42*  
10       *U.S.C. 300g-1(b)(1)(F)).*

11       (b) *DEFINITIONS.—In this section:*

12             (1) *The term “PFOA” means perfluorooctanoic*  
13       *acid.*

14             (2) *The term “PFOS” means perfluorooctane*  
15       *sulfonate.*

16             (3) *The terms “removal” and “remedial action”*  
17       *have the meanings given those terms in section 101 of*  
18       *the Comprehensive Environmental Response, Com-*  
19       *ensation, and Liability Act of 1980 (42 U.S.C.*  
20       *9601).*

21       (c) *SAVINGS CLAUSE.—Except with respect to the spe-*  
22       *cific level required to be met under subsection (a), nothing*  
23       *in this section affects the application of the Comprehensive*  
24       *Environmental Response, Compensation, and Liability Act*  
25       *of 1980 (42 U.S.C. 9607).*

1 **SEC. 333. RESEARCH AND DEVELOPMENT OF ALTERNATIVE**  
2 **TO AQUEOUS FILM-FORMING FOAM.**

3 (a) *IN GENERAL.*—*The Secretary of Defense, acting*  
4 *through the National Institute of Standards and Technology*  
5 *and in consultation with appropriate stakeholders and*  
6 *manufactures, research institutions, and other Federal*  
7 *agencies shall award grants and carry out other activities*  
8 *to—*

9 (1) *promote and advance the research and devel-*  
10 *opment of additional alternatives to aqueous film-*  
11 *forming foam (in this section referred to as “AFFF”)*  
12 *containing per- and polyfluoroalkyl substances (in*  
13 *this section referred to as “PFAS”)* *to facilitate the*  
14 *development of a military specification and subse-*  
15 *quent fielding of a PFAS-free fire-fighting foam;*

16 (2) *advance the use of green and sustainable*  
17 *chemistry for a fluorine-free alternative to AFFF;*

18 (3) *increase opportunities for sharing best prac-*  
19 *tices within the research and development sector with*  
20 *respect to AFFF;*

21 (4) *assist in the testing of potential alternatives*  
22 *to AFFF; and*

23 (5) *provide guidelines on priorities with respect*  
24 *to an alternative to AFFF.*

1       **(b) ADDITIONAL REQUIREMENTS.**—*In carrying out the*  
2 *program required under subsection (a), the Secretary*  
3 *shall—*

4           (1) *take into consideration the different uses of*  
5 *AFFF and the priorities of the Department of Defense*  
6 *in finding an alternative;*

7           (2) *prioritize green and sustainable chemicals*  
8 *that do not pose a threat to public health or the envi-*  
9 *ronment; and*

10          (3) *use and leverage research from existing De-*  
11 *partment of Defense programs.*

12       **(c) REPORT.**—*The Secretary shall submit to Congress*  
13 *a report on—*

14           (1) *the priorities and actions taken with respect*  
15 *to finding an alternative to AFFF and the implemen-*  
16 *tation of such priorities; and*

17           (2) *any alternatives the Secretary has denied,*  
18 *and the reason for any such denial.*

19       **(d) USE OF FUNDS.**—*This section shall be carried out*  
20 *using amounts authorized to be available for the Strategic*  
21 *Environmental Research and Development Program.*

1 **SEC. 334. NOTIFICATION TO AGRICULTURAL OPERATIONS**  
2 **LOCATED IN AREAS EXPOSED TO DEPART-**  
3 **MENT OF DEFENSE PFAS USE.**

4 (a) *NOTIFICATION REQUIRED.*—Not later than 60 days  
5 after the date of the enactment of this Act, the Secretary  
6 of Defense, in consultation with the Secretary of Agri-  
7 culture, shall provide a notification described in subsection  
8 (b) to any agricultural operation located within 10 square  
9 miles of a location where covered PFAS—

10 (1) *has been detected in groundwater;*

11 (2) *has been hydrologically linked to a local*  
12 *water source, including a water well; and*

13 (3) *is suspected to be, or due to a positive test*  
14 *known to be, the result of the use of PFAS at any in-*  
15 *stallation of the Department of Defense located in the*  
16 *United States or any State-owned facility of the Na-*  
17 *tional Guard.*

18 (b) *NOTIFICATION REQUIREMENTS.*—The notification  
19 *required under subparagraph (a) shall include:*

20 (1) *The name of the Department of Defense or*  
21 *National Guard installation from which the PFAS*  
22 *contamination in groundwater originated.*

23 (2) *The specific type of PFAS detected in*  
24 *groundwater.*

25 (3) *The detection levels of PFAS detected.*

1           (4) *Relevant governmental information regard-*  
2           *ing the health and safety of the covered PFAS de-*  
3           *TECTED, including relevant Federal or State standards*  
4           *for PFAS in groundwater, livestock, food commodities*  
5           *and drinking water, and any known restrictions for*  
6           *sale of agricultural products that have been irrigated*  
7           *or watered with water containing PFAS.*

8           (c) *ADDITIONAL TESTING RESULTS.—The Secretary of*  
9           *Defense shall provide to an agricultural operation that re-*  
10          *ceives a notice under subsection (a) any pertinent updated*  
11          *information, including any results of new elevated testing,*  
12          *by not later than 15 days after receiving such information.*

13          (d) *REPORT TO CONGRESS.—Not later than 90 days*  
14          *after the date of the enactment of this Act, and annually*  
15          *thereafter, the Secretary of Defense shall submit to the Com-*  
16          *mittee on Agriculture, Nutrition, and Forestry of the Senate*  
17          *and the Committee on Agriculture of the House of Rep-*  
18          *resentatives a report on the status of providing notice under*  
19          *subsection (a). Such report shall include, for the period cov-*  
20          *ered by the report—*

21                 (1) *the approximate locations of such operations*  
22                 *relative to installations of the Department of Defense*  
23                 *located in the United States and State-owned facili-*  
24                 *ties of the National Guard;*



1           (2) *the PFAS substances detected in ground-*  
2 *water; and*

3           (3) *the levels of PFAS detected.*

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

5           (1) *The term “covered PFAS” means each of the*  
6 *following:*

7           (A) *Perfluorooctanoic acid (commonly re-*  
8 *ferred to as “PFOA”) (Chemical Abstracts Serv-*  
9 *ice No. 335-67-1).*

10          (B) *Perfluorooctane sulfonic acid (com-*  
11 *monly referred to as “PFOS”) (Chemical Ab-*  
12 *stracts Service No. 1763-23-1).*

13          (C) *Perfluorobutanesulfonic acid ( com-*  
14 *monly referred to as “PFBS”) (Chemical Ab-*  
15 *stracts Service No. 375-73-5).*

16          (D) *Perfluorohexane sulfonate (commonly*  
17 *referred to as “PFHxs”) (Chemical Abstracts*  
18 *Service No. 108427-53-8).*

19          (E) *Perfluoroheptanoic acid (commonly re-*  
20 *ferred to as “PFHpA”) (Chemical Abstracts*  
21 *Service No. 375-85-9).*

22          (F) *Perfluorohexanoic acid (commonly re-*  
23 *ferred to as “PFHxA”) (Chemical Abstracts*  
24 *Service No. 307-24-4).*

1           (G) *Perfluorodecanoic acid* (commonly re-  
2           ferred to as “PFDA”) (*Chemical Abstracts Serv-*  
3           *ice No. 335-76-2*).

4           (H) *Perfluorononanoic acid* (commonly re-  
5           ferred to as “PFNA”) (*Chemical Abstracts Serv-*  
6           *ice No. 375-95-1*).

7           (2) *The term “PFAS” means a perfluoroalkyl or*  
8           *polyfluoroalkyl substance with at least one fully*  
9           *fluorinated carbon atom, including the chemical*  
10          *GenX.*

11 **SEC. 335. PUBLIC DISCLOSURE OF RESULTS OF DEPART-**  
12                   **MENT OF DEFENSE TESTING FOR**  
13                   **PERFLUOROALKYL OR POLYFLUOROALKYL**  
14                   **SUBSTANCES.**

15          (a) *PUBLIC DISCLOSURE OF PFAS TESTING.—The*  
16          *Secretary of Defense shall publicly disclose the results of any*  
17          *testing for perfluoroalkyl or polyfluoroalkyl substances*  
18          *(commonly referred to as “PFAS”) conducted on military*  
19          *installations or formerly used defense sites, including—*

20               (1) *all such testing results conducted by the De-*  
21               *partment of Defense; and*

22               (2) *all such testing results conducted by a non-*  
23               *Department entity (including any Federal agency*  
24               *and any public or private entity) under contract by*

1       or pursuant to an agreement with the Department of  
2       Defense.

3       (b) *NATURE OF DISCLOSURE.*—The Secretary of De-  
4       fense may satisfy the disclosure requirement under sub-  
5       section (a) by publishing the information, datasets, and re-  
6       sults relating to the testing referred to in such subsection—

7               (1) on the publicly available website established  
8       under section 331(b) of the National Defense Author-  
9       ization Act of 2020 (Public Law 116–92);

10              (2) on another publicly available website of the  
11       Department of Defense; or

12              (3) in the Federal Register.

13       (c) *REQUIREMENTS.*—The information required to be  
14       disclosed by the Secretary of Defense under subsection (a)  
15       and published under subsection (b) shall—

16              (1) constitute a record for the purposes of chap-  
17       ter 21, 29, 31, and 33 of title 44, United States Code;  
18       and

19              (2) include any underlying datasets or addi-  
20       tional information of interest to the public, as deter-  
21       mined by the Secretary of Defense.

22       (d) *LOCAL NOTIFICATION.*—Prior to conducting any  
23       testing for perfluoroalkyl or polyfluoroalkyl substances, the  
24       Secretary of Defense shall provide to the managers of the  
25       public water system and the publicly owned treatment

1 *works serving the areas located immediately adjacent to the*  
2 *military installation where such testing is to occur notice*  
3 *in writing of the testing.*

4 *(e) DEFINITIONS.—In this section:*

5 *(1) The term “formerly used defense site” means*  
6 *any site formerly used by the Department of Defense*  
7 *or National Guard eligible for environmental restora-*  
8 *tion by the Secretary of Defense funded under the*  
9 *“Environmental Restoration Account, Formerly Used*  
10 *Defense Sites” account established under section*  
11 *2703(a)(5) of title 10, United States Code.*

12 *(2) The term “military installation” has the*  
13 *meaning given such term in section 2801(c)(4) of title*  
14 *10, United States Code.*

15 *(3) The term “perfluoroalkyl or polyfluoroalkyl*  
16 *substance” means any per or polyfluoroalkyl sub-*  
17 *stance with at least one fully fluorinated carbon*  
18 *atom.*

19 *(4) The term “public water system” has the*  
20 *meaning given such term under section 1401(4) of the*  
21 *Safe Drinking Water Act (42 U.S.C. 300f(4)).*

22 *(5) The term “treatment works” has the meaning*  
23 *given such term in section 212(2) of the Federal*  
24 *Water Pollution Control Act (33 U.S.C. 1292(2)).*

1                   **Subtitle C—Logistics and**  
2                   **Sustainment**

3   **SEC. 351. NATIONAL DEFENSE SUSTAINMENT AND LOGIS-**  
4                   **TICS REVIEW.**

5           (a) *IN GENERAL.*—Chapter 2 of title 10, United States  
6 Code, is amended by inserting after section 118 the fol-  
7 lowing new section:

8   **“§ 118a. National Defense Sustainment and Logistics**  
9                   **Review**

10           “(a) *QUADRENNIAL REVIEW REQUIRED.*—Two years  
11 after the submittal of each national defense strategy under  
12 section 113(g) of this title, the Secretary of Defense shall  
13 conduct a comprehensive review of the sustainment and lo-  
14 gistics requirements necessary to support the force structure,  
15 force modernization, infrastructure, and other elements of  
16 the defense program and policies of the United States dur-  
17 ing the subsequent 5-, 10-, and 25-year periods. Each such  
18 review shall be known as the ‘National Defense Sustainment  
19 and Logistics Review’. Each such review shall be conducted  
20 in consultation with the Secretaries of the military depart-  
21 ments, the chief of the armed services, the Commander of  
22 United States Transportation Command, and the Com-  
23 mander of the Defense Logistics Agency.

24           “(b) *REPORT TO CONGRESS.*—(1) Not later than the  
25 first Monday in February of the year following the fiscal

1 *year during which the review required by subsection (a) is*  
2 *submitted, the Secretary shall submit to the congressional*  
3 *defense committees a report on the review. Each such report*  
4 *shall include each of the following:*

5           “(A) *An assessment of the strategic and tactical*  
6 *maritime logistics force (including non-military as-*  
7 *sets provided by Military Sealift Command and*  
8 *through the Voluntary Intermodal Sealift Agreement)*  
9 *required to support sealift and at sea logistics re-*  
10 *quirements of forces to meet steady state and contin-*  
11 *gency requirements.*

12           “(B) *An assessment of the strategic and tactical*  
13 *airlift and tankers (including non-military assets*  
14 *provided by the Civil Reserve Air Fleet and through*  
15 *the Voluntary Tanker Agreement) required to support*  
16 *movement of forces to meet steady state and contin-*  
17 *gency requirements.*

18           “(C) *An assessment of the location, configura-*  
19 *tion, and inventory of prepositioned materiel and*  
20 *equipment programs required to meet steady state*  
21 *and contingency requirements.*

22           “(D) *An assessment of the location, infrastruc-*  
23 *ture, and storage capacity for petroleum, oil, and lu-*  
24 *bricant products, as well as the ability to distribute*  
25 *such products from storage supply points to deployed*

1        *military forces, required to meet steady state and con-*  
2        *tingency requirements.*

3                *“(E) An assessment of the capabilities, capacity,*  
4        *and infrastructure of the Department of Defense or-*  
5        *ganic industrial base and private sector industrial*  
6        *base required to meet steady-state and surge software*  
7        *and depot maintenance requirements.*

8                *“(F) An assessment of the production capability,*  
9        *capacity, and infrastructure, of the Department of*  
10        *Defense organic industrial base and private sector in-*  
11        *dustrial base required to meet steady-state and surge*  
12        *production requirements for ammunition and other*  
13        *military munitions.*

14                *“(G) An assessment of the condition, capacity,*  
15        *and location of military infrastructure required to*  
16        *project military forces to meet steady-state and con-*  
17        *tingency requirements.*

18                *“(H) An assessment of the cybersecurity risks to*  
19        *military and commercial logistics networks and infor-*  
20        *mation technology systems.*

21                *“(I) An assessment of the gaps between the re-*  
22        *quirements identified under subparagraphs (A)*  
23        *through (H) compared to the actual force structure*  
24        *and infrastructure capabilities, capacity, and posture*

1       *and the risks associated with each gap as it relates*  
2       *to the ability to meet the national defense strategy.*

3           “(J) *A discussion of the identified mitigations*  
4       *being pursued to address each gap and risk identified*  
5       *under subparagraph (I) as well as the initiatives and*  
6       *resources planned to address such gaps, as included*  
7       *in the Department of Defense budget request sub-*  
8       *mitted during the same year as the report and the ap-*  
9       *licable future-years defense program.*

10          “(K) *An assessment of the extent to which*  
11       *wargames conducted by the Department of Defense,*  
12       *Joint Staff, geographic combatant commands, and*  
13       *military departments incorporate logistics capabili-*  
14       *ties and threats and a description of the logistics con-*  
15       *straints to operations identified through such*  
16       *wargames.*

17          “(L) *Such other matters the Secretary of Defense*  
18       *considers appropriate.*

19          “(2) *The report required under this subsection shall*  
20       *be submitted in classified form and shall include an unclas-*  
21       *sified summary.*

22          “(c) *COMPTROLLER GENERAL REVIEW.—Not later*  
23       *than 180 days after the date on which Secretary submits*  
24       *each report required under subsection (b), the Comptroller*



1 *General shall submit to the congressional defense committees*  
2 *a report that includes an assessment of each of the following:*

3           “(1) *Whether the report includes each of the ele-*  
4 *ments referred to in subsection (b).*”

5           “(2) *The strengths and weaknesses of the ap-*  
6 *proach and methodology used in conducting the re-*  
7 *view required under subsection (a) that is covered by*  
8 *the report.*”

9           “(3) *Any other matters relating to sustainment*  
10 *that may arise from the report, as the Comptroller*  
11 *General considers appropriate.*”

12           “(d) *RELATIONSHIP TO BUDGET.—Nothing in this sec-*  
13 *tion shall be construed to affect section 1105(a) of title 31.*”

14           “(e) *TERMINATION.—The requirement to submit a re-*  
15 *port under this section shall terminate on the date that is*  
16 *10 years after the date of the enactment of this section.*”.

17           “(b) *CLERICAL AMENDMENT.—The table of sections at*  
18 *the beginning of such chapter is amended by inserting after*  
19 *the item relating to section 118 the following new item:*

          “118a. *National Defense Sustainment and Logistics Review.*”.

20           “(c) *DEADLINE FOR SUBMITTAL OF FIRST REPORT.—*  
21 *Notwithstanding the deadline in subsection (b)(1) of section*  
22 *118a of title 10, United States Code, the Secretary of De-*  
23 *fense shall submit the first report under such section by no*  
24 *later than the date that is 18 months after the date of the*  
25 *enactment of this Act.*”

1 **SEC. 352. EXTENSION OF SUNSET RELATING TO CHARTER**  
2 **AIR TRANSPORTATION SERVICES.**

3 *Section 9515(k) of title 10, United States Code, is*  
4 *amended by striking “2020” and inserting “2025”.*

5 **SEC. 353. ADDITIONAL ELEMENTS FOR INCLUSION IN NAVY**  
6 **SHIP DEPOT MAINTENANCE BUDGET REPORT.**

7 *Section 363(b) of the National Defense Authorization*  
8 *Act for Fiscal Year 2020 (Public Law 116–92) is amended*  
9 *by adding at the end the following new paragraphs:*

10 *“(6) The execution of the planned schedule, cat-*  
11 *egorized by class of ship, for each of the three pre-*  
12 *ceding fiscal years, including—*

13 *“(A) the actual contract award compared to*  
14 *the milestone;*

15 *“(B) the planned completion date compared*  
16 *to the actual completion date; and*

17 *“(C) each regional maintenance center’s*  
18 *availability schedule performance for on-time*  
19 *availability completion.*

20 *“(7) In accordance with the findings of the Gov-*  
21 *ernment Accountability Office (GAO 20-370)—*

22 *“(A) in 2021, an analysis plan for the eval-*  
23 *uation of pilot program availabilities funded by*  
24 *the Other Procurement, Navy account; and*

25 *“(B) in 2022, a report on the Navy’s*  
26 *progress implementing such analysis plan.”.*

1 **SEC. 354. MODIFICATION TO LIMITATION ON LENGTH OF**  
2 **OVERSEAS FORWARD DEPLOYMENT OF**  
3 **NAVAL VESSELS.**

4 *Section 323(b) of the National Defense Authorization*  
5 *Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.*  
6 *8690 note) is amended by striking “In the case of any naval*  
7 *vessel” and inserting “In the case of any aircraft carrier,*  
8 *amphibious ship, cruiser, destroyer, frigate, or littoral com-*  
9 *bat ship”.*

10 **SEC. 355. INDEPENDENT ADVISORY PANEL ON WEAPON**  
11 **SYSTEM SUSTAINMENT.**

12 *(a) ESTABLISHMENT.—The Secretary of Defense shall*  
13 *establish an independent advisory panel (in this section re-*  
14 *ferred to as the “panel”) on the weapon system sustainment*  
15 *ecosystem. The National Defense University and the Defense*  
16 *Acquisition University shall sponsor the panel, including*  
17 *by providing administrative support.*

18 *(b) MEMBERSHIP.—*

19 *(1) COMPOSITION.—The panel shall be comprised*  
20 *of nine members, of whom—*

21 *(A) five shall be appointed by the Secretary*  
22 *of Defense;*

23 *(B) one shall be appointed by the Chairman*  
24 *of the Committee on Armed Services of the Sen-*  
25 *ate;*

1           (C) one shall be appointed by the Ranking  
2           Member of the Committee on Armed Services of  
3           the Senate;

4           (D) one shall be appointed by the Chairman  
5           of the Committee on Armed Services of the House  
6           of Representatives; and

7           (E) one shall be appointed by the Ranking  
8           Member of the Committee on Armed Services of  
9           the House of Representatives.

10          (2) *EXPERTISE.*—In making appointments  
11          under this subsection, consideration should be given to  
12          individuals with expertise in public and private-sec-  
13          tor acquisition, sustainment, and logistics policy in  
14          aviation, ground, maritime systems, and space sys-  
15          tems and their related components.

16          (3) *APPOINTMENT DATE.*—The appointment of  
17          the members of the panel shall be made not later than  
18          120 days after the date of the enactment of this Act.

19          (c) *DUTIES.*—The panel shall—

20               (1) review the weapon system sustainment eco-  
21               system from development, production, and  
22               sustainment of the weapon system through use in the  
23               field, depot and field-level maintenance, modification,  
24               and disposal with a goal of—

1           (A) maximizing the availability and mis-  
2           sion capabilities of weapon systems;

3           (B) reducing overall life-cycle costs of weap-  
4           on systems during fielding, operation and  
5           sustainment; and

6           (C) aligning weapon system sustainment  
7           functions to the most recent national defense  
8           strategy submitted pursuant to section 113 of  
9           title 10, United States Code; and

10          (2) using information from the review of the  
11          weapon system sustainment ecosystem, make rec-  
12          ommendations related to statutory, regulatory, policy,  
13          or operational best practices the panel considers nec-  
14          essary.

15          (d) *REPORT.*—

16               (1) *INTERIM REPORT.*—Not later than one year  
17          after the date on which all members of the panel have  
18          been appointed, the panel shall provide to the Sec-  
19          retary of Defense and the Committees on Armed Serv-  
20          ices of the Senate and House of Representatives a  
21          briefing on the interim findings and recommenda-  
22          tions of the panel.

23               (2) *FINAL REPORT.*—Not later than two years  
24          after the date on which all members of the panel have  
25          been appointed, the panel shall submit to the Sec-

1        *retary of Defense and the Committees on Armed Serv-*  
2        *ices of the Senate and House of Representatives a re-*  
3        *port setting for a detailed statement of the findings*  
4        *and conclusions the panel as a result of the review de-*  
5        *scribed in subsection (c), together with such rec-*  
6        *ommendations related to statutory, regulatory, policy,*  
7        *or operational practices as the panel considers appro-*  
8        *prate in light of the results of the review.*

9        *(e) ADMINISTRATIVE MATTERS.—*

10            *(1) IN GENERAL.—The Secretary of Defense shall*  
11        *provide the panel with timely access to appropriate*  
12        *information, data, resources, analysis, and logistics*  
13        *support so that the panel may conduct a thorough*  
14        *and independent assessment as required under this*  
15        *section.*

16            *(2) EFFECT OF LACK OF APPOINTMENT BY AP-*  
17        *POINTMENT DATE.—If any member has not been ap-*  
18        *pointed by the date specified in subsection (b)(3), the*  
19        *authority to appoint such member under subsection*  
20        *(b)(1) shall expire, and the number of members of the*  
21        *panel shall be reduced by the number equal to the*  
22        *number of appointments so not made.*

23            *(3) PERIOD OF APPOINTMENT; VACANCIES.—*  
24        *Members of the panel shall be appointed for the dura-*  
25        *tion of the panel. Any vacancy in the panel shall not*

1       *affect its powers, but shall be filled in the same man-*  
2       *ner as the original appointment.*

3               (4) *CHAIR.*—*The panel shall select a Chair from*  
4       *among its members. The Chair may not be a Federal*  
5       *officer or employee.*

6               (f) *TERMINATION.*—*The panel shall terminate 90 days*  
7       *after the date on which the panel submits the report re-*  
8       *quired under subsection (d)(2).*

9       **SEC. 356. BIENNIAL BRIEFINGS ON STATUS OF SHIPYARD**  
10               **INFRASTRUCTURE OPTIMIZATION PLAN.**

11              (a) *BRIEFINGS REQUIRED.*—*During the period begin-*  
12       *ning on July 1, 2020, and ending on July 1, 2025, the*  
13       *Secretary of the Navy shall provide to the congressional de-*  
14       *fense committees biennial briefings on the status of the*  
15       *Shipyard Infrastructure Optimization Plan.*

16              (b) *ELEMENTS OF BRIEFINGS.*—*Each briefing under*  
17       *subsection (a) shall include a discussion of the status of each*  
18       *of the following elements:*

19                      (1) *A master plan for infrastructure develop-*  
20       *ment, including projected military construction and*  
21       *capital equipment projects.*

22                      (2) *A planning and design update for military*  
23       *construction, minor military construction, and facil-*  
24       *ity sustainment projects over the subsequent five-year*  
25       *period.*

1           (3) *A human capital management and develop-*  
2           *ment plan.*

3           (4) *A workload management plan that includes*  
4           *synchronization requirements for each shipyard and*  
5           *ship class.*

6           (5) *Performance metrics and an assessment plan.*

7           (6) *A funding and authority plan that includes*  
8           *funding lines across the future years defense program.*

9   **SEC. 357. MATERIEL READINESS METRICS AND OBJECTIVES**

10                           **FOR MAJOR WEAPON SYSTEMS.**

11           (a) *IN GENERAL.*—Section 118 of title 10, United  
12   *States Code is amended—*

13                   (1) *by amending the section heading to read as*  
14           *follows: “**Materiel readiness metrics and ob-***  
15           ***jectives for major weapon systems*”;**

16                   (2) *by striking “Not later than five days” and*  
17           *inserting the following:*

18                   “(d) *BUDGET JUSTIFICATION.*—Not later than five  
19   *days”;*

20                   (3) *by inserting before subsection (d) (as des-*  
21           *ignated by paragraph (2)) the following new sub-*  
22           *sections:*

23                   “(a) *MATERIEL READINESS METRICS.*—Each head of  
24   *an element of the Department specified in paragraphs (1)*  
25   *through (10) of section 111(b) of this title shall establish*



1 *and maintain materiel readiness metrics to enable assess-*  
2 *ment of the readiness of members of the armed forces to*  
3 *carry out—*

4           “(1) *the strategic framework required by section*  
5 *113(g)(1)(B)(vii) of this title; and*

6           “(2) *guidance issued by the Secretary of Defense*  
7 *pursuant to section 113(g)(1)(B) of this title.*

8           “(b) *REQUIRED METRICS.—At a minimum, the mate-*  
9 *riel readiness metrics required by subsection (a) shall ad-*  
10 *dress the materiel availability, operational availability,*  
11 *operational capability, and materiel reliability of each*  
12 *major weapon system by designated mission, design series,*  
13 *variant, or class.*

14           “(c) *MATERIEL READINESS OBJECTIVES.—(1) Not*  
15 *later than one year after the date of the enactment of this*  
16 *Act, each head of an element described in subsection (a)*  
17 *shall establish the metrics required by subsection (b) nec-*  
18 *essary to support the strategic framework and guidance re-*  
19 *ferred to in paragraph (1) and (2) of subsection (a).*

20           “(2) *Annually, each head of an element described in*  
21 *subsection (a) shall review and revise the metrics required*  
22 *by subsection (b) and include any such revisions in the ma-*  
23 *terials submitted to Congress in support of the budget of*  
24 *the President under section 1105 of title 31.”;*

1           (4) *in subsection (d) (as designated by para-*  
2 *graph (2))—*

3           (A) *in paragraph (1)—*

4           (i) *by striking “materiel reliability,*  
5 *and mean down time metrics for each major*  
6 *weapons system” and inserting “oper-*  
7 *ational availability, and materiel reliability*  
8 *for each major weapon system”; and*

9           (ii) *by inserting “and” at the end;*

10          (B) *in paragraph (2), by striking “; and”*  
11 *and inserting a period at the end; and*

12          (C) *by striking paragraph (3); and*

13          (5) *by adding at the end the following new sub-*  
14 *section:*

15          “(e) *DEFINITIONS.—In this section:*

16           “(1) *The term ‘major weapon system’ has the*  
17 *meaning given in section 2379(f) of this title.*

18           “(2) *The term ‘materiel availability’ means a*  
19 *measure of the percentage of the total inventory of a*  
20 *major weapon system that is operationally capable of*  
21 *performing an assigned mission.*

22           “(3) *The term ‘materiel reliability’ means the*  
23 *probability that a major weapon system will perform*  
24 *without failure over a specified interval.*

1           “(4) *The term ‘operational availability’ means a*  
 2           *measure of the percentage of time a major weapon*  
 3           *system is operationally capable.*

4           “(5) *The term ‘operationally capable’ means a*  
 5           *materiel condition indicating that a major weapon*  
 6           *system is capable of performing its assigned mission*  
 7           *and has no discrepancies with a subsystem of a major*  
 8           *weapon system.”.*

9           **(b) CLERICAL AMENDMENT.**—*The table of sections at*  
 10 *the beginning of chapter 2 of title 10, United States Code,*  
 11 *is amended by striking the item relating to section 118 and*  
 12 *inserting the following new item:*

*“118. Materiel readiness metrics and objectives for major defense acquisition pro-  
 grams.”.*

13           **(c) BRIEFING.**—*Not later than October 1, 2021, the*  
 14 *Secretary of Defense shall brief the congressional defense*  
 15 *committees regarding the implementation of the materiel*  
 16 *readiness metrics required under section 118 of title 10,*  
 17 *United States Code, as amended by subsection (a).*

18           ***Subtitle D—Munitions Safety and***  
 19           ***Oversight***

20           ***SEC. 361. CHAIR OF DEPARTMENT OF DEFENSE EXPLOSIVE***  
 21           ***SAFETY BOARD.***

22           **(a) RESPONSIBILITIES.**—*Section 172 of title 10,*  
 23 *United States Code, is amended by adding at the end the*  
 24 *following new subsections:*

1       “(c) *RESPONSIBILITIES OF CHAIR.*—*The chair of the*  
2 *explosive safety board shall carry out the following respon-*  
3 *sibilities:*

4               “(1) *To act as the principal executive representa-*  
5 *tive and advisor of the Secretary on explosive and*  
6 *chemical agent safety matters related to Department*  
7 *of Defense military munitions.*

8               “(2) *To perform the hazard classification ap-*  
9 *proval duties assigned to the chair.*

10              “(3) *To preside over meetings of the explosive*  
11 *safety board.*

12              “(4) *To direct the staff of the explosive safety*  
13 *board.*

14              “(5) *To performs other functions relating to ex-*  
15 *plosives safety management, as directed by the Assist-*  
16 *ant Secretary of Defense for Sustainment.*

17              “(6) *To provide impartial and objective advice*  
18 *related to explosives safety management to the Sec-*  
19 *retary of Defense and the heads of the military de-*  
20 *partments.*

21              “(7) *To serve as the principal representative and*  
22 *advisor of the Department of Defense on matters re-*  
23 *lating to explosives safety management.*

24              “(8) *To provide assistance and advice to the*  
25 *Under Secretary of Defense for Acquisition and*

1       *Sustainment and the Deputy Director of Land War-*  
2       *fare and Munitions in munitions acquisition over-*  
3       *sight and technology advancement for Department of*  
4       *Defense military munitions, especially in the areas of*  
5       *explosives and chemical agent safety and demili-*  
6       *tarization.*

7               “(9) *To provide assistance and advice to the As-*  
8       *stant Secretary of Defense for Logistics and Mate-*  
9       *rial Readiness in sustainment oversight of Depart-*  
10       *ment of Defense military munitions, especially in the*  
11       *areas of explosives and chemical agent safety, storage,*  
12       *transportation, and demilitarization.*

13              “(10) *To develop and recommend issuances to*  
14       *define the functions of the explosive safety board.*

15              “(11) *To establishes joint hazard classification*  
16       *procedures with covered components of the Depart-*  
17       *ment.*

18              “(12) *To make recommendations to the Under*  
19       *Secretary of Defense for Acquisition and Sustainment*  
20       *with respect to explosives and chemical agent safety*  
21       *tenets and requirements.*

22              “(13) *To conducts oversight of Department of*  
23       *Defense explosive safety management programs.*

24              “(14) *To carry out such other responsibilities as*  
25       *the Secretary of Defense determines appropriate.*

1       “(d) *RESPONSIBILITIES OF EXECUTIVE DIRECTOR*  
2 *AND CIVILIAN MEMBERS.*—*The executive director and civil-*  
3 *ian members of the explosive safety board shall—*

4               “(1) *provide assistance to the chair in carrying*  
5 *out the responsibilities specified in subsection (c); and*

6               “(2) *carry out such other responsibilities as the*  
7 *chair determines appropriate.*

8       “(e) *MEETINGS.*—(1) *The explosive safety board shall*  
9 *meet not less frequently than quarterly.*

10              “(2) *The chair shall submit to the congressional defense*  
11 *committees an annual report describing the activities con-*  
12 *ducted at the meetings of the board.*

13       “(f) *EXCLUSIVE RESPONSIBILITIES.*—*The explosive*  
14 *safety board shall have exclusive responsibility within the*  
15 *Department of Defense for—*

16              “(1) *recommending new and updated explosive*  
17 *and chemical agent safety regulations and standards*  
18 *to the Assistant Secretary of Defense for Energy In-*  
19 *stallations and Environment for submittal to the*  
20 *Under Secretary of Defense for Acquisition and*  
21 *Sustainment; and*

22              “(2) *acting as the primary forum for coordina-*  
23 *tion among covered components of the Department on*  
24 *all matters related to explosive safety management.*

1           “(g) *COVERED COMPONENTS.*—*In this section, the cov-*  
2 *ered components of the Department are each of the fol-*  
3 *lowing:*

4                   “(1) *The Office of the Secretary of Defense.*

5                   “(2) *The military departments.*

6                   “(3) *The Office of the Chairman of the Joint*  
7 *Chiefs of Staff and the Joint Staff, the Combatant*  
8 *Commands.*

9                   “(4) *The Office of the Inspector General of the*  
10 *Department.*

11                   “(5) *The Defense Agencies.*

12                   “(6) *The Department of Defense field activities.*

13                   “(7) *All other organizational entities within the*  
14 *Department.”.*

15           (b) *DEADLINE FOR APPOINTMENT.*—*By not later than*  
16 *90 days after the date of the enactment of this Act, the Sec-*  
17 *retary of Defense shall take such steps as may be necessary*  
18 *to ensure that the explosive safety board of the Department*  
19 *of Defense, as authorized under section 172 of title 10,*  
20 *United States Code, has a chair who is a military officer*  
21 *and whose responsibilities include the day-to-day manage-*  
22 *ment of the explosive safety board and the responsibilities*  
23 *provided in subsection (c) of such section.*

24           (c) *LIMITATION ON USE OF FUNDS.*—*Of the amounts*  
25 *authorized to be appropriated or otherwise made available*

1 *in this Act for the Office of the Under Secretary of Defense*  
2 *for Acquisition and Sustainment for fiscal year 2021, not*  
3 *more than 75 percent may be obligated or expended until*  
4 *the date on which the Under Secretary of Defense certifies*  
5 *to the congressional defense committees that all board mem-*  
6 *ber positions, including the chair, of the Department of De-*  
7 *fense explosive safety board, as authorized under section 172*  
8 *of title 10, United States Code, as amended by this section,*  
9 *have been filled by military officers as required by such sec-*  
10 *tion.*

11 **SEC. 362. EXPLOSIVE ORDNANCE DISPOSAL DEFENSE PRO-**  
12 **GRAM.**

13 *(a) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—*  
14 *Section 2284(b) of title 10, United States Code, as amended*  
15 *by section 1052 of the National Defense Authorization Act*  
16 *for Fiscal Year 2020 (Public Law 116–92), is further*  
17 *amended—*

18 *(1) in paragraph (1)(A)—*

19 *(A) by inserting “and” before “integration”;*

20 *and*

21 *(B) by striking “an Assistant Secretary of*  
22 *Defense” and inserting “the Assistant Secretary*  
23 *of Defense for Special Operations and Low In-*  
24 *tensity Conflict”;*



1           (2) *in paragraph (2), by striking “to whom re-*  
2           *responsibility is assigned under paragraph (1)(A)” and*  
3           *inserting “for Special Operations and Low Intensity*  
4           *Conflict”;*

5           (3) *by redesignating paragraphs (3) and (4) as*  
6           *paragraphs (4) and (5), respectively; and*

7           (4) *by inserting after paragraph (2) the fol-*  
8           *lowing new paragraph (3):*

9           *“(3) the Assistant Secretary of Defense for Spe-*  
10          *cial Operations and Low Intensity Conflict shall co-*  
11          *ordinate with—*

12                 *“(A) the Under Secretary of Defense for In-*  
13                 *telligence on explosive ordnance technical intel-*  
14                 *ligence;*

15                 *“(B) the Under Secretary of Defense for Ac-*  
16                 *quisition and Sustainment on explosive ord-*  
17                 *nance disposal research, development, and acqui-*  
18                 *sition;*

19                 *“(C) the Under Secretary of Defense for Re-*  
20                 *search and Engineering on explosive ordnance*  
21                 *disposal research, development, test, and evalua-*  
22                 *tion; and*

23                 *“(D) the Assistant Secretary of Defense for*  
24                 *Homeland Security and Global Security on ex-*

1            *plosive ordnance disposal on defense support of*  
2            *civil authorities;”.*

3            *(b) REPORT.—Not later than 180 days after the date*  
4            *of the enactment of this Act, the Secretary of Defense shall*  
5            *submit to the Committees on Armed Services of the Senate*  
6            *and House of Representatives a report of the Explosive Ord-*  
7            *nance Disposal Defense Program under section 2284 of title*  
8            *10, United States Code. Such report shall include each of*  
9            *the following:*

10            *(1) The status of the establishment and organiza-*  
11            *tion of the Program and the compliance with the re-*  
12            *quirements of such section, as amended by section*  
13            *1052 of the National Defense Authorization Act for*  
14            *Fiscal Year 2020.*

15            *(2) An assessment of the feasibility and advis-*  
16            *ability of designating the Joint Program Executive*  
17            *Officer for Armaments and Ammunition as the joint*  
18            *program executive officer for the explosive ordnance*  
19            *disposal program or establishing a rotation of the role*  
20            *between an Army, Navy, and Air Force entity on a*  
21            *periodic basis.*

22            *(3) An assessment of the feasibility and advis-*  
23            *ability of designating the Director of the Defense*  
24            *Threat Reduction Agency with management responsi-*  
25            *bility for a Defense-wide program element for explo-*

1 *sive ordnance disposal research, development, test,*  
2 *and evaluation transactions other than contracts, co-*  
3 *operative agreements, and grants related to section*  
4 *2371 of title 10, United States Code, during research*  
5 *projects including rapid prototyping and limited pro-*  
6 *curement urgent activities and acquisition.*

7 **SEC. 363. ASSESSMENT OF RESILIENCE OF DEPARTMENT**  
8 **OF DEFENSE MUNITIONS ENTERPRISE.**

9 *(a) ASSESSMENT.—Not later than 60 days after the*  
10 *date of the enactment of this Act, the Secretary of Defense*  
11 *shall enter into an agreement with a federally-funded re-*  
12 *search and development center with relevant expertise under*  
13 *which such center shall conduct an assessment of the resil-*  
14 *ience of the Department of Defense munitions enterprise.*

15 *(b) ELEMENTS.—The assessment required under sub-*  
16 *section (a) shall include the following elements:*

17 *(1) An identification of the points of failure with*  
18 *respect to the munitions enterprise, including phys-*  
19 *ical locations, materials, suppliers, contractors, and*  
20 *other relevant elements, that, if failure occurs, would*  
21 *have the largest negative impact on the capacity, re-*  
22 *siliency, and safety of the enterprise.*

23 *(2) An evaluation of the efforts of the Depart-*  
24 *ment of Defense to address the points of failure iden-*  
25 *tified under paragraph (1).*

1           (3) *Recommendation with respect to any addi-*  
2           *tional efforts or actions that could be taken to provide*  
3           *for mitigation or solutions with respect to such points*  
4           *of failure.*

5           (4) *An evaluation of the capacity of the muni-*  
6           *tions enterprise to support a sudden surge in demand*  
7           *to support a contingency.*

8           (5) *An evaluation of the capacity of the muni-*  
9           *tions enterprise to withstand intentional disruption*  
10          *during a conflict.*

11          (c) *REPORT AND BRIEFINGS.—The Secretary shall—*

12           (1) *submit to the congressional defense commit-*  
13           *tees a report on the results of assessment conducted*  
14           *under this section by not later than December 31,*  
15           *2021; and*

16           (2) *provide for such committees interim briefings*  
17           *on such assessment upon request.*

18          (d) *POINT OF FAILURE.—In this section, the term*  
19          *“point of failure” means, with respect to the munitions en-*  
20          *terprise, an aspect of the enterprise, that, if it were to fail*  
21          *or be significantly negatively impacted would cause the por-*  
22          *tion of the enterprise it supports to either fail or be signifi-*  
23          *cantly negatively impacted.*

1 **SEC. 364. REPORT ON SAFETY WAIVERS AND MISHAPS IN**  
2 **DEPARTMENT OF DEFENSE MUNITIONS EN-**  
3 **TERPRISE.**

4 (a) *REPORT REQUIRED.*—*The Secretary shall include*  
5 *with the Department of Defense materials submitted to Con-*  
6 *gress with the budget of the President for each of fiscal years*  
7 *2022 through 2025 (as submitted to Congress pursuant to*  
8 *section 1105 of title 31, United States Code), a report on*  
9 *safety waivers provided in the Department of Defense muni-*  
10 *tions enterprise. Each such report shall include each of the*  
11 *following for the year covered by the report and each of the*  
12 *preceding three years:*

13 (1) *A list of each waiver, exemption, and secre-*  
14 *tarial exemption or certification provided with re-*  
15 *spect to any Department of Defense munitions safety*  
16 *standard.*

17 (2) *For each such waiver, exemption, or certifi-*  
18 *cation provided—*

19 (A) *the location where the waiver, exemp-*  
20 *tion, or certification was provided;*

21 (B) *a summary of the justification used for*  
22 *providing the waiver, exemption, or certification;*

23 (C) *the time period during which the waiv-*  
24 *er, exemption, or certification applies and the*  
25 *number of times such a waiver, exemption, or*

1           *certification has been provided at that location;*  
2           *and*

3                     *(D) a list of all safety-related mishaps that*  
4                     *occurred at locations where waivers, exemptions,*  
5                     *or certifications were in place, and for each such*  
6                     *mishap, whether or not a subsequent investiga-*  
7                     *tion determined the waiver, exemption, or certifi-*  
8                     *cation was related or may have been related to*  
9                     *the mishap.*

10                    *(3) A list and summary of all class A-E mishaps*  
11                    *related to the construction, storage, transportation,*  
12                    *usage, and demilitarization of munitions.*

13                    *(4) Any mitigation efforts in place at any loca-*  
14                    *tion where a waiver, exemption, or certification has*  
15                    *been provided or where a safety-related mishap has*  
16                    *occurred.*

17                    *(5) Such other matters as the Secretary deter-*  
18                    *mines appropriate.*

19                    *(b) MUNITIONS DEFINED.—In this section, the term*  
20                    *“munitions” includes ammunition, explosives, and chem-*  
21                    *ical agents.*

## **Subtitle E—Other Matters**

### **SEC. 371. PILOT PROGRAM FOR TEMPORARY ISSUANCE OF MATERNITY-RELATED UNIFORM ITEMS.**

(a) *PILOT PROGRAM.*—*The Director of the Defense Logistics Agency, in coordination with the Secretaries concerned, shall carry out a pilot program under which each Secretary concerned shall establish an office for issuing maternity-related uniform items to pregnant members of the Armed Forces, on a temporary basis and at no cost to such member. In carrying out the pilot program, the Director shall take the following actions:*

(1) *The Director shall ensure that such offices maintain a stock of each type of maternity-related uniform item determined necessary by the Secretary concerned, including service uniforms items, utility uniform items, and other items relating to the command and duty assignment of the member requiring issuance.*

(2) *The Director shall ensure that such items have not been treated with the chemical permethrin.*

(3) *The Director, in coordination with the Secretary concerned, shall determine a standard number of maternity-related uniform items that may be issued per member.*

1           (4) *The Secretary concerned shall ensure that*  
2           *any member receiving a maternity-related uniform*  
3           *item returns such item to the relevant office estab-*  
4           *lished under paragraph (1) on the date on which the*  
5           *Secretary concerned determines the member no longer*  
6           *requires such item.*

7           (5) *The Secretary concerned shall inspect, proc-*  
8           *ess, repair, clean, and re-stock items returned by a*  
9           *member pursuant to paragraph (4) for re-issuance*  
10          *from such relevant office.*

11          (6) *The Director, in coordination with the Secre-*  
12          *taries concerned, may issue such guidance and regu-*  
13          *lations as necessary to carry out the pilot program.*

14          (b) *TERMINATION.—No maternity-related uniform*  
15          *items may be issued to a member of the Armed Forces under*  
16          *the pilot program after September 30, 2026.*

17          (c) *REPORT.—Not later than September 30, 2025, the*  
18          *Director of the Defense Logistics Agency, in coordination*  
19          *with the Secretaries concerned, shall submit to the congres-*  
20          *sional defense committees a report on the pilot program.*  
21          *Such report shall include each of the following:*

22                 (1) *For each year during which the pilot pro-*  
23                 *gram was carried out, the number of members of the*  
24                 *Armed Forces who received a maternity-related uni-*  
25                 *form item under the pilot program.*



1           (2) *An overview of the costs associated with, and*  
2 *any savings realized by, the pilot program, including*  
3 *a comparison of the cost of maintaining a stock of*  
4 *maternity-related uniform items for issuance under*  
5 *the pilot program versus the cost of providing allow-*  
6 *ances to members for purchasing such items.*

7           (3) *A recommendation on whether the pilot pro-*  
8 *gram should be extended after the date of termination*  
9 *under subsection (b) and whether legislation is nec-*  
10 *essary for such extension.*

11           (4) *Any other matters that the Secretary of De-*  
12 *fense determines appropriate.*

13           (d) *AUTHORIZATION OF APPROPRIATIONS.—Of the*  
14 *amounts authorized to be appropriated for operation and*  
15 *maintenance, Defense-wide, for fiscal year 2021, as speci-*  
16 *fied in the funding table in section 4301, \$10,000,000 shall*  
17 *be available for implementation of the pilot program.*

18 **SEC. 372. SERVICEWOMEN'S COMMEMORATIVE PARTNER-**  
19 **SHIPS.**

20           (a) *IN GENERAL.—The Secretary of the Army may*  
21 *enter into a contract, partnership, or grant with a non-*  
22 *profit organization for the purpose of providing financial*  
23 *support for the maintenance and sustainment of infrastruc-*  
24 *ture and facilities at military service memorials and muse-*  
25 *ums that highlight the role of women in the military. Such*

1 a contract, partnership, or grant shall be referred to as a  
2 “Servicewomen’s Commemorative Partnership”.

3 (b) *AUTHORIZATION OF APPROPRIATIONS.*—Of the  
4 amounts authorized to be appropriated for fiscal year 2021,  
5 as identified in division D of this Act, \$3,000,000 shall be  
6 available for Servicewomen’s Commemorative Partnerships  
7 under subsection (a).

8 **SEC. 373. BIODEFENSE ANALYSIS AND BUDGET SUBMIS-**  
9 **SION.**

10 (a) *ANNUAL ANALYSIS.*—For each fiscal year, the Di-  
11 rector of the Office of Management and Budget shall—

12 (1) conduct a detailed and comprehensive anal-  
13 ysis of Federal biodefense programs; and

14 (2) develop an integrated biodefense budget sub-  
15 mission.

16 (b) *DEFINITION OF BIODEFENSE.*—In accordance with  
17 the National Biodefense Strategy, the Director shall develop  
18 and disseminate to all Federal departments and agencies  
19 a unified definition of the term “biodefense” to identify  
20 which programs and activities are included in annual  
21 budget submission referred to in subsection (a).

22 (c) *REQUIREMENTS FOR ANALYSIS.*—The analysis re-  
23 quired under subsection (a) shall include—

24 (1) the display of all funds requested for bio-  
25 defense activities, both mandatory and discretionary,

1 *by agency and categorized by biodefense enterprise*  
2 *element, including threat awareness, prevention, de-*  
3 *terrence, preparedness, surveillance and detection, re-*  
4 *sponse, attribution (including bioforensic capabili-*  
5 *ties), recovery, and mitigation; and*

6 *(2) detailed explanations of how each program*  
7 *and activity included aligns with biodefense goals.*

8 *(d) SUBMITTAL TO CONGRESS.— The Director shall*  
9 *submit to Congress the analysis required under subsection*  
10 *(a) for a fiscal year concurrently with the President’s an-*  
11 *nual budget request for that fiscal year.*

12 ***TITLE IV—MILITARY PERSONNEL***  
13 ***AUTHORIZATIONS***

14 ***Subtitle A—Active Forces***

15 ***SEC. 401. END STRENGTHS FOR ACTIVE FORCES.***

16 *The Armed Forces are authorized strengths for active*  
17 *duty personnel as of September 30, 2021, as follows:*

18 *(1) The Army, 485,900.*

19 *(2) The Navy, 347,800.*

20 *(3) The Marine Corps, 184,100.*

21 *(4) The Air Force, 327,266.*

22 *(5) The Space Force, 6,434.*

1 **SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END**  
2 **STRENGTH MINIMUM LEVELS.**

3 *Section 691(b) of title 10, United States Code, is*  
4 *amended by striking paragraphs (1) through (4) and insert-*  
5 *ing the following new paragraphs:*

6 “(1) *For the Army, 485,900.*

7 “(2) *For the Navy, 347,800.*

8 “(3) *For the Marine Corps, 184,100.*

9 “(4) *For the Air Force, 327,266.*

10 “(5) *For the Space Force, 6,434.*”

11 **SEC. 403. MODIFICATION OF THE AUTHORIZED NUMBER**  
12 **AND ACCOUNTING METHOD FOR SENIOR EN-**  
13 **LISTED PERSONNEL.**

14 (a) *IN GENERAL.*—*Section 517 of title 10, United*  
15 *States Code, is amended—*

16 (1) *in the section heading, by striking “daily*  
17 ***average*” and inserting “enlisted end**  
18 ***strength*”;** and

19 (2) *in subsection (a)—*

20 (A) *by striking “daily average number of”*  
21 *and inserting “end strength for”;*

22 (B) *by striking “in a fiscal year” and in-*  
23 *serting “as of the last day of a fiscal year”;*

24 (C) *by striking “2.5 percent” and inserting*  
25 *“3.0 percent”;* and

1                   (D) by striking “on the first day of that fis-  
2                   cal year”.

3           (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
4 *the beginning of chapter 31 of such title is amended by*  
5 *striking the item relating to section 517 and inserting the*  
6 *following new item:*

“517. Authorized enlisted end strength: members in pay grades E-8 and E-9.”.

7                   ***Subtitle B—Reserve Forces***

8           ***SEC. 411. END STRENGTHS FOR SELECTED RESERVE.***

9           (a) *IN GENERAL.*—*The Armed Forces are authorized*  
10 *strengths for Selected Reserve personnel of the reserve com-*  
11 *ponents as of September 30, 2021, as follows:*

12                   (1) *The Army National Guard of the United*  
13 *States, 336,500.*

14                   (2) *The Army Reserve, 189,800.*

15                   (3) *The Navy Reserve, 58,800.*

16                   (4) *The Marine Corps Reserve, 38,500.*

17                   (5) *The Air National Guard of the United*  
18 *States, 108,100.*

19                   (6) *The Air Force Reserve, 70,300.*

20                   (7) *The Coast Guard Reserve, 7,000.*

21           (b) *END STRENGTH REDUCTIONS.*—*The end strengths*  
22 *prescribed by subsection (a) for the Selected Reserve of any*  
23 *reserve component shall be proportionately reduced by—*

24                   (1) *the total authorized strength of units orga-*  
25 *nized to serve as units of the Selected Reserve of such*

1 component which are on active duty (other than for  
2 training) at the end of the fiscal year; and

3 (2) the total number of individual members not  
4 in units organized to serve as units of the Selected  
5 Reserve of such component who are on active duty  
6 (other than for training or for unsatisfactory partici-  
7 pation in training) without their consent at the end  
8 of the fiscal year.

9 (c) *END STRENGTH INCREASES.*—Whenever units or  
10 individual members of the Selected Reserve of any reserve  
11 component are released from active duty during any fiscal  
12 year, the end strength prescribed for such fiscal year for  
13 the Selected Reserve of such reserve component shall be in-  
14 creased proportionately by the total authorized strengths of  
15 such units and by the total number of such individual mem-  
16 bers.

17 **SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE**  
18 **DUTY IN SUPPORT OF THE RESERVES.**

19 Within the end strengths prescribed in section 411(a),  
20 the reserve components of the Armed Forces are authorized,  
21 as of September 30, 2021, the following number of Reserves  
22 to be serving on full-time active duty or full-time duty, in  
23 the case of members of the National Guard, for the purpose  
24 of organizing, administering, recruiting, instructing, or  
25 training the reserve components:

1           (1) *The Army National Guard of the United*  
2           *States, 30,595.*

3           (2) *The Army Reserve, 16,511.*

4           (3) *The Navy Reserve, 10,215.*

5           (4) *The Marine Corps Reserve, 2,386.*

6           (5) *The Air National Guard of the United*  
7           *States, 25,333.*

8           (6) *The Air Force Reserve, 5,256.*

9 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**

10                                   **(DUAL STATUS).**

11           *The minimum number of military technicians (dual*  
12           *status) as of the last day of fiscal year 2021 for the reserve*  
13           *components of the Army and the Air Force (notwith-*  
14           *standing section 129 of title 10, United States Code) shall*  
15           *be the following:*

16           (1) *For the Army National Guard of the United*  
17           *States, 22,294.*

18           (2) *For the Army Reserve, 6,492.*

19           (3) *For the Air National Guard of the United*  
20           *States, 10,994.*

21           (4) *For the Air Force Reserve, 7,947.*

1 **SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**  
2 **THORIZED TO BE ON ACTIVE DUTY FOR**  
3 **OPERATIONAL SUPPORT.**

4 *During fiscal year 2021, the maximum number of*  
5 *members of the reserve components of the Armed Forces who*  
6 *may be serving at any time on full-time operational sup-*  
7 *port duty under section 115(b) of title 10, United States*  
8 *Code, is the following:*

9 (1) *The Army National Guard of the United*  
10 *States, 17,000.*

11 (2) *The Army Reserve, 13,000.*

12 (3) *The Navy Reserve, 6,200.*

13 (4) *The Marine Corps Reserve, 3,000.*

14 (5) *The Air National Guard of the United*  
15 *States, 16,000.*

16 (6) *The Air Force Reserve, 14,000.*

17 **Subtitle C—Authorization of**  
18 **Appropriations**

19 **SEC. 421. MILITARY PERSONNEL.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
21 *hereby authorized to be appropriated for fiscal year 2021*  
22 *for the use of the Armed Forces and other activities and*  
23 *agencies of the Department of Defense for expenses, not oth-*  
24 *erwise provided for, for military personnel, as specified in*  
25 *the funding table in section 4401.*



1       (b) *CONSTRUCTION OF AUTHORIZATION.*—*The author-*  
2 *ization of appropriations in the subsection (a) supersedes*  
3 *any other authorization of appropriations (definite or in-*  
4 *definite) for such purpose for fiscal year 2021.*

5       ***TITLE V—MILITARY PERSONNEL***  
6                                   ***POLICY***

7       ***Subtitle A—Officer Personnel Policy***

8       ***SEC. 501. AUTHORIZED STRENGTH: EXCLUSION OF CER-***  
9                                   ***TAIN GENERAL AND FLAG OFFICERS OF THE***  
10                                   ***RESERVE COMPONENTS ON ACTIVE DUTY.***

11       *Section 526a of title 10, United States Code, is amend-*  
12 *ed—*

13                   (1) *by redesignating subsections (c) through (h)*  
14 *as subsections (d) through (i), respectively; and*

15                   (2) *by inserting after subsection (b) the following*  
16 *new subsection (c):*

17       “(c) *EXCLUSION OF CERTAIN OFFICERS OF THE RE-*  
18 *SERVE COMPONENTS.*—*The limitations of this section do*  
19 *not apply to the following:*

20                   “(1) *A general or flag officer of a reserve compo-*  
21 *nent who is on active duty—*

22                                   “(A) *for training; or*

23                                   “(B) *under a call or order specifying a pe-*  
24 *riod of less than 180 days.*

1           “(2)(A) *A general or flag officer of a reserve com-*  
2           *ponent who is authorized by the Secretary of the mili-*  
3           *tary department concerned to serve on active duty for*  
4           *a period of at least 180 days and not longer than 365*  
5           *days.*

6           “(B) *The Secretary of the military department*  
7           *concerned may authorize a number, determined under*  
8           *subparagraph (C), of officers in the reserve component*  
9           *of each armed force under the jurisdiction of that Sec-*  
10          *retary to serve as described in subparagraph (A).*

11          “(C) *Each number described in subparagraph*  
12          *(B) may not exceed 10 percent of the number of gen-*  
13          *eral or flag officers, as the case may be, authorized to*  
14          *serve in the armed force concerned under section*  
15          *12004 of this title. In determining a number under*  
16          *this subparagraph, any fraction shall be rounded*  
17          *down to the next whole number that is greater than*  
18          *zero.*

19          “(3)(A) *A general or flag officer of a reserve com-*  
20          *ponent who is on active duty for a period longer than*  
21          *365 days and not longer than three years.*

22          “(B) *The number of officers described in sub-*  
23          *paragraph (A) who do not serve in a position that is*  
24          *a joint duty assignment for purposes of chapter 38 of*

1        *this title may not exceed five per armed force, unless*  
2        *authorized by the Secretary of Defense.”.*

3        **SEC. 502. DIVERSITY IN SELECTION BOARDS.**

4        *(a) REQUIREMENT FOR DIVERSE MEMBERSHIP OF AC-*  
5        *TIVE DUTY SELECTION BOARDS.—*

6                *(1) OFFICERS.—Section 612(a)(1) of title 10,*  
7        *United States Code, is amended by adding at the end*  
8        *the following new sentence: “The members of a selec-*  
9        *tion board shall represent the diversity of the armed*  
10        *forces to the extent practicable.”.*

11                *(2) WARRANT OFFICERS.—Section 573(b) of title*  
12        *10, United States Code, is amended by adding at the*  
13        *end the following new sentence: “The members of a se-*  
14        *lection board shall represent the diversity of the*  
15        *armed forces to the extent practicable.”.*

16        *(b) REQUIREMENT FOR DIVERSE MEMBERSHIP OF RE-*  
17        *SERVE COMPONENTS SELECTION BOARDS.—Section*  
18        *14102(b) of title 10, United States Code, is amended by*  
19        *adding at the end the following new sentence: “The members*  
20        *of a selection board shall represent the diversity of the*  
21        *armed forces to the extent practicable.”.*

22        *(c) OTHER SELECTION BOARDS.—*

23                *(1) IN GENERAL.—The Secretary of Defense shall*  
24        *ensure that the members of each selection board de-*

1       scribed in paragraph (2) represent the diversity of the  
2       armed forces to the extent practicable.

3               (2) *SELECTION BOARD DESCRIBED.*—A selection  
4       board described in this paragraph (1) is any selection  
5       board used with respect to the promotion, education,  
6       or command assignments of members of the Armed  
7       Forces that is not covered by the amendments made  
8       by this section.

9       **SEC. 503. REDACTION OF PERSONALLY IDENTIFIABLE IN-**  
10               **FORMATION FROM RECORDS FURNISHED TO**  
11               **A PROMOTION BOARD.**

12       (a) *ACTIVE-DUTY OFFICERS.*—Section 615(b) of title  
13       10, *United States Code*, is amended—

14               (1) by redesignating paragraphs (1) through (6)  
15       as subparagraphs (A) through (F), respectively;

16               (2) in the matter preceding subparagraph (A), as  
17       redesignated, by inserting “(1)” before “The Sec-  
18       retary”;

19               (3) in subparagraph (C), as redesignated, by  
20       striking “whose name is furnished to the board” and  
21       inserting “under consideration by the board for pro-  
22       motion”;

23               (4) by striking subparagraph (B), as redesi-  
24       gnated, and redesignating subparagraphs (C) through

1       *(F) as subparagraphs (B) through (E), respectively;*

2       *and*

3             *(5) by adding at the end the following new para-*

4       *graph:*

5       *“(2) The Secretary of the military department con-*

6       *cerned shall redact any personally identifiable information*

7       *from the information furnished to a selection board under*

8       *this section.”.*

9       *(b) RESERVE OFFICERS.—Section 14107(b) of title 10,*  
10       *United States Code, is amended—*

11             *(1) by redesignating paragraphs (1) through (5)*  
12       *as subparagraphs (A) through (E), respectively;*

13             *(2) in the matter preceding subparagraph (A), as*  
14       *redesignated, by inserting “(1)” before “The Sec-*  
15       *retary”;*

16             *(3) in subparagraph (C), as redesignated, by*  
17       *striking “whose name is furnished to the board” and*  
18       *inserting “under consideration by the board for pro-*  
19       *motion”;*

20             *(4) by striking subparagraph (B), as redesign-*  
21       *ated, and redesignating subparagraphs (C) through*  
22       *(E) as subparagraphs (B) through (D), respectively;*  
23       *and*

24             *(5) by adding at the end the following new para-*  
25       *graph:*

1       “(2) *The Secretary of the military department con-*  
2 *cerned shall redact any personally identifiable information*  
3 *from the information furnished to a promotion board under*  
4 *this section.*”.

5       (c) *ENLISTED MEMBERS.*—*Each Secretary of a mili-*  
6 *tary department shall prescribe regulations that require the*  
7 *redaction of any personally identifiable information from*  
8 *the information furnished to a board that considers for pro-*  
9 *motion an enlisted member of an Armed Force under the*  
10 *jurisdiction of that Secretary.*

11       ***Subtitle B—Reserve Component***  
12                                   ***Management***

13       ***SEC. 511. GRANTS TO SUPPORT STEM EDUCATION IN THE***  
14                                   ***JUNIOR RESERVE OFFICERS’ TRAINING***  
15                                   ***CORPS.***

16       (a) *PROGRAM AUTHORITY.*—

17                   (1) *IN GENERAL.*—*Chapter 102 of title 10,*  
18       *United States Code, is amended by adding at the end*  
19       *the following new section:*

20       ***“§2036. Grants to support science, technology, engi-***  
21                                   ***neering, and mathematics education***

22       “(a) *AUTHORITY.*—*The Secretary, in consultation*  
23 *with the Secretary of Education, may carry out a program*  
24 *to make grants to eligible entities to assist such entities in*

1 *providing education in covered subjects to students in the*  
2 *Junior Reserve Officers' Training Corps.*

3       “(b) *COORDINATION.*—*In carrying out a program*  
4 *under subsection (a), the Secretary may coordinate with the*  
5 *following:*

6               “(1) *The Secretaries of the military departments.*

7               “(2) *The Secretary of Education.*

8               “(3) *The Director of the National Science Foun-*  
9 *dation.*

10              “(4) *The Administrator of the National Aero-*  
11 *navitics and Space Administration.*

12              “(5) *The heads of such other Federal, State, and*  
13 *local government entities the Secretary of Defense de-*  
14 *termines to be appropriate.*

15              “(6) *Private sector organizations as the Sec-*  
16 *retary of Defense determines appropriate.*

17       “(c) *ACTIVITIES.*—*Activities funded with grants under*  
18 *this section may include the following:*

19              “(1) *Training and other support for instructors*  
20 *to teach courses in covered subjects to students.*

21              “(2) *The acquisition of materials, hardware, and*  
22 *software necessary for the instruction of covered sub-*  
23 *jects.*

24              “(3) *Activities that improve the quality of edu-*  
25 *cational materials, training opportunities, and cur-*

1        *ricula available to students and instructors in covered*  
2        *subjects.*

3            “(4) *Development of travel opportunities, dem-*  
4        *onstrations, mentoring programs, and informal edu-*  
5        *cation in covered subjects for students and instructors.*

6            “(5) *Students’ pursuit of certifications in covered*  
7        *subjects.*

8            “(d) *PREFERENCE.—In making any grants under this*  
9        *section, the Secretary shall give preference to eligible enti-*  
10       *ties that are eligible for assistance under part A of title*  
11       *I of the Elementary and Secondary Education Act of 1965*  
12       *(20 U.S.C. 6311 et seq.).*

13           “(e) *EVALUATIONS.—In carrying out a program under*  
14       *this section, the Secretary shall establish outcome-based*  
15       *metrics and internal and external assessments to evaluate*  
16       *the merits and benefits of the activities funded with grants*  
17       *under this section with respect to the needs of the Depart-*  
18       *ment of Defense.*

19           “(f) *AUTHORITIES.—In carrying out a program under*  
20       *this section, the Secretary shall, to the extent practicable,*  
21       *make use of the authorities under chapter 111 and sections*  
22       *2601 and 2605 of this title, and other authorities the Sec-*  
23       *retary determines appropriate.*

24           “(g) *DEFINITIONS.—In this section:*



1           “(1) *The term ‘eligible entity’ means a local edu-*  
2           *cation agency that hosts a unit of the Junior Reserve*  
3           *Officers’ Training Corps.*

4           “(2) *The term ‘covered subjects’ means—*

5                   “(A) *science;*

6                   “(B) *technology;*

7                   “(C) *engineering;*

8                   “(D) *mathematics;*

9                   “(E) *computer science;*

10                  “(F) *computational thinking;*

11                  “(G) *artificial intelligence;*

12                  “(H) *machine learning;*

13                  “(I) *data science;*

14                  “(J) *cybersecurity;*

15                  “(K) *robotics;*

16                  “(L) *health sciences; and*

17                  “(M) *other subjects determined by the Sec-*  
18                  *retary of Defense to be related to science, tech-*  
19                  *nology, engineering, and mathematics.”.*

20           (2) *CLERICAL AMENDMENT.—The table of sec-*  
21           *tions at the beginning of chapter 102 of such title is*  
22           *amended by adding at the end the following new item:*

                  “2036. *Grants to support science, technology, engineering, and mathematics edu-*  
                  *cation.”.*

23           (b) *REPORT.—*

1           (1) *IN GENERAL.*—Not later than two years after  
2           the date of the enactment of this Act, the Secretary of  
3           Defense shall submit to the congressional defense com-  
4           mittees a report on any activities carried out under  
5           section 2036 of title 10, United States Code (as added  
6           by subsection (a)).

7           (2) *CONGRESSIONAL DEFENSE COMMITTEES DE-*  
8           *FINED.*—In this subsection, the term “congressional  
9           defense committees” has the meaning given that term  
10          in section 101(a)(16) of title 10, United States Code.

11 **SEC. 512. MODIFICATION OF EDUCATION LOAN REPAYMENT**  
12                                   **PROGRAM FOR MEMBERS OF SELECTED RE-**  
13                                   **SERVE.**

14          (a) *MODIFICATION OF MAXIMUM REPAYMENT*  
15 *AMOUNT.*—Section 16301(b) of title 10, United States Code,  
16 is amended by striking “15 percent or \$500” and inserting  
17 “20 percent or \$1,000”.

18          (b) *EFFECTIVE DATE AND APPLICABILITY.*—The  
19 amendment made by subsection (a) shall take effect on the  
20 date of the enactment of this Act and shall apply with re-  
21 spect to loan repayment under section 16301 of title 10,  
22 United States Code, for eligible years of service completed  
23 on or after the date of the enactment of this Act.

1 **SEC. 513. REQUIREMENT OF CONSENT OF THE CHIEF EXEC-**  
2 **UTIVE OFFICER FOR CERTAIN FULL-TIME NA-**  
3 **TIONAL GUARD DUTY PERFORMED IN A**  
4 **STATE, TERRITORY, OR THE DISTRICT OF CO-**  
5 **LUMBIA.**

6 *Section 502(f)(2)(A) of title 32, United States Code,*  
7 *is amended by inserting “and performed inside the United*  
8 *States with the consent of the chief executive officer of the*  
9 *State (as that term is defined in section 901 of this title)”*  
10 *after “Defense”.*

11 **SEC. 514. CONSTRUCTIVE CREDIT FOR CERTAIN MEMBERS**  
12 **OF THE RESERVE COMPONENTS WHO CAN-**  
13 **NOT COMPLETE MINIMUM ANNUAL TRAINING**  
14 **REQUIREMENTS AS A RESULT OF THE COVID-**  
15 **19 PANDEMIC.**

16 *(a) AUTHORITY.—Under regulations prescribed by the*  
17 *Secretary of Defense, the Secretary, in computing retired*  
18 *pay pursuant to section 12733 of title 10, United States*  
19 *Code, may approve constructive credit, in addition to*  
20 *points earned under section 12732(a)(2) of such title, for*  
21 *a member of the reserve components of the Armed Forces*  
22 *who cannot complete minimum annual training require-*  
23 *ments due to cancellation or other extenuating circumstance*  
24 *arising from the covered national emergency.*

25 *(b) REPORTING.—*

1           (1) *REPORT REQUIRED.*—Not later than one  
2           year after the date on which the covered national  
3           emergency ends, the Secretary of Defense shall submit  
4           to the congressional defense committees a report on  
5           the use of the authority under subsection (a).

6           (2) *ELEMENTS.*—The report under this sub-  
7           section shall include, with respect to each reserve com-  
8           ponent, the following:

9                   (A) *The number of individuals granted con-*  
10                  *structive credit as a result of a training cancella-*  
11                  *tion.*

12                  (B) *The number of individuals granted con-*  
13                  *structive credit as a result of another extenuating*  
14                  *circumstance.*

15                  (C) *Recommendations of the Secretary*  
16                  *whether the authority under subsection (a)*  
17                  *should be made permanent and under what cir-*  
18                  *cumstances such permanent authority should*  
19                  *apply.*

20           (3) *PUBLICATION.*—Not later than 30 days after  
21           submitting the report under paragraph (1), the Sec-  
22           retary shall—

23                   (A) *publish the report on a publicly acces-*  
24                  *sible website of the Department of Defense; and*

1           (B) ensure that any data in the report is  
2           made available in a machine-readable format  
3           that is downloadable, searchable, and sortable.

4           (c) *COVERED NATIONAL EMERGENCY DEFINED.*—In  
5           this section, the term “covered national emergency” means  
6           the national emergency declared on March 13, 2020, by the  
7           President under the National Emergencies Act (50 U.S.C.  
8           1601 et seq.) with respect to COVID–19.

9           **SEC. 515. GUIDANCE FOR USE OF UNMANNED AIRCRAFT**  
10           **SYSTEMS BY THE NATIONAL GUARD.**

11           (a) *NEW GUIDANCE.*—Not later than 90 days after the  
12           date of the enactment of this Act, the Secretary of Defense  
13           shall issue new guidance that provides for the expedited re-  
14           view of requests for the use of unmanned aircraft systems  
15           by the National Guard for covered activities within the  
16           United States.

17           (b) *COVERED ACTIVITIES DEFINED.*—In this section,  
18           “covered activities” means the following:

19                   (1) *Emergency operations.*

20                   (2) *Search and rescue operations.*

21                   (3) *Defense support to civil authorities.*

22                   (4) *Support under section 502(f) of title 32,*  
23           *United States Code.*

1 **SEC. 516. DIRECT EMPLOYMENT PILOT PROGRAM FOR CER-**  
2 **TAIN MEMBERS OF THE RESERVE COMPO-**  
3 **NENTS.**

4 (a) *IN GENERAL.*—*The Secretary of Defense may*  
5 *carry out a pilot program to enhance the efforts of the De-*  
6 *partment of Defense to provide job placement assistance and*  
7 *related employment services directly to members of the Na-*  
8 *tional Guard and Reserves in reserve active-status.*

9 (b) *ADMINISTRATION.*—*Any such pilot program shall*  
10 *be offered to, and administered by, the adjutants general*  
11 *appointed under section 314 of title 32, United States Code,*  
12 *or other officials in the States concerned designated by the*  
13 *Secretary for purposes of the pilot program.*

14 (c) *COST-SHARING REQUIREMENT.*—*As a condition on*  
15 *the provision of funds under this section to a State to sup-*  
16 *port the operation of the pilot program in that State, the*  
17 *State must agree to contribute an amount, derived from*  
18 *non-Federal sources, equal to at least 50 percent of the funds*  
19 *provided by the Secretary to the State under this section.*

20 (d) *DEVELOPMENT.*—*In developing any such pilot pro-*  
21 *gram, the Secretary shall—*

22 (1) *incorporate elements of State direct employ-*  
23 *ment programs for members of the reserve compo-*  
24 *nents; and*

25 (2) *use resources provided to members of the*  
26 *Armed Forces with civilian training opportunities*

1       *through the SkillBridge transition training program*  
2       *administered by the Department of Defense.*

3       *(e) DIRECT EMPLOYMENT PROGRAM MODEL.—Any*  
4       *such pilot program shall use a job placement program*  
5       *model that focuses on working one-on-one with eligible*  
6       *members to cost-effectively provide job placement services,*  
7       *including—*

8               *(1) identifying unemployed and underemployed*  
9       *individuals;*

10              *(2) job matching services;*

11              *(3) resume editing;*

12              *(4) interview preparation; and*

13              *(5) post-employment follow up.*

14       *(f) EVALUATION.—The Secretary shall develop outcome*  
15       *metrics to evaluate the success of any such pilot program.*

16       *(g) REPORTING.—*

17              *(1) REPORT REQUIRED.—If the Secretary carries*  
18       *out the pilot Program, the Secretary of Defense shall*  
19       *submit to the congressional defense committees a re-*  
20       *port describing the results of the pilot program not*  
21       *later than March 1, 2022. The Secretary shall prepare*  
22       *the report in coordination with the Chief of the Na-*  
23       *tional Guard Bureau.*

24              *(2) ELEMENTS.—A report under paragraph (1)*  
25       *shall include the following:*

1           (A) *A description and assessment of the ef-*  
2 *fectiveness and achievements of the pilot pro-*  
3 *gram, including the number of members of the*  
4 *reserve components of the Armed Forces hired*  
5 *and the cost-per-placement of participating*  
6 *members.*

7           (B) *An assessment of the effects of the pilot*  
8 *program and increased reserve component em-*  
9 *ployment on the readiness of members of the re-*  
10 *serve components and on the retention of mem-*  
11 *bers.*

12           (C) *A comparison of the pilot program to*  
13 *other programs conducted by the Department of*  
14 *Defense to provide unemployment or under-*  
15 *employment support to members of the reserve*  
16 *components of the Armed Forces, including the*  
17 *best practices developed through and used in*  
18 *such programs.*

19           (D) *Any other matters the Secretary of De-*  
20 *fense determines appropriate.*

21       (h) *DURATION; EXTENSION.—*

22           (1) *Subject to paragraph (2), the authority to*  
23 *carry out the pilot program expires on September 30,*  
24 *2024.*



1           (2) *The Secretary may elect to extend the pilot*  
2           *program for not more than two additional fiscal*  
3           *years.*

4 **SEC. 517. TEMPORARY LIMITATION ON AUTHORITY TO**  
5           **TRANSFER, RELOCATE, OR DISSOLVE ELE-**  
6           **MENTS OF THE RESERVE COMPONENTS OF**  
7           **THE AIR FORCE.**

8           (a) *LIMITATION.—The Secretary of the Air Force may*  
9           *not transfer or relocate any personnel or asset, or dissolve*  
10          *any unit, of the Air National Guard or Air Force Reserve*  
11          *until the latter of the following occurs:*

12           (1) *The day that is 180 days after the date on*  
13          *which the Secretary of the Air Force submits the re-*  
14          *port under subsection (b).*

15           (2) *The Chief of Space Operations certifies in*  
16          *writing to the Secretary of the Air Force that plans*  
17          *of the Secretary to establish the reserve components of*  
18          *the Space Force shall not diminish space capability*  
19          *of the Department of the Air Force.*

20          (b) *REPORT REQUIRED.—Not later than January 31,*  
21          *2021, the Secretary of the Air Force shall submit to the*  
22          *Committees on Armed Services of the Senate and House of*  
23          *Representatives a report regarding the plan of the Secretary*  
24          *to establish the reserve components of the Space Force. The*  
25          *report shall identify the following:*

1           (1) *The assumptions and factors used to develop*  
2 *the plan.*

3           (2) *The members of the team that issued rec-*  
4 *ommendations regarding the organization of such re-*  
5 *serve components.*

6           (3) *The recommendations of the Secretary re-*  
7 *garding the mission, organization, and unit retention*  
8 *of such reserve components.*

9           (4) *The final organizational and integration rec-*  
10 *ommendations regarding such reserve components.*

11          (5) *The proposed staffing and operational orga-*  
12 *nization for such reserve components.*

13          (6) *The estimated date of implementation of the*  
14 *plan.*

15          (7) *Any savings or costs arising from the preser-*  
16 *vation of existing space-related force structures in the*  
17 *Air National Guard.*

18 **SEC. 518. PILOT PROGRAMS IN CONNECTION WITH SROTC**  
19 **UNITS AND CSPI PROGRAMS AT HISTORI-**  
20 **CALLY BLACK COLLEGES AND UNIVERSITIES**  
21 **AND MINORITY INSTITUTIONS.**

22          (a) *PILOT PROGRAMS REQUIRED.*—*The Secretary of*  
23 *Defense may carry out two pilot programs as follows:*

24           (1) *A pilot program, with elements as provided*  
25 *for in subsection (c), at covered institutions in order*

1        *to assess the feasibility and advisability of mecha-*  
2        *nisms to reduce barriers to participation in the Sen-*  
3        *ior Reserve Officers' Training Corps at such institu-*  
4        *tions by creating partnerships between satellite or ex-*  
5        *ension Senior Reserve Officers' Training Corps units*  
6        *at such institutions and military installations.*

7                *(2) In consultation with the Secretary of Home-*  
8        *land Security, a pilot program, with elements as pro-*  
9        *vided for in subsection (d), in order to assess the fea-*  
10        *sibility and advisability of the provision of financial*  
11        *assistance to members of the Senior Reserve Officers'*  
12        *Training Corps, and members of the Coast Guard*  
13        *College Student Pre-Commissioning Initiative, at cov-*  
14        *ered institutions for participation in flight training.*

15        *(b) DURATION.—The duration of each pilot program*  
16        *under subsection (a) may not exceed five years.*

17        *(c) PILOT PROGRAM ON PARTNERSHIPS BETWEEN*  
18        *SATELLITE OR EXTENSION SROTC UNITS AND MILITARY*  
19        *INSTALLATIONS.—*

20                *(1) PARTICIPATING INSTITUTIONS.—The Sec-*  
21        *retary of Defense shall carry out the pilot program re-*  
22        *quired by subsection (a)(1) at not fewer than five cov-*  
23        *ered institutions selected by the Secretary for purposes*  
24        *of the pilot program.*

1           (2) *REQUIREMENTS FOR SELECTION.*—*Each cov-*  
2 *ered institution selected by the Secretary for purposes*  
3 *of the pilot program under subsection (a)(1) shall—*

4           (A) *currently maintain a satellite or exten-*  
5 *sion Senior Reserve Officers’ Training Corps*  
6 *unit under chapter 103 of title 10, United States*  
7 *Code, that is located more than 20 miles from*  
8 *the host unit of such unit; or*

9           (B) *establish and maintain a satellite or ex-*  
10 *tension Senior Reserve Officers’ Training Corps*  
11 *unit that meets the requirements in subpara-*  
12 *graph (A).*

13           (3) *PREFERENCE IN SELECTION OF INSTITU-*  
14 *TIONS.*—*In selecting covered institutions under this*  
15 *subsection for participation in the pilot program*  
16 *under subsection (a)(1), the Secretary shall give pref-*  
17 *erence to covered institutions that are located within*  
18 *20 miles of a military installation of the same Armed*  
19 *Force as the host unit of the Senior Reserve Officers’*  
20 *Training Corps of the covered institution concerned.*

21           (4) *PARTNERSHIP ACTIVITIES.*—*The activities*  
22 *conducted under the pilot program under subsection*  
23 *(a)(1) between a satellite or extension Senior Reserve*  
24 *Officers’ Training Corps unit and the military instal-*  
25 *lation concerned shall include such activities designed*

1        *to reduce barriers to participation in the Senior Re-*  
2        *serve Officers' Training Corps at the covered institu-*  
3        *tion concerned as the Secretary considers appropriate,*  
4        *including measures to mitigate travel time and ex-*  
5        *penses in connection with receipt of Senior Reserve*  
6        *Officers' Training Corps instruction.*

7        *(d) PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR*  
8        *SROTC AND CSPI MEMBERS FOR FLIGHT TRAINING.—*

9                *(1) ELIGIBILITY FOR PARTICIPATION BY SROTC*  
10              *AND CSPI MEMBERS.—A member of a Senior Reserve*  
11              *Officers' Training Corps unit, or a member of a Coast*  
12              *Guard College Student Pre-Commissioning Initiative*  
13              *program, at a covered institution may participate in*  
14              *the pilot program under subsection (a)(2) if the mem-*  
15              *ber meets such academic requirements at the covered*  
16              *institution, and such other requirements, as the Sec-*  
17              *retary shall establish for purposes of the pilot pro-*  
18              *gram.*

19              *(2) PREFERENCE IN SELECTION OF PARTICI-*  
20              *PANTS.—In selecting members under this subsection*  
21              *for participation in the pilot program under sub-*  
22              *section (a)(2), the Secretary shall give a preference to*  
23              *members who will pursue flight training under the*  
24              *pilot program at a covered institution.*

1           (3) *FINANCIAL ASSISTANCE FOR FLIGHT TRAIN-*  
2           *ING.—*

3                   (A) *IN GENERAL.—The Secretary may pro-*  
4                   *vide any member of a Senior Reserve Officers’*  
5                   *Training Corps unit or a College Student Pre-*  
6                   *Commissioning Initiative program who partici-*  
7                   *pates in the pilot program under subsection*  
8                   *(a)(2) financial assistance to defray, whether in*  
9                   *whole or in part, the charges and fees imposed*  
10                   *on the member for flight training.*

11                   (B) *FLIGHT TRAINING.—Financial assist-*  
12                   *ance may be used under subparagraph (A) for a*  
13                   *course of flight training only if the course meets*  
14                   *Federal Aviation Administration standards and*  
15                   *is approved by the Federal Aviation Administra-*  
16                   *tion and the applicable State approving agency.*

17                   (C) *USE.—Financial assistance received by*  
18                   *a member under subparagraph (A) may be used*  
19                   *only to defray the charges and fees imposed on*  
20                   *the member as described in that subparagraph.*

21                   (D) *CESSATION OF ELIGIBILITY.—Financial*  
22                   *assistance may not be provided to a member*  
23                   *under subparagraph (A) as follows:*

1           (i) *If the member ceases to meet the*  
2           *academic and other requirements established*  
3           *pursuant to paragraph (1).*

4           (ii) *If the member ceases to be a mem-*  
5           *ber of the Senior Reserve Officers' Training*  
6           *Corps or the College Student Pre-Commis-*  
7           *sioning Initiative, as applicable.*

8           (e) *EVALUATION METRICS.—The Secretary of Defense*  
9           *shall establish metrics to evaluate the effectiveness of the*  
10          *pilot programs under subsection (a).*

11          (f) *REPORTS.—*

12               (1) *INITIAL REPORT.—Not later than 180 days*  
13               *after the commencement of the pilot programs under*  
14               *subsection (a), the Secretary of Defense shall submit*  
15               *to the Committees on Armed Services of the Senate*  
16               *and the House of Representatives a report on the pilot*  
17               *programs. The report shall include the following:*

18                       (A) *A description of each pilot program, in-*  
19                       *cluding in the case of the pilot program under*  
20                       *subsection (a)(2) the requirements established*  
21                       *pursuant to subsection (d)(1).*

22                       (B) *The evaluation metrics established*  
23                       *under subsection (e).*

24                       (C) *Such other matters relating to the pilot*  
25                       *programs as the Secretary considers appropriate.*

1           (2) *ANNUAL REPORT.*—Not later than 90 days  
2 after the end of each fiscal year in which the Sec-  
3 retary carries out the pilot programs, the Secretary  
4 shall submit to the Committees on Armed Services of  
5 the Senate and the House of Representatives a report  
6 on the pilot programs during such fiscal year. Each  
7 report shall include, for the fiscal year covered by  
8 such report, the following:

9           (A) In the case of the pilot program re-  
10 quired by subsection (a)(1), a description of the  
11 partnerships between satellite or extension Sen-  
12 ior Reserve Officers' Training Corps units and  
13 military installations under the pilot program.

14           (B) In the case of the pilot program re-  
15 quired by subsection (a)(2), the following:

16           (i) The number of members of Senior  
17 Reserve Officers' Training Corps units, and  
18 the number of members of Coast Guard Col-  
19 lege Student Pre-Commissioning Initiative  
20 programs, at covered institutions selected  
21 for purposes of the pilot program, including  
22 the number of such members participating  
23 in the pilot program.



1           (ii) *The number of recipients of finan-*  
2           *cial assistance provided under the pilot pro-*  
3           *gram, including the number who—*

4                   (I) *completed a ground school*  
5                   *course of instruction in connection*  
6                   *with obtaining a private pilot's certifi-*  
7                   *cate;*

8                   (II) *completed flight training, and*  
9                   *the type of training, certificate, or both*  
10                   *received;*

11                   (III) *were selected for a pilot*  
12                   *training slot in the Armed Forces;*

13                   (IV) *initiated pilot training in*  
14                   *the Armed Forces; or*

15                   (V) *successfully completed pilot*  
16                   *training in the Armed Forces.*

17           (iii) *The amount of financial assist-*  
18           *ance provided under the pilot program, bro-*  
19           *ken out by covered institution, course of*  
20           *study, and such other measures as the Sec-*  
21           *retary considers appropriate.*

22           (C) *Data collected in accordance with the*  
23           *evaluation metrics established under subsection*  
24           *(e).*

1           (3) *FINAL REPORT.*—Not later than 180 days  
2           prior to the completion of the pilot programs, the Sec-  
3           retary shall submit to the Committees on Armed Serv-  
4           ices of the Senate and the House of Representatives a  
5           report on the pilot programs. The report shall include  
6           the following:

7                   (A) *A description of the pilot programs.*

8                   (B) *An assessment of the effectiveness of*  
9                   *each pilot program.*

10                  (C) *A description of the cost of each pilot*  
11                  *program, and an estimate of the cost of making*  
12                  *each pilot program permanent.*

13                  (D) *An estimate of the cost of expanding*  
14                  *each pilot program throughout all eligible Senior*  
15                  *Reserve Officers' Training Corps units and Col-*  
16                  *lege Student Pre-Commissioning Initiative pro-*  
17                  *grams.*

18                  (E) *Such recommendations for legislative or*  
19                  *administrative action as the Secretary considers*  
20                  *appropriate in light of the pilot programs, in-*  
21                  *cluding recommendations for extending or mak-*  
22                  *ing permanent the authority for each pilot pro-*  
23                  *gram.*

24           (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.*

1 ***Subtitle C—General Service Au-***  
2 ***thorities and Correction of Mili-***  
3 ***tary Records***

4 **SEC. 521. TEMPORARY AUTHORITY TO ORDER RETIRED**  
5 **MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND,**  
6 **LOW-DENSITY ASSIGNMENTS DURING WAR OR**  
7 **NATIONAL EMERGENCY.**

8 *Section 688a of title 10, United States Code, is amend-*  
9 *ed—*

10 *(1) by redesignating subsection (g) as subsection*  
11 *(h); and*

12 *(2) by inserting after subsection (f) the following*  
13 *new subsection:*

14 *“(g) EXCEPTION DURING PERIOD OF WAR OR NA-*  
15 *TIONAL EMERGENCY.—The limitations in subsections (e)*  
16 *and (f) shall not apply during time of war declared by Con-*  
17 *gress or of national emergency declared by the President.”.*

18 **SEC. 522. REENLISTMENT WAIVERS FOR PERSONS SEPA-**  
19 **RATED FROM THE ARMED FORCES WHO COM-**  
20 **MIT ONE MISDEMEANOR CANNABIS OFFENSE.**

21 *(a) IN GENERAL.—Not later than 90 days after the*  
22 *date of the enactment of this Act, the Secretary of Defense*  
23 *shall prescribe regulations that permit any Secretary of a*  
24 *military department to grant a reenlistment waiver to a*

1 covered person if the Secretary determines that the reenlist-  
2 ment of that covered person is vital to the national interest.

3 (b) *DEFINITIONS.*—*In this section:*

4 (1) The term “covered person” means an indi-  
5 vidual—

6 (A) who has been separated, discharged, dis-  
7 missed, or released from the Armed Forces; and

8 (B) who has admitted to or been convicted  
9 by a court of competent jurisdiction of a single  
10 violation—

11 (i) of any law of a State or the United  
12 States relating to the use or possession of  
13 cannabis;

14 (ii) that constitutes a misdemeanor;  
15 and

16 (iii) that occurred while that indi-  
17 vidual was not performing active service.

18 (2) The terms “active service” and “military de-  
19 partment” have the meanings given such terms in sec-  
20 tion 101 of title 10, United States Code.

21 **SEC. 523. REVIEW OF SEAMAN TO ADMIRAL-21 PROGRAM;**

22 **CREDIT TOWARDS RETIREMENT.**

23 (a) *REVIEW.*—*The Secretary of the Navy shall review*  
24 *personnel records of all participants in the Seaman to Ad-*  
25 *miral-21 program during fiscal years 2010 through 2014*

1 to determine whether each participant acknowledged, before  
2 entering a baccalaureate degree program, that service dur-  
3 ing the baccalaureate degree program would not be included  
4 when computing years of service for retirement.

5 (b) *CREDIT*.—For each participant described in sub-  
6 section (a) for whom the Secretary cannot find evidence of  
7 an acknowledgment described in that subsection, the Sec-  
8 retary shall include service during the baccalaureate degree  
9 program when computing—

10 (1) years of service; and

11 (2) retired or retainer pay.

12 (c) *REPORT REQUIRED*.—The Secretary shall submit  
13 a report to the Committees on Armed Services of the Senate  
14 and House of Representatives regarding the results of the  
15 review under subsection (a) and the number of participants  
16 credited with service under subsection (b).

17 (d) *DEADLINE*.—The Secretary of the Navy shall carry  
18 out this section not later than 180 days after the date of  
19 the enactment of this Act.

20 ***Subtitle D—Military Justice and***  
21 ***Other Legal Matters***

22 ***SEC. 531. PUNITIVE ARTICLE ON VIOLENT EXTREMISM.***

23 (a) *VIOLENT EXTREMISM*.—

24 (1) *IN GENERAL*.—Subchapter X of chapter 47 of  
25 title 10, United States Code, is amended by inserting

1       *after section 916 (article 116 of the Uniform Code of*  
2       *Military Justice) the following new section (article):*

3       **“§916a. Art. 116a. Violent extremism**

4       “(a) *PROHIBITION.—Any person subject to this chap-*  
5       *ter who—*

6               “(1) *knowingly commits a covered offense*  
7       *against—*

8                       “(A) *the Government of the United States;*  
9       *or*

10                      “(B) *any person or class of people;*

11               “(2)(A) *with the intent to intimidate or coerce*  
12       *any person or class of people; or*

13                      “(B) *with the intent to influence, affect, or re-*  
14       *taliate against the policy or conduct of the Govern-*  
15       *ment of the United States or any State; and*

16               “(3) *does so—*

17                      “(A) *to achieve political, ideological, reli-*  
18       *gious, social, or economic goals; or*

19                      “(B) *in the case of an act against a person*  
20       *or class of people, for reasons relating to the*  
21       *race, religion, color, ethnicity, sex, age, disability*  
22       *status, national origin, sexual orientation, or*  
23       *gender identity of the person or class of people*  
24       *concerned;*

1 *is guilty of violent extremism and shall be punished as a*  
2 *court-martial may direct.*

3 “(b) *ATTEMPTS, SOLICITATION, AND CONSPIRACY.—*  
4 *Any person who attempts, solicits, or conspires to commit*  
5 *an offense under this section shall be punished in the same*  
6 *manner as a person who completes the offense.*

7 “(c) *DEFINITIONS.—In this section:*

8 “(1) *COVERED OFFENSE.—The term ‘covered of-*  
9 *fense’ means—*

10 “(A) *loss, damage, destruction, or wrongful*  
11 *disposition of military property of the United*  
12 *States, in violation of section 908 of this title*  
13 *(article 108);*

14 “(B) *waste, spoilage, or destruction of prop-*  
15 *erty other than military property of the United*  
16 *States, in violation of section 909 of this title*  
17 *(article 109);*

18 “(C) *communicating threats, in violation of*  
19 *section 915 of this title (article 115);*

20 “(D) *riot or breach of peace, in violation of*  
21 *section 916 of this title (article 116);*

22 “(E) *provoking speech or gestures, in viola-*  
23 *tion of section 917 of this title (article 117);*

24 “(F) *murder, in violation of section 918 of*  
25 *this title (article 118);*



1           “(G) manslaughter, in violation of section  
2           919 of this title (article 119);

3           “(H) larceny or wrongful appropriation, in  
4           violation of section 921 of this title (article 121);

5           “(I) robbery, in violation of section 922 of  
6           this title (article 122);

7           “(J) kidnapping, in violation of section 925  
8           of this title (article 125);

9           “(K) assault, in violation of section 928 of  
10          this title (article 128);

11          “(L) conspiracy to commit an offense speci-  
12          fied in any of subparagraphs (A) through (K), as  
13          punishable under section 881 of this title (article  
14          81);

15          “(M) solicitation to commit an offense spec-  
16          ified in any of subparagraphs (A) through (K),  
17          as punishable under section 882 of this title (ar-  
18          ticle 82); or

19          “(N) an attempt to commit an offense speci-  
20          fied in any of subparagraphs (A) through (K), as  
21          punishable under section 880 of this title (article  
22          80).

23          “(2) STATE.—The term ‘State’ includes any  
24          State of the United States, the District of Columbia,

1        *the Commonwealth of Puerto Rico, and any other*  
2        *possession or territory of the United States.”.*

3            (2) *CLERICAL AMENDMENT.—The table of sec-*  
4        *tions at the beginning of such subchapter is amended*  
5        *by inserting after the item relating to section 916 (ar-*  
6        *ticle 116) the following new item:*

*“916a. 116a. Violent extremism.”.*

7            (b) *EFFECTIVE DATE.—The amendments made by sub-*  
8        *section (a) shall take effect on the date of the enactment*  
9        *of this Act and shall apply to offenses committed on or after*  
10       *such date.*

11    **SEC. 532. PRESERVATION OF COURT-MARTIAL RECORDS.**

12        *Section 940a of title 10, United States Code (article*  
13        *140a of the Uniform Code of Military Justice), is amended*  
14        *by adding at the end the following new subsection:*

15            *“(d) PRESERVATION OF COURT-MARTIAL RECORDS*  
16        *WITHOUT REGARD TO OUTCOME.—The standards and cri-*  
17        *teria prescribed by the Secretary of Defense under sub-*  
18        *section (a) shall provide for the preservation of general and*  
19        *special court-martial records, without regard to the outcome*  
20        *of the proceeding concerned, for not fewer than 15 years.”.*

21    **SEC. 533. ELECTRONIC NOTARIZATION FOR MEMBERS OF**  
22            **THE ARMED FORCES.**

23        *Section 1044a of title 10, United States Code, is*  
24        *amended by adding at the end the following new subsection:*

1       “(e)(1) A person named in subsection (b) may exercise  
2 the powers described in subsection (a) through electronic  
3 means, including under circumstances where the individual  
4 with respect to whom such person is performing the notarial  
5 act is not physically present in the same location as such  
6 person.

7       “(2) A determination of the authenticity of a notarial  
8 act authorized in this section shall be made without regard  
9 to whether the notarial act was performed through elec-  
10 tronic means.

11       “(3) A log or journal of a notarial act authorized in  
12 this section shall be considered for evidentiary purposes  
13 without regard to whether the log or journal is in electronic  
14 form.”.

15 **SEC. 534. CLARIFICATIONS REGARDING SCOPE OF EMPLOY-**  
16 **MENT AND REEMPLOYMENT RIGHTS OF MEM-**  
17 **BERS OF THE UNIFORMED SERVICES.**

18       (a) **CLARIFICATION REGARDING DEFINITION OF**  
19 **RIGHTS AND BENEFITS.**—Section 4303(2) of title 38,  
20 *United States Code*, is amended—

21               (1) by inserting “(A)” before “The term”; and

22               (2) by adding at the end the following new sub-  
23 paragraph:

24               “(B) Any procedural protections or provisions  
25 set forth in this chapter shall also be considered a

1       *right or benefit subject to the protection of this chap-*  
2       *ter.”.*

3       **(b) CLARIFICATION REGARDING RELATION TO OTHER**  
4       **LAW AND PLANS FOR AGREEMENTS.**—*Section 4302 of such*  
5       *title is amended by adding at the end the following:*

6       “(c)(1) *Pursuant to this section and the procedural*  
7       *rights afforded by subchapter III of this chapter, any agree-*  
8       *ment to arbitrate a claim under this chapter is unenforce-*  
9       *able, unless all parties consent to arbitration after a com-*  
10       *plaint on the specific claim has been filed in court or with*  
11       *the Merit Systems Protection Board and all parties know-*  
12       *ingly and voluntarily consent to have that particular claim*  
13       *subjected to arbitration.*

14       “(2) *For purposes of this subsection, consent shall not*  
15       *be considered voluntary when a person is required to agree*  
16       *to arbitrate an action, complaint, or claim alleging a viola-*  
17       *tion of this chapter as a condition of future or continued*  
18       *employment, advancement in employment, or receipt of any*  
19       *right or benefit of employment.”.*

20       **SEC. 535. ABSENTEE BALLOT TRACKING PROGRAM.**

21       **(a) ESTABLISHMENT AND OPERATION OF PROGRAM.**—  
22       *Section 102(h) of the Uniformed and Overseas Citizens Ab-*  
23       *sentee Voting Act (52 U.S.C. 20302(h)) is amended to read*  
24       *as follows:*

25       **“(h) ABSENTEE BALLOT TRACKING PROGRAM.**—

1           “(1) *REQUIRING ESTABLISHMENT AND OPER-*  
2           *ATION OF PROGRAM.—The chief State election official,*  
3           *in coordination with local election jurisdictions, shall*  
4           *establish and operate an absentee ballot tracking pro-*  
5           *gram described in paragraph (2) for the use of absent*  
6           *uniformed services voters and overseas voters.*

7           “(2) *PROGRAM DESCRIBED.—*

8           “(A) *INFORMATION ON TRANSMISSION AND*  
9           *RECEIPT OF ABSENTEE BALLOTS.—An absentee*  
10          *ballot tracking program described in this para-*  
11          *graph is a program under which—*

12               “(i) *the State or local election official*  
13               *responsible for the transmission of absentee*  
14               *ballots in an election for Federal office oper-*  
15               *ates procedures to track and confirm the*  
16               *transmission of such ballots and to make*  
17               *information on the transmission of such a*  
18               *ballot available by means of online access*  
19               *using the Internet site of the official’s office;*  
20               *and*

21               “(ii) *the State or local election official*  
22               *responsible for the receipt of absentee ballots*  
23               *in an election for Federal office operates*  
24               *procedures to track and confirm the receipt*  
25               *of such ballots and (subject to subparagraph*

1           *(B) to make information on the receipt of*  
2           *such a ballot available by means of online*  
3           *access using the Internet site of the official's*  
4           *office.*

5           “(B) *SPECIFIC INFORMATION ON RECEIPT*  
6           *OF VOTED ABSENTEE BALLOTS.—The informa-*  
7           *tion required to be made available under clause*  
8           *(ii) of subparagraph (A) with respect to the re-*  
9           *ceipt of a voted absentee ballot in an election for*  
10           *Federal office shall include information regard-*  
11           *ing whether the vote cast on the ballot was count-*  
12           *ed, and, in the case of a vote which was not*  
13           *counted, the reasons therefor. The appropriate*  
14           *State or local election official shall make the in-*  
15           *formation described in the previous sentence*  
16           *available during the 30-day period that begins*  
17           *on the date on which the results of the election*  
18           *are certified, or during such earlier 30-day pe-*  
19           *riod as the official may provide.*

20           “(3) *USE OF TOLL-FREE TELEPHONE NUMBER*  
21           *BY OFFICIALS WITHOUT INTERNET SITE.—A program*  
22           *established and operated by a State or local election*  
23           *official whose office does not have an Internet site*  
24           *may meet the requirements of paragraph (2) if the of-*  
25           *ficial has established and operates a toll-free telephone*

1       *number that may be used to obtain the information*  
2       *on the transmission or receipt of the absentee ballot*  
3       *which is required under such paragraph.”.*

4       **(b) EFFECTIVE DATE.**—*The amendment made by sub-*  
5       *section (a) shall apply with respect to an election held dur-*  
6       *ing 2022 or any succeeding year.*

7       **SEC. 536. TRACKING MECHANISM AND REPORTING RE-**  
8                   **QUIREMENTS FOR SUPREMACIST, EXTREM-**  
9                   **IST, AND CRIMINAL GANG ACTIVITY IN THE**  
10                  **ARMED FORCES.**

11       **(a) PROCESS REQUIRED.**—*The Secretary of Defense*  
12       *shall develop and implement a process to track investiga-*  
13       *tions, criminal and administrative actions, and final deter-*  
14       *minations with respect to conduct of members of the covered*  
15       *Armed Forces that is prohibited under Department of De-*  
16       *fense Instruction 1325.06, titled “Handling Dissident and*  
17       *Protest Activities Among Members of the Armed Forces”,*  
18       *or any successor instruction.*

19       **(b) ELEMENTS.**—*The process under subsection (a)*  
20       *shall include the following:*

21               **(1) A mechanism that military criminal inves-**  
22               *tigative organizations may use—*

23                       **(A) to track criminal investigations into the**  
24                       *prohibited conduct described in subsection (a),*  
25                       *including a mechanism to track those investiga-*

1            *tions that are forwarded to commanders for ad-*  
2            *ministrative action;*

3            *(B) to provide relevant information from*  
4            *criminal investigations and administrative ac-*  
5            *tions to civilian law enforcement agencies; and*

6            *(C) to track final administrative actions*  
7            *taken with respect to investigations that are re-*  
8            *ferred to commanders.*

9            *(2) A mechanism commanders may use to pro-*  
10          *vide information to military criminal investigative*  
11          *organizations on any serious conduct under consider-*  
12          *ation for administrative action or any final adminis-*  
13          *trative actions taken with respect to the prohibited*  
14          *conduct described in subsection (a).*

15          *(3) A standardized database, shared among the*  
16          *covered Armed Forces, to ensure that the tracking re-*  
17          *quired under subsection (a) is carried out in the same*  
18          *manner across such Armed Forces.*

19          *(c) REPORT.—Not later than December 1 of each year*  
20          *beginning after the date of the enactment of this Act, the*  
21          *Secretary of Defense shall submit to the appropriate con-*  
22          *gressional committees a report on the process implemented*  
23          *under subsection (a). Each report shall include—*



1           (1) *the number of investigations, criminal and*  
2 *administrative actions, and final determinations*  
3 *tracked over the preceding year; and*

4           (2) *of the actions enumerated under paragraph*  
5 *(1), the number of instances in which information on*  
6 *the conduct of a member of the covered Armed Forces*  
7 *was referred to civilian law enforcement agencies as*  
8 *a result of the investigation or action.*

9           (d) *DEFINITIONS.—In this section:*

10           (1) *The term “appropriate congressional com-*  
11 *mittees” means—*

12                   (A) *the Committee on the Judiciary and the*  
13 *Committee on Armed Services of the Senate; and*

14                   (B) *the Committee on the Judiciary and the*  
15 *Committee on Armed Services of the House of*  
16 *Representatives.*

17           (2) *The term “covered Armed Forces” means the*  
18 *Army, the Navy, the Air Force, and the Marine*  
19 *Corps.*

20 **SEC. 537. MILITARY-CIVILIAN TASK FORCE ON DOMESTIC**  
21 **VIOLENCE AND RELATED INFORMATION COL-**  
22 **LECTION ACTIVITIES.**

23           (a) *MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VI-*  
24 *OLLENCE.—*

1           (1) *ESTABLISHMENT.*—*The Secretary of Defense*  
2           *shall establish a military-civilian task force on do-*  
3           *mestic violence (in this section, referred to as the*  
4           *“Task Force”).*

5           (2) *DUTIES.*—*The duties of the Task Force shall*  
6           *be to analyze and develop recommendations, for im-*  
7           *plementation by the Secretary, with respect to each of*  
8           *the following:*

9                   (A) *The risk of domestic violence at various*  
10                  *stages of military service, including identifica-*  
11                  *tion of—*

12                           (i) *stages at which there is a higher*  
13                           *than average risk of domestic violence; and*

14                           (ii) *stages at which the implementation*  
15                           *of domestic violence prevention strategies*  
16                           *may have the greatest preventive effect.*

17                   (B) *The use and dissemination of domestic*  
18                   *violence prevention resources throughout the*  
19                   *stages of military service including providing*  
20                   *new service members with training in domestic*  
21                   *violence prevention.*

22                   (C) *How to best target prevention resources*  
23                   *to address those with a higher risk of domestic*  
24                   *violence.*

1           (D) *The implementation of strategies to pre-*  
2           *vent domestic violence by training, educating,*  
3           *and assigning prevention-related responsibilities*  
4           *to—*

5                     (i) *commanders;*

6                     (ii) *medical, behavioral, and mental*  
7           *health service providers;*

8                     (iii) *family advocacy representatives;*

9                     (iv) *Military Family Life Consultants;*

10           *and*

11                    (v) *other individuals and entities with*  
12           *responsibilities that may be relevant to ad-*  
13           *dresssing domestic violence.*

14           (E) *The efficacy of providing survivors of*  
15           *domestic violence with the option to request expe-*  
16           *ditied transfers, and the effects of such transfers.*

17           (F) *Improvements to procedures for report-*  
18           *ing appropriate legal actions to the National*  
19           *Crime Information Center and the efficacy of*  
20           *such procedures.*

21           (G) *The effects of domestic violence on—*

22                     (i) *housing for military families;*

23                     (ii) *the education of military depend-*  
24           *ent children;*

1                   (iii) *servicemember work assignments*  
2                   *and careers; and*

3                   (iv) *the health of servicemembers and*  
4                   *their families, including short-term and*  
5                   *long-term health effects and effects on men-*  
6                   *tal health.*

7                   (H) *Age-appropriate training and edu-*  
8                   *cation programs for students attending schools*  
9                   *operated by the Department of Defense Edu-*  
10                   *cation Activity that are designed to assist such*  
11                   *students in learning positive relationship behav-*  
12                   *iors in families and with intimate partners.*

13                   (I) *The potential effects of requiring mili-*  
14                   *tary protective orders to be issued by a military*  
15                   *judge and whether such a requirement would in-*  
16                   *crease the enforcement of military protective or-*  
17                   *ders by civilian law enforcement agencies outside*  
18                   *the boundaries of military installations.*

19                   (J) *Whether prevention of domestic violence*  
20                   *would be enhanced by raising the disposition au-*  
21                   *thority for offenses of domestic violence to an of-*  
22                   *ficer who is—*

23                               (i) *in the grade of 0–6 or above;*

24                               (ii) *in the chain of command of the ac-*  
25                   *cused; and*

1                   (iii) authorized by chapter 47 of title  
2                   10, United States Code (the Uniform Code  
3                   of Military Justice) to convene special  
4                   courts martial.

5                   (K) Consideration of any other matters that  
6                   the Task Force determines to be relevant to—

7                   (i) decreasing the frequency of domestic  
8                   violence committed by or upon members of  
9                   the covered Armed Forces and their depend-  
10                  ents; and

11                  (ii) reducing the severity of such vio-  
12                  lence.

13                  (3) MEMBERSHIP.—The Task Force shall be  
14                  composed of the following members:

15                  (A) One or more representatives of family  
16                  advocacy programs of the Department of Defense.

17                  (B) One or more representatives of the De-  
18                  fense Advisory Committee on Women in the  
19                  Services.

20                  (C) One or more medical personnel of the  
21                  Department of Defense.

22                  (D) One or more Judge Advocates General.

23                  (E) One or more military police or other  
24                  law enforcement personnel of the covered Armed  
25                  Forces.

1           (F) *One or more military commanders.*

2           (G) *One or more individuals whose duties*  
3 *include planning, executing, and evaluating*  
4 *training of the covered Armed Forces.*

5           (H) *Civilians who are experts on domestic*  
6 *violence or who provide services relating to do-*  
7 *mestic violence, including—*

8               (i) *not fewer than two representatives*  
9 *from the national domestic violence resource*  
10 *center and the special issue resource centers*  
11 *referred to in section 310 of the Family Vio-*  
12 *lence Prevention and Services Act (42*  
13 *U.S.C. 10410);*

14               (ii) *not fewer than two representatives*  
15 *from national domestic violence organiza-*  
16 *tions;*

17               (iii) *not fewer than two representatives*  
18 *from State domestic violence and sexual as-*  
19 *sault coalitions; and*

20               (iv) *not fewer than two domestic vio-*  
21 *lence service providers who provide services*  
22 *in communities located near military in-*  
23 *stallations.*

24           (I) *One or more representatives who are*  
25 *subject matter experts on—*

1                   (i) scientific and other research relat-  
2                   ing to domestic violence; and

3                   (ii) science-based strategies for the pre-  
4                   vention, intervention, and response to do-  
5                   mestic violence.

6                   (J) Civilian law enforcement personnel.

7                   (K) One or more representatives from the  
8                   Office on Violence Against Women of the Depart-  
9                   ment of Justice.

10                  (L) One or more representatives of the Fam-  
11                  ily Violence Prevention and Services Program of  
12                  the Department of Health and Human Services.

13                  (M) One or more representatives from the  
14                  Centers for Disease Control and Prevention.

15                  (4) APPOINTMENT BY SECRETARY OF DE-  
16                  FENSE.—

17                  (A) IN GENERAL.—The Secretary of Defense  
18                  shall appoint the members of the Task Force  
19                  specified in subparagraphs (A) through (M) of  
20                  paragraph (3).

21                  (B) CONSULTATION.—

22                  (i) CONSULTATION WITH ATTORNEY  
23                  GENERAL.—In appointing members under  
24                  subparagraph (K) of paragraph 3, the Sec-

1            *retary of Defense shall consult with the At-*  
2            *torney General.*

3            *(ii) CONSULTATION WITH SECRETARY*  
4            *OF HHS.—In appointing members under*  
5            *subparagraphs (L) and (M) of such para-*  
6            *graph, the Secretary shall consult with the*  
7            *Secretary of Health and Human Services*

8            *(C) INCLUSION OF CERTAIN PERSONNEL.—*  
9            *The Secretary shall ensure that the members ap-*  
10           *pointed by the Secretary under this subpara-*  
11           *graph include—*

12           *(i) representatives of the Office of the*  
13           *Secretary of Defense;*

14           *(ii) general and flag officers;*

15           *(iii) noncommissioned officers; and*

16           *(iv) other enlisted personnel of the cov-*  
17           *ered Armed Forces.*

18           *(5) TOTAL NUMBER OF MEMBERS.—The total*  
19           *number of members appointed to the Task Force shall*  
20           *be not more than 25.*

21           *(6) CHAIRPERSON.—*

22           *(A) NOMINEE LIST.—On an annual basis,*  
23           *the Task Force shall submit to the Secretary a*  
24           *list of members of the Task Force who may be*



1           *considered for the position of chairperson of the*  
2           *Task Force.*

3           (B) *SELECTION.*—*From the list submitted*  
4           *to the Secretary under subparagraph (A) for*  
5           *each year, the Secretary of Defense shall des-*  
6           *ignate one member of the Task Force to serve as*  
7           *the chairperson of the Task Force.*

8           (C) *TERM.*—*The chairperson designated by*  
9           *the Secretary under subparagraph (B) shall serve*  
10          *for a term of one year and may serve for addi-*  
11          *tional terms of one year if redesignated as the*  
12          *chairperson by the Secretary under such sub-*  
13          *paragraph.*

14          (7) *MEETINGS.*—*The first meeting of the Task*  
15          *Force shall convene not later than 180 days after the*  
16          *date of the enactment of this Act. Thereafter, the task*  
17          *Force shall meet in plenary session not less frequently*  
18          *than once annually.*

19          (8) *COMPENSATION AND TRAVEL EXPENSES.*—  
20          *Each member of the Task Force shall serve without*  
21          *compensation (other than the compensation to which*  
22          *such member may be entitled as a member of the cov-*  
23          *ered Armed Forces or an officer or employee of the*  
24          *United States, as the case may be), but shall be al-*  
25          *lowed travel expenses, including per diem in lieu of*

1        *subsistence, at rates authorized for employees of agen-*  
2        *cies under subchapter I of chapter 57 of title 5,*  
3        *United States Code, while away from the member's*  
4        *home or regular places of business in the performance*  
5        *of services for the Task Force.*

6            (9) *SITE VISITS.—In the carrying out the duties*  
7        *described in paragraph (2), members of the Task*  
8        *Force shall—*

9            (A) *on an annual basis, visit one or more*  
10        *military installations outside the United States;*  
11        *and*

12            (B) *on a semiannual basis, visit one or*  
13        *more military installations within the United*  
14        *States.*

15            (10) *OVERSIGHT AND ADMINISTRATION.—The*  
16        *Secretary of Defense shall designate an appropriate*  
17        *organization within the Office of the Secretary of De-*  
18        *fense to—*

19            (A) *provide oversight of the Task Force;*

20            (B) *provide the Task Force with the per-*  
21        *sonnel, facilities, and other administrative sup-*  
22        *port that is necessary for the performance of the*  
23        *Task Force's duties; and*

24            (C) *on a rotating basis, direct the Secretary*  
25        *of each military department to—*

1                   (i) *coordinate visits of the Task Force*  
2                   *to military installations; and*

3                   (ii) *provide administrative, logistical,*  
4                   *and other support for the meetings of the*  
5                   *Task Force.*

6                   (11) *REPORTS.—*

7                   (A) *REPORTS TO SECRETARY.—*

8                   (i) *INITIAL REPORT.—Not later than*  
9                   *one year after the date on which the mem-*  
10                   *bers of the Task Force are appointed under*  
11                   *paragraph (3), the Task Force shall submit*  
12                   *to the Secretary of Defense recommenda-*  
13                   *tions with respect to each matter described*  
14                   *in paragraph (2).*

15                   (ii) *SUBSEQUENT REPORTS.—After*  
16                   *submitting the initial report under sub-*  
17                   *paragraph (A), the Task Force shall, from*  
18                   *time to time, submit to the Secretary of De-*  
19                   *fense such analyses and recommendations as*  
20                   *the Task Force considers appropriate to im-*  
21                   *prove the effectiveness of the covered Armed*  
22                   *Forces in responding to and preventing do-*  
23                   *mestic violence.*

24                   (B) *REPORTS TO CONGRESS.—On an an-*  
25                   *nual basis until the date on which the Task*

1           *Force terminates under paragraph (12), the Task*  
2           *Force shall submit to Congress a report that in-*  
3           *cludes—*

4                     *(i) a description of any improvements*  
5                     *in the response of the covered Armed Forces*  
6                     *to domestic violence over the preceding year;*

7                     *(ii) an explanation of any pending re-*  
8                     *search on domestic violence that may be rel-*  
9                     *evant to domestic violence involving mem-*  
10                    *bers of the covered Armed Forces; and*

11                    *(iii) such analyses and recommenda-*  
12                    *tions as the Task Force considers appro-*  
13                    *priate to improve the effectiveness of the*  
14                    *covered Armed Forces in responding to and*  
15                    *preventing domestic violence*

16           (12) *TERMINATION.—*

17                    (A) *IN GENERAL.—Except as provided in*  
18                    *subparagraph (B), the Task Force shall termi-*  
19                    *nate on the date that is five years after the date*  
20                    *of the first meeting of the Task Force.*

21                    (B) *CONTINUATION.—*

22                    (i) *IN GENERAL.—Subject to clause*  
23                    *(ii), the Secretary of Defense may continue*  
24                    *the Task Force for a period of up to two*  
25                    *years after the termination date applicable*

1           under subparagraph (A) if the Secretary de-  
2           termines that continuation of the Task  
3           Force is advisable and appropriate.

4           (ii) NOTICE TO CONGRESS.—If the Sec-  
5           retary determines to continue the Task  
6           Force under clause (i), not later than 90  
7           days before the termination date applicable  
8           under subparagraph (A) and annually  
9           thereafter until the new date of the termi-  
10          nation of the Task Force, the Secretary shall  
11          submit to the Committees on Armed Serv-  
12          ices of the Senate and the House of Rep-  
13          resentatives a notice describing the reasons  
14          for the continuation and confirming the  
15          new termination date.

16          (13) IMPLEMENTATION OF RECOMMENDATIONS.—

17          (A) IN GENERAL.—Except as provided in  
18          subparagraph (B), not later than 180 days after  
19          the date on which the Secretary of Defense re-  
20          ceives the initial report of the Task Force under  
21          paragraph (11)(A)(i), the Secretary shall, in  
22          consultation with the Task Force, implement the  
23          recommendations of the Task Force with respect  
24          to each matter described in paragraph (2).

1           (B) *WAIVER.*—*The Secretary of Defense*  
2           *may waive the requirement under subparagraph*  
3           *(A) with respect to a recommendation of the*  
4           *Task force by submitting to the Committees on*  
5           *Armed Services of the Senate and the House of*  
6           *Representatives a written notification setting*  
7           *forth the reasons for the Secretary’s decision not*  
8           *to implement the recommendation.*

9           (b) *INFORMATION COLLECTION AND REPORTING.*—

10           (1) *INFORMATION COLLECTION.*—

11           (A) *REGULAR INFORMATION COLLECTION.*—  
12           *Using the mechanism developed under subpara-*  
13           *graph (B), the Secretary of Defense shall regu-*  
14           *larly collect information to measure the preva-*  
15           *lence of domestic violence involving members of*  
16           *the covered Armed Forces, their intimate part-*  
17           *ners, and immediate family members.*

18           (B) *MECHANISM TO MEASURE DOMESTIC VI-*  
19           *OLENCE.*—*The Secretary of Defense, in coordina-*  
20           *tion with the Centers for Disease Control and ci-*  
21           *vilian organizations with expertise in conducting*  
22           *informational surveys, shall develop a mecha-*  
23           *nism to carry out the information collection re-*  
24           *quired under subparagraph (A).*

25           (2) *ANNUAL REPORT ON DOMESTIC VIOLENCE.*—

1           (A) *REPORT REQUIRED.*—*On an annual*  
2 *basis, the Secretary of Defense shall submit to the*  
3 *congressional defense committees a report on do-*  
4 *mestic violence in the covered Armed Forces.*

5           (B) *ELEMENTS.*—*The report required under*  
6 *subparagraph (A) shall include, with respect to*  
7 *the year covered by the report, the following:*

8           (i) *Based on the information collected*  
9 *under paragraph (1), an assessment of the*  
10 *prevalence of domestic violence involving*  
11 *members of the covered Armed Forces, their*  
12 *intimate partners, and immediate family*  
13 *members.*

14           (ii) *The number of convictions under*  
15 *section 928b of title 10, United States Code*  
16 *(article 128b of the Uniform Code of Mili-*  
17 *tary Justice).*

18           (iii) *The recidivism rate for members*  
19 *of the covered Armed Forces convicted of do-*  
20 *mestic violence offenses.*

21           (iv) *The number instances in which a*  
22 *member of the covered Armed Forces re-*  
23 *ceived an administrative discharge as a re-*  
24 *sult of the member's involvement in a do-*  
25 *mestic violence incident.*

1                   (v) *The number of instances in which*  
2                   *a member of the covered Armed Forces was*  
3                   *prohibited from possessing firearms as a re-*  
4                   *sult of the member’s conviction for a domes-*  
5                   *tic violence offense.*

6                   (vi) *Of the incidents described in*  
7                   *clause (v), the number of instances in which*  
8                   *the member received a waiver of such prohi-*  
9                   *bition or was otherwise allowed to access*  
10                  *firearms for duty purposes.*

11                  (vii) *An explanation of the status of*  
12                  *data sharing between the Department of De-*  
13                  *fense and civilian law enforcement agencies*  
14                  *on matters relating to domestic violence.*

15                  (c) *COVERED ARMED FORCES DEFINED.—In this sec-*  
16                  *tion, the term “covered Armed Forces” means the Army,*  
17                  *the Navy, the Air Force, and the Marine Corps.*

18                  **SEC. 538. ACTIONS TO ADDRESS MILITARY-CONNECTED**  
19                  **CHILD ABUSE.**

20                  (a) *IN GENERAL.—Consistent with the recommenda-*  
21                  *tions of the Government Accountability Office in the report*  
22                  *titled “Increased Guidance and Collaboration Needed to*  
23                  *Improve DOD’s Tracking and Response to Child Abuse”*  
24                  *(GAO–20–110), the Secretary of Defense shall carry out ac-*  
25                  *tivities to improve the ability of the Department of Defense*



1 *to effectively prevent, track, and respond to military-con-*  
2 *nected child abuse.*

3 *(b) ACTIVITIES REQUIRED.—The activities carried out*  
4 *under subsection (a) shall include the following:*

5 *(1) The Secretary of Defense shall expand the*  
6 *scope of the Department of Defense’s centralized data-*  
7 *base on problematic sexual behavior in children and*  
8 *youth to track information on all incidents involving*  
9 *child abuse reported to a Family Advocacy Program*  
10 *or investigated by a military law enforcement organi-*  
11 *zation, regardless of whether the perpetrator of the*  
12 *abuse is another child, an adult, or a person in a*  
13 *noncaregiving role at the time of the incident.*

14 *(2) The Secretary of Defense, in consultation*  
15 *with the Secretary of each military department, shall*  
16 *ensure—*

17 *(A) that each Family Advocacy Program*  
18 *records, in a database of the Program, the date*  
19 *on which the Program notified a military law*  
20 *enforcement organization of a reported incident*  
21 *of child abuse; and*

22 *(B) that each military law enforcement or-*  
23 *ganization records, in a database of the organi-*  
24 *zation, the date on which the organization noti-*

1           *fied a Family Advocacy Program of a reported*  
2           *incident of child abuse.*

3           (3) *The Secretary of Defense, in consultation*  
4           *with the Secretary of each military department, shall*  
5           *issue guidance that clarifies the process through which*  
6           *the Family Advocacy Program of a covered Armed*  
7           *Force will receive, and incorporate into the Program's*  
8           *central registry, information regarding child abuse*  
9           *allegations involving members of that a covered*  
10          *Armed Force and dependents of such members in*  
11          *cases in which such allegations were previously re-*  
12          *corded by the Family Advocacy Program of another*  
13          *covered Armed Force. Such guidance shall include a*  
14          *mechanism for monitoring the process to ensure that*  
15          *the process is carried out consistently.*

16          (4) *Each covered Armed Force shall develop a*  
17          *process to monitor how reported incidents of child*  
18          *abuse are screened at military installations to help*  
19          *ensure that all reported child abuse incidents that*  
20          *should be presented to an Incident Determination*  
21          *Committee are consistently presented and tracked.*

22          (5) *The Secretary of Defense shall ensure that the*  
23          *Under Secretary of Defense for Personnel and Readiness,*  
24          *in consultation with the Director of the Department*  
25          *of Defense Education Activity, clarifies Department*

1 *ment of Defense Education Activity guidance to de-*  
2 *fine what types of child abuse incidents must be re-*  
3 *ported as serious incidents to help ensure that all se-*  
4 *rious incidents of which Department of Defense Edu-*  
5 *cation Activity leadership needs to be informed are*  
6 *accurately and consistently reported by school admin-*  
7 *istrators.*

8 (6) *The Secretary of Defense, in consultation*  
9 *with the Secretaries of the military departments,*  
10 *shall—*

11 (A) *expand the voting membership of each*  
12 *Incident Determination Committee to include*  
13 *medical personnel with requisite knowledge and*  
14 *experience; and*

15 (B) *ensure, to the extent practicable, that*  
16 *voting membership of a Committee includes med-*  
17 *ical personnel with expertise in pediatric medi-*  
18 *cine in cases in which a reported incident of*  
19 *child abuse is under review by the Committee.*

20 (7) *Each covered Armed Force shall implement*  
21 *procedures to provide the families of child abuse vic-*  
22 *tims with comprehensive information on how reported*  
23 *incidents of child abuse will be addressed. Such prac-*  
24 *tices may include the development of a guide that—*

1           (A) explains the processes the Family Advo-  
2           cacy Program and military law enforcement or-  
3           ganizations will follow to address the report; and

4           (B) identifies services and other resources  
5           available to victims and their families.

6           (8) The Secretary of Defense, in consultation  
7           with the Secretaries of the military departments, shall  
8           issue guidance to clarify the circumstances under  
9           which military commanders may exercise the author-  
10          ity to remove a child from a potentially unsafe home  
11          on a military installation outside the United States.

12          (9) The Secretary of Defense shall ensure that the  
13          Under Secretary of Defense for Personnel and Readi-  
14          ness, in consultation with the Director of the Defense  
15          Health Agency, establishes processes that help ensure  
16          children who are sexually abused outside the United  
17          States have timely access to a certified pediatric sex-  
18          ual assault forensic examiner to conduct an examina-  
19          tion. Such processes may include certifying pediatri-  
20          cians, or adult sexual assault forensic examiners who  
21          have pediatric sexual assault nurse examiner training  
22          in a multidisciplinary team setting, as pediatric ex-  
23          aminers during mandatory training or establishing  
24          shared regional assets.

1           (10) *The Secretary of Defense, in consultation*  
2           *with the Deputy Attorney General, shall establish pro-*  
3           *cedures for military criminal investigative organiza-*  
4           *tions to communicate with United States Attorneys,*  
5           *State Attorneys General, and local prosecutors for rel-*  
6           *evant cases involving child victims, including estab-*  
7           *lishing protocols that—*

8                   (A) *ensure that military investigators are*  
9                   *notified when a prosecution is declined;*

10                   (B) *provide notice to victims of the status*  
11                   *of prosecutions and, as applicable, the reasons*  
12                   *for the declination to prosecute;*

13                   (C) *arrange for specialized victim services*  
14                   *outside of the Department of Defense to be pro-*  
15                   *vided to juvenile victims to the extent possible;*

16                   (D) *facilitate legal assistance or other civil*  
17                   *legal aid services to juvenile victims; and*

18                   (E) *ensure that juveniles accused of crimes*  
19                   *are, to the extent possible, provided defense coun-*  
20                   *sel who are trained in representing juveniles.*

21           (11) *The Secretary of each military department*  
22           *shall seek to develop a memorandum of understanding*  
23           *with the National Children's Alliance that makes chil-*  
24           *dren's advocacy center services and protocols available*  
25           *to all military installations of the department and in-*

1        *creases awareness of those services across the depart-*  
2        *ment.*

3        *(c) DEADLINE.—The Secretary of Defense shall carry*  
4        *out the activities described in subsection (b) not later than*  
5        *one year after the date of the enactment of this Act.*

6        *(d) DEFINITIONS.—In this section:*

7            *(1) The term “child abuse” means any abuse of*  
8            *a child (including physical abuse, sexual abuse, emo-*  
9            *tional abuse, and neglect) regardless of whether the*  
10           *perpetrator of the abuse is another child, an adult, or*  
11           *a person in a noncaregiving role.*

12           *(2) The term “covered Armed Forces” means the*  
13           *Army, Navy, Air Force, Marine Corps, and Space*  
14           *Force.*

15           *(3) The term “Incident Determination Com-*  
16           *mittee” means a committee established at a military*  
17           *installation that is responsible for reviewing reported*  
18           *incidents of child abuse and determining whether such*  
19           *incidents constitute child abuse according to the ap-*  
20           *plicable criteria of the Department of Defense.*

21           *(4) The term “military-connected”, when used*  
22           *with respect to child abuse, means child abuse occur-*  
23           *ring on a military installation or involving a de-*  
24           *pendent of a member of the covered Armed Forces.*

1 **SEC. 539. MULTIDISCIPLINARY BOARD TO EVALUATE SUI-**  
2 **CIDE EVENTS.**

3 (a) *GUIDANCE REQUIRED.*—*The Secretary of Defense*  
4 *shall issue guidance that requires each suicide event involv-*  
5 *ing of a member of a covered Armed Force to be reviewed*  
6 *by a multidisciplinary board established at the command*  
7 *or installation level. Such guidance shall require that, for*  
8 *each suicide event reviewed by such a board, the board*  
9 *will—*

10 (1) *clearly define the objective, purpose, and out-*  
11 *come of the review;*

12 (2) *take a multidisciplinary approach to the re-*  
13 *view and include, as part of the review process, lead-*  
14 *ers of military units, medical and mental health pro-*  
15 *fessionals, and representatives of military criminal*  
16 *investigative organizations;*

17 (3) *obtain the data necessary to make a com-*  
18 *prehensive Department of Defense suicide event report*  
19 *submission; and*

20 (4) *take appropriate steps to protect and share*  
21 *information obtained from ongoing investigations*  
22 *into the event (such as medical and law enforcement*  
23 *reports).*

24 (b) *IMPLEMENTATION BY COVERED ARMED FORCES.*—  
25 *Not later than 90 days after the date on which the guidance*

1 *is issued under subsection (a), the chiefs of the covered*  
2 *Armed Forces shall implement the guidance.*

3 (c) *PROGRESS REPORT.*—*Not later than 180 days*  
4 *after the date of the enactment of this Act, the Secretary*  
5 *of Defense shall submit to the congressional defense commit-*  
6 *tees a report on the progress of the Secretary in imple-*  
7 *menting the guidance required under subsection (a).*

8 (d) *COVERED ARMED FORCES DEFINED.*—*In this sec-*  
9 *tion, the term “covered Armed Forces” means the Army,*  
10 *Navy, Air Force, Marine Corps, and Space Force.*

## 11 ***Subtitle E—Sexual Assault***

### 12 ***SEC. 541. PROTECTION OF ATTORNEY-CLIENT PRIVILEGE*** 13 ***BETWEEN VICTIMS AND SPECIAL VICTIMS’*** 14 ***COUNSEL.***

15 (a) *SPECIAL VICTIMS’ COUNSEL.*—*Subsection (c) of*  
16 *section 1044e of title 10, United States Code, is amended*  
17 *to read as follows:*

18 “(c) *NATURE OF RELATIONSHIP.*—

19 “(1) *ATTORNEY-CLIENT RELATIONSHIP.*—*The re-*  
20 *lationship between a Special Victims’ Counsel and a*  
21 *victim in the provision of legal advice and assistance*  
22 *shall be the relationship between an attorney and cli-*  
23 *ent.*

24 “(2) *TESTIMONY IN LEGAL PROCEEDINGS.*—*Dur-*  
25 *ing any criminal legal proceeding in which a Special*



1 *Victims' Counsel is asked to testify or give evidence,*  
2 *the Special Victims' Counsel shall be given the same*  
3 *consideration as counsel for the Government and*  
4 *counsel for the accused.”.*

5 *(b) REVISION TO MILITARY RULES OF EVIDENCE.—*  
6 *Not later than 180 days after the date of the enactment of*  
7 *this Act, Rule 502 of the Military Rules of Evidence shall*  
8 *be modified to provide that the privilege between a Special*  
9 *Victims' Counsel and a client shall be the same as lawyer-*  
10 *client privilege.*

11 **SEC. 542. AUTHORITY OF MILITARY JUDGES AND MILITARY**  
12 **MAGISTRATES TO ISSUE MILITARY COURT**  
13 **PROTECTIVE ORDERS.**

14 *(a) JUDGE-ISSUED MILITARY COURT PROTECTIVE OR-*  
15 *DETERS.—Chapter 80 of title 10, United States Code, is*  
16 *amended by adding at the end the following new section*  
17 **“§ 1567b. Authority of military judges and military**  
18 **magistrates to issue military court protec-**  
19 **tive orders**

20 *“(a) AUTHORITY TO ISSUE MILITARY COURT PROTEC-*  
21 *TIVE ORDERS.—The President shall prescribe regulations*  
22 *authorizing military judges and military magistrates to*  
23 *issue protective orders in accordance with this section. A*  
24 *protective order issued in accordance with this section shall*  
25 *be known as a ‘military court protective order’. Under the*

1 *regulations prescribed by the President, military judges and*  
2 *military magistrates shall have exclusive jurisdiction over*  
3 *the issuance, appeal, renewal, and termination of military*  
4 *court protective orders and such orders may not be issued,*  
5 *appealed, renewed, or terminated by State, local, territorial,*  
6 *or tribal courts.*

7       “(b) *ENFORCEMENT BY CIVILIAN AUTHORITIES.*—

8               “(1) *IN GENERAL.*—*In prescribing regulations*  
9 *for military court protective orders, the President*  
10 *shall seek to ensure that the protective orders are*  
11 *issued in a form and manner that is enforceable by*  
12 *State, local, territorial, and tribal civilian law en-*  
13 *forcement authorities.*

14               “(2) *FULL FAITH AND CREDIT.*—*Any military*  
15 *court protective order, should be accorded full faith*  
16 *and credit by the court of a State, local, territorial,*  
17 *or tribal jurisdiction (the enforcing jurisdiction) and*  
18 *enforced by the court and law enforcement personnel*  
19 *of that jurisdiction as if it were the order of the en-*  
20 *forcing jurisdiction.*

21               “(3) *RECIPROCITY AGREEMENTS.*—*Consistent*  
22 *with paragraphs (1) and (2), the Secretary of Defense*  
23 *shall seek to enter into reciprocity agreements with*  
24 *State, local, territorial, and tribal civilian law en-*  
25 *forcement authorities under which—*

1           “(A) such authorities agree to enforce mili-  
2           tary court protective orders; and

3           “(B) the Secretary agrees to enforce protec-  
4           tive orders issued by such authorities that are  
5           consistent with section 2265(b) of title 18.

6           “(c) *PURPOSE AND FORM OF ISSUANCE.*—A military  
7           court protective order may be issued for the purpose of pro-  
8           tecting a victim of an alleged sex or domestic violence of-  
9           fense, or a family member or associate of the victim, from  
10          a person subject to chapter 47 of this title (the Uniform  
11          Code of Military Justice) who is alleged to have committed  
12          such an offense.

13          “(d) *TIMING AND MANNER OF ISSUANCE.*—A military  
14          court protective order may be issued—

15                 “(1) by a military magistrate, before referral of  
16                 charges and specifications to court-martial for trial,  
17                 at the request of—

18                         “(A) a victim of an alleged sex or domestic  
19                         violence offense; or

20                         “(B) a Special Victims’ Counsel or other  
21                         qualified counsel acting on behalf of the victim;  
22                         or

23                         “(2) by a military judge, after referral of charges  
24                         and specifications to court-martial for trial, at the re-  
25                         quest of qualified counsel, which may include a Spe-

1 *cial Victims' Counsel acting on behalf of the victim*  
2 *or trial counsel acting on behalf of the prosecution.*

3 *“(e) DURATION AND RENEWAL OF PROTECTIVE*  
4 *ORDER.—*

5 *“(1) DURATION.—A military court protective*  
6 *order shall be issued for an initial period of thirty*  
7 *days and may be reissued for one or more additional*  
8 *periods of thirty days in accordance with paragraph*  
9 *(2).*

10 *“(2) EXPIRATION AND RENEWAL.—Before the ex-*  
11 *piration of any 30 day period during which a mili-*  
12 *tary court protective order is in effect, a military*  
13 *judge or military magistrate shall review the order to*  
14 *determine whether the order will terminate at the ex-*  
15 *piration of such period or be reissued for an addi-*  
16 *tional period of 30 days.*

17 *“(3) NOTICE TO PROTECTED PERSONS.—If a*  
18 *military judge or military magistrate determines*  
19 *under paragraph (2) that a military court protective*  
20 *order will terminate, the judge or magistrate con-*  
21 *cerned shall provide to each person protected by the*  
22 *order reasonable, timely, and accurate notification of*  
23 *the termination.*

24 *“(f) REVIEW OF MAGISTRATE-ISSUED ORDERS.—*

1           “(1) *REVIEW*.—A military judge, at the request  
2 of the person subject to a military court protective  
3 order that was issued by a military magistrate, may  
4 review the order to determine if the order was prop-  
5 erly issued by the magistrate.

6           “(2) *STANDARDS OF REVIEW*.—A military judge  
7 who reviews an order under paragraph (1) shall ter-  
8 minate the order if the judge determines that—

9           “(A) the military magistrate’s decision to  
10 issue the order was an abuse of discretion, and  
11 there is not sufficient information presented to  
12 the military judge to justify the order; or

13           “(B) information not presented to the mili-  
14 tary magistrate establishes that the military  
15 court protective order should be terminated.

16           “(g) *DUE PROCESS*.—

17           “(1) *PROTECTION OF DUE PROCESS*.—Except as  
18 provided in paragraph (2), a protective order author-  
19 ized under subsection (a) may be issued only after  
20 reasonable notice and opportunity to be heard, di-  
21 rectly or through counsel, is given to the person  
22 against whom the order is sought sufficient to protect  
23 that person’s right to due process.

24           “(2) *EMERGENCY ORDERS*.—A protective order  
25 on an emergency basis may be issued on an *ex parte*

1       *basis under such rules and limitations as the Presi-*  
2       *dent shall prescribe. In the case of ex parte orders, no-*  
3       *tice and opportunity to be heard must be provided*  
4       *within a reasonable time after the order is issued, suf-*  
5       *ficient to protect the respondent's due process rights.*

6       “(h) *RIGHTS OF VICTIM.—The victim of an alleged sex*  
7       *or domestic violence offense who seeks a military court pro-*  
8       *TECTIVE ORDER has, in addition to any rights provided under*  
9       *section 806b (article 6b), the following rights with respect*  
10      *to any proceeding involving the protective order:*

11             “(1) *The right to reasonable, accurate, and time-*  
12             *ly notice of the proceeding and of any change in the*  
13             *status of the protective order resulting from the pro-*  
14             *ceeding.*

15             “(2) *The right to be reasonably heard at the pro-*  
16             *ceeding.*

17             “(3) *The right to appear in person, with or*  
18             *without counsel, at the proceeding.*

19             “(4) *The right be represented by qualified coun-*  
20             *sel in connection with the proceeding, which may in-*  
21             *clude a Special Victims' Counsel.*

22             “(5) *The reasonable right to confer with a rep-*  
23             *resentative of the command of the accused and counsel*  
24             *representing the government at the proceeding, as ap-*  
25             *plicable.*

1           “(6) *The right to submit a written statement, di-*  
2           *rectly or through counsel, for consideration by the*  
3           *military judge or military magistrate presiding over*  
4           *the proceeding.*

5           “(i) *RESTRICTIONS ON ACCESS TO FIREARMS.—*

6           “(1) *IN GENERAL.—Notwithstanding any other*  
7           *provision of law—*

8           “(A) *a military court protective order*  
9           *issued on an ex parte basis shall restrain a per-*  
10           *son from possessing, receiving, or otherwise ac-*  
11           *cessing a firearm; and*

12           “(B) *a military court protective order*  
13           *issued after the person to be subject to the order*  
14           *has received notice and opportunity to be heard*  
15           *on the order, shall restrain such person from pos-*  
16           *sessing, receiving, or otherwise accessing a fire-*  
17           *arm in accordance with section 922 of title 18.*

18           “(2) *NOTICE TO ATTORNEY GENERAL.—Not later*  
19           *than 72 hours after the issuance of an order described*  
20           *in paragraph (1), the Secretary of Defense shall sub-*  
21           *mit to the Attorney General a record of the order.*

22           “(j) *TREATMENT AS LAWFUL ORDER.—A military*  
23           *court protective order shall be treated as a lawful order for*  
24           *purposes of the application of section 892 (article 92) and*

1 *a violation of such an order shall be punishable under such*  
2 *section (article).*

3 “(k) *COMMAND MATTERS.*—

4 “(1) *INCLUSION IN PERSONNEL FILE.*—*Any mili-*  
5 *tary court protective order against a member shall be*  
6 *placed and retained in the military personnel file of*  
7 *the member.*

8 “(2) *NOTICE TO CIVILIAN LAW ENFORCEMENT OF*  
9 *ISSUANCE.*—*Any military court protective order*  
10 *against a member shall be treated as a military pro-*  
11 *TECTIVE ORDER FOR PURPOSES OF SECTION 1567a including*  
12 *for purposes of mandatory notification of issuance to*  
13 *civilian law enforcement as required by that section.*

14 “(l) *RELATIONSHIP TO OTHER AUTHORITIES.*—*Noth-*  
15 *ing in this section may be construed as prohibiting—*

16 “(1) *a commanding officer from issuing or en-*  
17 *forcing any otherwise lawful order in the nature of a*  
18 *protective order to or against members of the officer’s*  
19 *command;*

20 “(2) *pretrial restraint in accordance with Rule*  
21 *for Courts-Martial 304 (as set forth in the Manual for*  
22 *Courts-Martial, 2019 edition, or any successor rule);*  
23 *or*

24 “(3) *pretrial confinement in accordance with*  
25 *Rule for Courts-Martial 305 (as set forth in the Man-*



1 *ual for Courts-Martial, 2019 edition, or any successor*  
2 *rule)*

3 “(m) *DELIVERY TO CERTAIN PERSONS.—A physical*  
4 *and electronic copy of any military court protective order*  
5 *shall be provided, as soon as practicable after issuance, to*  
6 *the following:*

7 “(1) *The person or persons protected by the pro-*  
8 *TECTIVE ORDER OR TO THE GUARDIAN OF SUCH A PERSON IF*  
9 *such person is under the age of 18 years.*

10 “(2) *The person subject to the protective order.*

11 “(3) *To such commanding officer in the chain of*  
12 *command of the person subject to the protective order*  
13 *as the President shall prescribe for purposes of this*  
14 *section.*

15 “(n) *DEFINITIONS.—In this section:*

16 “(1) *CONTACT.—The term ‘contact’ includes con-*  
17 *tact in person or through a third party, or through*  
18 *gifts,*

19 “(2) *COMMUNICATION.—The term ‘communica-*  
20 *tion’ includes communication in person or through a*  
21 *third party, and by telephone or in writing by letter,*  
22 *data fax, or other electronic means.*

23 “(3) *COVERED SEX OR DOMESTIC VIOLENCE OF-*  
24 *FENSE.—The term ‘covered sex or domestic violence*  
25 *offense’ means—*

1           “(A) an alleged sex-related offense (as de-  
2           fined in section 1044e(h)); or

3           “(B) an alleged offense of domestic violence  
4           under section 928b of this title (article 128b of  
5           the Uniform Code of Military Justice) or an at-  
6           tempt to commit such an offense that is punish-  
7           able under section 880 of this title (article 80 of  
8           the Uniform Code of Military Justice).

9           “(4) *MILITARY JUDGE AND MILITARY MAG-*  
10          *ISTRATE.—The terms ‘military judge’ and ‘military*  
11          *magistrate’ mean a commissioned officer of the armed*  
12          *forces who is a member of the bar of a Federal court*  
13          *or a member of the bar of the highest court of a State*  
14          *and who is certified to be qualified, by reason of edu-*  
15          *cation, training, experience, and judicial tempera-*  
16          *ment, for duty as a military judge or magistrate by*  
17          *the Judge Advocate General of the armed force of*  
18          *which the officer is a member.*

19          “(5) *PROTECTIVE ORDER.—The term ‘protective*  
20          *order’ means an order that—*

21                 “(A) restrains a person from harassing,  
22                 stalking, threatening, or otherwise contacting or  
23                 communicating with a victim of an alleged sex  
24                 or domestic violence offense, or a family member  
25                 or associate of the victim, or engaging in other

1           *conduct that would place such other person in*  
2           *reasonable fear of bodily injury to any such*  
3           *other person;*

4           “(B) by its terms, explicitly prohibits—

5                   “(i) the use, attempted use, or threat-

6                   *ened use of physical force by the person*  
7                   *against a victim of an alleged sex or domes-*  
8                   *tic violence offense, or a family member or*  
9                   *associate of the victim, that would reason-*  
10                  *ably be expected to cause bodily injury;*

11                  “(ii) the initiation by the person re-

12                  *strained of any contact or communication*  
13                  *with such other person; or*

14                  “(iii) actions described by both clauses

15                  *(i) and (ii).*

16           “(6) *SPECIAL VICTIMS’ COUNSEL.*—*The term*  
17           *‘Special Victims Counsel’ means a Special Victims’*  
18           *Counsel described in section 1044e and includes a*  
19           *Victims’ Legal Counsel of the Navy.”.*

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

                  “1567b. *Authority of military judges and military magistrates to issue military*  
                  *court protective orders.”.*

23           (c) *IMPLEMENTATION.*—*The President shall prescribe*  
24           *regulations implementing section 1567b of title 10, United*

1 *States Code, not later than one year after the date of the*  
2 *enactment of this Act.*

3 **SEC. 543. ADDITIONAL BASES FOR PROVISION OF ADVICE**  
4 **BY THE DEFENSE ADVISORY COMMITTEE FOR**  
5 **THE PREVENTION OF SEXUAL MISCONDUCT.**

6 *Section 550B(c)(2) of the National Defense Authoriza-*  
7 *tion Act for Fiscal Year 2020 (Public Law 116–92) is*  
8 *amended—*

9 *(1) by redesignating subparagraph (C) as sub-*  
10 *paragraph (E); and*

11 *(2) by inserting after subparagraph (B) the fol-*  
12 *lowing new subparagraphs:*

13 *“(C) Efforts among private employers to*  
14 *prevent sexual assault and sexual harassment*  
15 *among their employees.*

16 *“(D) Evidence-based studies on the preven-*  
17 *tion of sexual assault and sexual harassment in*  
18 *the Armed Forces, institutions of higher edu-*  
19 *cation, and the private sector.”.*

20 **SEC. 544. MODIFICATION OF REPORTING AND DATA COL-**  
21 **LECTION ON VICTIMS OF SEXUAL OFFENSES.**

22 *Section 547 of the John S. McCain National Defense*  
23 *Authorization Act for Fiscal Year 2019 (Public Law 115–*  
24 *232; 10 U.S.C. 1561 note) is amended—*

25 *(1) in subsection (a)—*

1 (A) in paragraph (1)—

2 (i) by striking “accused of” and insert-  
3 ing “suspected of”; and

4 (ii) by striking “assault” and inserting  
5 “offense”;

6 (B) in paragraph (2), by striking “accused  
7 of” and inserting “suspected of”; and

8 (C) in paragraph (3)—

9 (i) by striking “assaults” and inserting  
10 “offenses”; and

11 (ii) by striking “an accusation” and  
12 inserting “suspicion of”;

13 (2) by redesignating subsection (b) as subsection  
14 (c);

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

17 “(b) *GUIDANCE REQUIRED.*—The Secretary of Defense  
18 shall issue guidance to ensure the uniformity of the data  
19 collected by each Armed Force for purposes of subsection  
20 (a). At a minimum, such guidance shall establish—

21 “(1) standardized methods for the collection of  
22 the data required to be reported under such sub-  
23 section; and

1           “(2) *standardized definitions for the terms ‘sexual offense’, ‘collateral misconduct’, and ‘adverse action’.*”; and

4           (4) *by amending subsection (c), as so redesignated, to read as follows:*

6           “(c) *DEFINITIONS.—In this section:*

7           “(1) *The term ‘covered individual’ means an individual who is identified in the case files of a military criminal investigative organization as a victim of a sexual offense that occurred while that individual was serving on active duty as a member of the Armed Forces.*

13           “(2) *The term ‘suspected of, when used with respect to a covered individual suspected of collateral misconduct or crimes as described in subsection (a), means that an investigation by a military criminal investigative organization reveals facts and circumstances that would lead a reasonable person to believe that the individual committed an offense under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).’.*”

1 **SEC. 545. MODIFICATION OF ANNUAL REPORT REGARDING**  
2 **SEXUAL ASSAULTS INVOLVING MEMBERS OF**  
3 **THE ARMED FORCES.**

4 (a) *SUBMISSION TO CONGRESS.*—Section 1631(d) of  
5 the Ike Skelton National Defense Authorization Act for Fis-  
6 cal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note)  
7 is amended by inserting “and the Committees on Veterans’  
8 Affairs of the Senate and the House of Representatives”  
9 after “House of Representatives”.

10 (b) *APPLICABILITY.*—The amendment made by sub-  
11 section (a) shall take effect on the date of the enactment  
12 of this Act and shall apply to reports required to be sub-  
13 mitted under section 1631 of the Ike Skelton National De-  
14 fense Authorization Act for Fiscal Year 2011 (Public Law  
15 111–383; 10 U.S.C. 1561 note) on or after such date.

16 **SEC. 546. COORDINATION OF SUPPORT FOR SURVIVORS OF**  
17 **SEXUAL TRAUMA.**

18 (a) *IN GENERAL.*—Not later than one year after the  
19 date of the enactment of this Act, the Secretaries of Defense  
20 and Veterans Affairs shall jointly develop, implement, and  
21 maintain a standard of coordinated care for members of  
22 the Armed Forces who are survivors of sexual trauma. Such  
23 standard shall include the following:

24 (b) *MINIMUM ELEMENTS.*—The standard developed  
25 and implemented under subsection (a) by the Secretaries  
26 of Defense and Veterans Affairs shall include the following:

1           (1) *INFORMATION FOR MEMBERS OF THE ARMED*  
2 *FORCES.*—*The Secretary of Defense shall ensure*  
3 *that—*

4           (A) *Sexual Assault Response Coordinators*  
5 *and Uniformed Victim Advocates receive annual*  
6 *training on resources of the Department of Vet-*  
7 *erans Affairs regarding sexual trauma;*

8           (B) *information regarding services fur-*  
9 *nished by the Secretary of Veterans Affairs to*  
10 *survivors of sexual trauma is provided to each*  
11 *such survivor; and*

12           (C) *information described in subparagraph*  
13 *(B) is posted in the following areas in each facil-*  
14 *ity of the Department of Defense:*

15           (i) *An office of the Family Advocacy*  
16 *Program.*

17           (ii) *An office of a mental health care*  
18 *provider.*

19           (iii) *Each area in which sexual assault*  
20 *prevention staff normally post notices or in-*  
21 *formation.*

22           (iv) *High-traffic areas (including din-*  
23 *ing facilities).*

24           (2) *COORDINATION BETWEEN STAFF OF THE DE-*  
25 *PARTMENTS.*—*The Secretaries shall ensure that a*



1 *Sexual Assault Response Coordinator or Uniformed*  
2 *Victim Advocate of the Department of Defense who re-*  
3 *ceives a report of an instance of sexual trauma con-*  
4 *nects the survivor to the Military Sexual Trauma Co-*  
5 *ordinator of the Department of Veterans Affairs at the*  
6 *facility of that Department nearest to the residence of*  
7 *that survivor if that survivor is a member separating*  
8 *or retiring from the Armed Forces.*

9 *(c) REPORTS.—*

10 *(1) REPORT ON RESIDENTIAL TREATMENT.—Not*  
11 *later than 180 days after the date of the enactment*  
12 *of this Act, the Secretaries of Defense and Veterans*  
13 *Affairs shall provide a report to the appropriate com-*  
14 *mittees of Congress regarding the availability of resi-*  
15 *dential treatment programs for survivors of sexual*  
16 *trauma, including—*

17 *(A) barriers to access for such programs;*

18 *and*

19 *(B) resources required to reduce such bar-*  
20 *riers.*

21 *(2) INITIAL REPORT.—Upon implementation of*  
22 *the standard under subsection (a), the Secretaries of*  
23 *Defense and Veterans Affairs shall jointly submit to*  
24 *the appropriate committees of Congress a report on*  
25 *the standard.*

1           (3) *PROGRESS REPORTS.*—Not later than 180  
2           days after submitting the initial report under para-  
3           graph (2), and on December 1 of each subsequent  
4           year, the Secretaries of Defense and Veterans Affairs  
5           shall jointly submit to the appropriate committees of  
6           Congress a report on the progress of the Secretaries in  
7           implementing and improving the standard.

8           (4) *UPDATES.*—Whenever the Secretaries of De-  
9           fense and Veterans Affairs update the standard devel-  
10          oped under subsection (a), the Secretaries shall jointly  
11          submit to the appropriate committees of Congress a  
12          report on such update, including a comprehensive and  
13          detailed description of such update and the reasons  
14          for such update.

15          (d) *DEFINITIONS.*—In this section:

16               (1) The term “sexual trauma” means psycho-  
17               logical trauma described in section 1720D(a)(1) of  
18               title 38, United States Code.

19               (2) The term “appropriate committees of Con-  
20               gress” means—

21                       (A) the Committees on Veterans’ Affairs of  
22                       the House of Representatives and the Senate; and

23                       (B) the Committees on Armed Services of  
24                       the House of Representatives and the Senate.

1 **SEC. 547. POLICY ON SEPARATION OF VICTIM AND AC-**  
2 **CUSED AT MILITARY SERVICE ACADEMIES.**

3 (a) *IN GENERAL.*—*The Secretary of Defense shall, in*  
4 *consultation with the Secretaries of the military depart-*  
5 *ments and the Superintendent of each military service*  
6 *academy, prescribe in regulations a policy under which a*  
7 *cadet or midshipman of a military service academy who*  
8 *is the alleged victim of a sexual assault and a cadet or mid-*  
9 *shipman who is the alleged perpetrator of such assault shall,*  
10 *to the extent practicable, each be given the opportunity to*  
11 *complete their course of study at the academy without—*

12 (1) *taking classes together; or*

13 (2) *otherwise being in close proximity to each*  
14 *other during mandatory activities.*

15 (b) *ELEMENTS.*—*The Secretary of Defense shall ensure*  
16 *that the policy developed under subsection (a)—*

17 (1) *protects the alleged victim as necessary, in-*  
18 *cluding by prohibiting retaliatory harassment;*

19 (2) *allows both the victim and the accused to*  
20 *complete their course of study at the institution with*  
21 *minimal disruption;*

22 (3) *protects the privacy of both the victim and*  
23 *the accused by ensuring that information about the*  
24 *alleged sexual assault and the individuals involved is*  
25 *not revealed to third parties who are not specifically*  
26 *authorized to receive such information in the course*

1       of performing their regular duties, except that such  
2       policy shall not preclude the alleged victim or the al-  
3       leged perpetrator from making such disclosures to  
4       third parties; and

5               (4) minimizes the burden on the alleged victim  
6       when taking steps to separate the alleged victim and  
7       alleged perpetrator.

8       (c) *SPECIAL RULE.*—The policy developed under sub-  
9       section (a) shall not preclude a military service academy  
10      from taking other administrative or disciplinary action  
11      when appropriate.

12      (d) *MILITARY SERVICE ACADEMY DEFINED.*—In this  
13      section, the term “military service academy” means the fol-  
14      lowing:

15               (1) *The United States Military Academy.*

16               (2) *The United States Naval Academy.*

17               (3) *The United States Air Force Academy.*

18      **SEC. 548. SAFE-TO-REPORT POLICY APPLICABLE ACROSS**

19                               **THE ARMED FORCES.**

20      (a) *IN GENERAL.*—The Secretary of Defense shall, in  
21      consultation with the Secretaries of the military depart-  
22      ments, prescribe in regulations a safe-to-report policy de-  
23      scribed in subsection (b) that applies with respect to all  
24      members of the covered Armed Forces (including members

1 of the reserve components of the covered Armed Forces) and  
2 cadets and midshipmen at the military service academies.

3 (b) *SAFE-TO-REPORT POLICY*.—The safe-to-report pol-  
4 icy described in this subsection is a policy that prescribes  
5 the handling of minor collateral misconduct involving a  
6 member of the covered Armed Forces who is the alleged vic-  
7 tim of sexual assault.

8 (c) *AGGRAVATING CIRCUMSTANCES*.—The regulations  
9 under subsection (a) shall specify aggravating cir-  
10 cumstances that increase the gravity of minor collateral  
11 misconduct or its impact on good order and discipline for  
12 purposes of the safe-to-report policy.

13 (d) *TRACKING OF COLLATERAL MISCONDUCT INCI-*  
14 *DENTS*.—In conjunction with the issuance of regulations  
15 under subsection (a), Secretary shall develop and imple-  
16 ment a process to track incidents of minor collateral mis-  
17 conduct that are subject to the safe-to-report policy.

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

19 (1) The term “covered Armed Forces” has the  
20 meaning given the term “armed forces” in section  
21 101(a)(4) of title 10, United States Code, except such  
22 term does not include the Coast Guard.

23 (2) The term “military service academy” means  
24 the following:

25 (A) The United States Military Academy.

1                   (B) *The United States Naval Academy.*

2                   (C) *The United States Air Force Academy.*

3                   (3) *The term “minor collateral misconduct”*  
4 *means any minor misconduct that is potentially pun-*  
5 *ishable under chapter 47 of title 10, United States*  
6 *Code (the Uniform Code of Military Justice), that—*

7                   (A) *is committed close in time to or during*  
8 *the sexual assault, and directly related to the in-*  
9 *cident that formed the basis of the sexual assault*  
10 *allegation;*

11                   (B) *is discovered as a direct result of the re-*  
12 *port of sexual assault or the ensuing investiga-*  
13 *tion into the sexual assault; and*

14                   (C) *does not involve aggravating cir-*  
15 *cumstances (as specified in the regulations pre-*  
16 *scribed under subsection (c)) that increase the*  
17 *gravity of the minor misconduct or its impact on*  
18 *good order and discipline.*

19 **SEC. 549. QUESTION IN WORKPLACE AND GENDER RELA-**  
20 **TIONS SURVEYS REGARDING PROSECUTIONS**  
21 **OF SEXUAL ASSAULT.**

22                   (a) *IN GENERAL.*—*Not later than 90 days after the*  
23 *date of the enactment of this Act, the Secretary of Defense*  
24 *shall include in the covered surveys a question regarding*  
25 *whether a member of an Armed Force under the jurisdiction*

1 *of the Secretary of a military department would be more*  
2 *willing to report a sexual assault if prosecution decisions*  
3 *were made by lawyers and not commanders.*

4 *(b) COVERED SURVEYS DEFINED.—In this section, the*  
5 *term “covered surveys” means the workplace and gender re-*  
6 *lations surveys and focus groups administered by the Office*  
7 *of People Analytics of the Department of Defense, includ-*  
8 *ing—*

9 *(1) the Workplace and Gender Relations Survey*  
10 *of Active Duty Members;*

11 *(2) the Workplace and Gender Relations Survey*  
12 *of Reserve Component Members;*

13 *(3) the Military Service Gender Relations Focus*  
14 *Group; and*

15 *(4) any successor survey or focus group.*

16 **SEC. 549A. PILOT PROGRAM ON PROSECUTION OF SPECIAL**  
17 **VICTIM OFFENSES COMMITTED BY**  
18 **ATTENDEES OF MILITARY SERVICE ACAD-**  
19 **EMIES.**

20 *(a) PILOT PROGRAM.—Beginning not later than Jan-*  
21 *uary 1, 2021, the Secretary of Defense shall carry out a*  
22 *pilot program (referred to in this Act as the “Pilot Pro-*  
23 *gram”)* *under which the Secretary shall establish, in ac-*  
24 *cordance with this section, an independent authority to—*

1           (1) *review each covered special victim offense;*  
2           *and*

3           (2) *determine whether such offense shall be re-*  
4           *ferred to trial by an appropriate court-martial con-*  
5           *vening authority.*

6           (b) *OFFICE OF THE CHIEF PROSECUTOR.—*

7           (1) *ESTABLISHMENT.—As part of the Pilot Pro-*  
8           *gram, the Secretary shall establish, within the Office*  
9           *of the Secretary of Defense, an Office of the Chief*  
10           *Prosecutor.*

11           (2) *HEAD OF OFFICE.—The head of the Office*  
12           *shall be known as the Chief Prosecutor. The Secretary*  
13           *shall appoint as the Chief Prosecutor a commissioned*  
14           *officer in the grade of O-7 or above who—*

15                   (A) *has significant experience prosecuting*  
16                   *sexual assault trials by court-martial; and*

17                   (B) *is outside the chain of command of any*  
18                   *cadet or midshipman described in subsection*  
19                   *(f)(2).*

20           (3) *RESPONSIBILITIES.—The Chief Prosecutor*  
21           *shall exercise the authorities described in subsection*  
22           *(c) but only with respect to covered special victim of-*  
23           *fenses.*

24           (4) *SPECIAL RULE.—Notwithstanding any other*  
25           *provision of law, the military service from which the*



1        *Chief Prosecutor is appointed is authorized an addi-*  
2        *tional billet for a general officer or a flag officer for*  
3        *each year in the two year period beginning with the*  
4        *year in which the appointment is made.*

5                (5) *TERMINATION.*—*The Office of the Chief Pros-*  
6        *ecutor shall terminate on the date on which the Pilot*  
7        *Program terminates under subsection (e).*

8        (c) *REFERRAL TO OFFICE OF THE CHIEF PROS-*  
9        *ECUTOR.*—

10                (1) *INVESTIGATION PHASE.*—

11                        (A) *NOTICE AND INFORMATION.*—*A mili-*  
12        *tary criminal investigative organization that re-*  
13        *ceives an allegation of a covered special victim*  
14        *offense shall provide to the Chief Prosecutor and*  
15        *the commander of the military service academy*  
16        *concerned—*

17                                (i) *timely notice of such allegation;*

18                                *and*

19                                (ii) *any information and evidence ob-*  
20        *tained as the result a subsequent investiga-*  
21        *tion into the allegation.*

22                        (B) *TRIAL COUNSEL.*—*A trial counsel as-*  
23        *signed to a case involving a covered special vic-*  
24        *tim offense shall, during the investigative phase*  
25        *of such case, provide the Chief Prosecutor with*

1           *the information necessary to enable the Chief*  
2           *Prosecutor to make the determination required*  
3           *under paragraph (3).*

4           (2) *REFERRAL TO CHIEF PROSECUTOR.—In the*  
5           *case of a charge relating to a covered special victim*  
6           *offense, in addition to referring the charge to the staff*  
7           *judge advocate under subsection (a) or (b) of section*  
8           *834 of title 10, United States Code (article 34 of the*  
9           *Uniform Code of Military Justice), the convening au-*  
10          *thority of the Armed Force of which the accused is a*  
11          *member shall refer, as soon as reasonably practicable,*  
12          *the charge to the Chief Prosecutor to make the deter-*  
13          *mination required by paragraph (3).*

14          (3) *PROSECUTORIAL DETERMINATION.—The*  
15          *Chief Prosecutor shall make a determination regard-*  
16          *ing whether a charge relating to a covered special vic-*  
17          *tim offense shall be referred to trial. If the Chief Pros-*  
18          *ecutor makes a determination that the charge shall be*  
19          *tried by court-martial, the Chief Prosecutor also shall*  
20          *determine whether the charge shall be tried by a gen-*  
21          *eral court-martial convened under section 822 of title*  
22          *10, United States Code (article 22 of the Uniform*  
23          *Code of Military Justice) or a special court-martial*  
24          *convened under section 823 of such title (article 23 of*  
25          *the Uniform Code of Military Justice). The deter-*

1 *mination of whether to try a charge relating to a cov-*  
2 *ered special victim offense by court-martial shall in-*  
3 *clude a determination of whether to try any known*  
4 *offenses, including any lesser included offenses.*

5 (4) *EFFECT OF DETERMINATION AND APPEALS*  
6 *PROCESS.—*

7 (A) *DETERMINATION TO PROCEED TO*  
8 *TRIAL.—Subject to subparagraph (C), a deter-*  
9 *mination to try a charge relating to a covered*  
10 *special victim offense by court-martial under*  
11 *paragraph (3), and the determination as to the*  
12 *type of court-martial, shall be binding on any*  
13 *convening authority under chapter 47 of title 10,*  
14 *United States Code (the Uniform Code of Mili-*  
15 *tary Justice) for a trial by court-martial on the*  
16 *charge.*

17 (B) *DETERMINATION NOT TO PROCEED TO*  
18 *TRIAL.—Subject to subparagraph (C), a deter-*  
19 *mination under paragraph (3) not to proceed to*  
20 *trial on a charge relating to a covered special*  
21 *victim offense by general or special court-martial*  
22 *shall be binding on any convening authority*  
23 *under chapter 47 of title 10, United States Code*  
24 *(the Uniform Code of Military Justice) except*  
25 *that such determination shall not operate to ter-*

1           *minate or otherwise alter the authority of the*  
2           *convening authority—*

3                     *(i) to proceed to trial by court-martial*  
4                     *on charges of collateral misconduct related*  
5                     *to the special victim offense; or*

6                     *(ii) to impose non-judicial punishment*  
7                     *in connection with the conduct covered by*  
8                     *the charge as authorized by section 815 of*  
9                     *such title (article 15 of the Uniform Code of*  
10                    *Military Justice).*

11            (C) *APPEAL.*—*In a case in which a con-*  
12            *vening authority and the staff judge advocate ad-*  
13            *vising such authority disagree with the deter-*  
14            *mination of the Chief Prosecutor under para-*  
15            *graph (3), the convening authority and staff*  
16            *judge advocate may jointly appeal the deter-*  
17            *mination to the General Counsel of the Depart-*  
18            *ment of Defense. The determination of the Gen-*  
19            *eral Counsel with respect to such appeal shall be*  
20            *binding on the Chief Prosecutor and the con-*  
21            *vening authority concerned.*

22            (5) *TRIAL BY RANDOMIZED JURY.*—*After the*  
23            *Chief Prosecutor makes a determination under para-*  
24            *graph (3) to proceed to trial on a charge relating to*  
25            *a covered special victim offense, the matter shall be*

1        *tried by a court-martial convened within the Armed*  
2        *Force of which the accused is a member in accordance*  
3        *with the applicable provisions of chapter 47 of title*  
4        *10, United States Code (the Uniform Code of Military*  
5        *Justice) except that, when convening a court-martial*  
6        *that is a general or special court-martial involving a*  
7        *covered special victim offense in which the accused*  
8        *elects a jury trial, the convening authority shall de-*  
9        *tail members of the Armed Forces as members thereof*  
10       *at random unless the obtainability of members of the*  
11       *Armed Forces for such court-martial prevents the con-*  
12       *vening authority from detailing such members at ran-*  
13       *dom.*

14            (6) *UNLAWFUL INFLUENCE OR COERCION.—The*  
15        *actions of the Chief Prosecutor under this subsection*  
16        *whether or not to try charges by court-martial shall*  
17        *be free of unlawful or unauthorized influence or coer-*  
18        *cion.*

19            (d) *EFFECT ON OTHER LAW.—This section shall su-*  
20        *persede any provision of chapter 47 of title 10, United*  
21        *States Code (the Uniform Code of Military Justice), that*  
22        *is inconsistent with this section, but only to the extent of*  
23        *the inconsistency.*

24            (e) *TERMINATION AND TRANSITION.—*

1           (1) *TERMINATION.*—*The authority of the Sec-*  
2           *retary to carry out the Pilot Program shall terminate*  
3           *four years after the date on which the Pilot Program*  
4           *is initiated.*

5           (2) *TRANSITION.*—*The Secretary shall take such*  
6           *actions as are necessary to ensure that, on the date*  
7           *on which the Pilot Program terminates under para-*  
8           *graph (1), any matter referred to the Chief Prosecutor*  
9           *under subsection (c)(2), but with respect to which the*  
10          *Chief Prosecutor has not made a determination under*  
11          *subsection (c)(3), shall be transferred to the appro-*  
12          *priate convening authority for consideration.*

13          (f) *DEFINITIONS.*—*In this Act:*

14           (1) *The term “Armed Force” means an Armed*  
15           *Force under the jurisdiction of the Secretary of a*  
16           *military department.*

17           (2) *The term “covered special victim offense”*  
18           *means a special victim offense—*

19                   (A) *alleged to have been committed on or*  
20                   *after the date of the enactment of this Act by a*  
21                   *cadet of the United States Military Academy or*  
22                   *the United States Air Force Academy, without*  
23                   *regard to the location at which the offense was*  
24                   *committed; or*

1           (B) *alleged to have been committed on or*  
2 *after the date of the enactment of this Act by a*  
3 *midshipman of the United States Naval Acad-*  
4 *emy, without regard to the location at which the*  
5 *offense was committed.*

6           (3) *The term “Secretary” means the Secretary of*  
7 *Defense.*

8           (4) *The term “special victim offense” means any*  
9 *of the following:*

10           (A) *An offense under section 917a, 920,*  
11 *920b, 920c, or 930 of title 10, United States*  
12 *Code (article 117a, 120, 120b, 120c, or 130 of the*  
13 *Uniform Code of Military Justice).*

14           (B) *A conspiracy to commit an offense spec-*  
15 *ified in subparagraph (A) as punishable under*  
16 *section 881 of such title (article 81 of the Uni-*  
17 *form Code of Military Justice).*

18           (C) *A solicitation to commit an offense*  
19 *specified in subparagraph (A) as punishable*  
20 *under section 882 of such title (article 82 of the*  
21 *Uniform Code of Military Justice).*

22           (D) *An attempt to commit an offense speci-*  
23 *fied in subparagraph (A) as punishable under*  
24 *section 880 of such title (article 80 of the Uni-*  
25 *form Code of Military Justice).*

1 **SEC. 549B. REPORT ON STATUS OF INVESTIGATIONS OF AL-**  
2 **LEGED SEX-RELATED OFFENSES.**

3 (a) *REPORTS REQUIRED.*—Not later than one year  
4 after the date of the enactment of this Act, and annually  
5 thereafter through December 31, 2025, the Secretary of each  
6 military department shall submit to the congressional de-  
7 fense committees a report on the status of investigations  
8 into alleged sex-related offenses.

9 (b) *ELEMENTS.*—Each report under subsection (a)  
10 shall include, with respect to investigations into alleged sex-  
11 related offenses carried out by military criminal investiga-  
12 tive organizations under the jurisdiction of the Secretary  
13 concerned during the preceding year, the following:

14 (1) *The total number of investigations.*

15 (2) *For each investigation—*

16 (A) *the date the investigation was initiated;*  
17 *and*

18 (B) *an explanation of whether the investiga-*  
19 *tion is in-progress or complete as of the date of*  
20 *the report and, if complete, the date on which the*  
21 *investigation was completed.*

22 (3) *The total number of investigations that are*  
23 *complete as of the date of the report.*

24 (4) *The total number of investigations that are*  
25 *in-progress as of the date of the report.*



1           (5) *For investigations lasting longer than 180*  
2 *days, an explanation of the primary reasons for the*  
3 *extended duration of the investigation.*

4 *(c) DEFINITIONS.—In this section:*

5           (1) *The term “alleged sex-related offense” has the*  
6 *meaning given that term in section 1044(e)(h) of title*  
7 *10, United States Code.*

8           (2) *The term “complete” when used with respect*  
9 *to an investigation of an alleged sex-related offense,*  
10 *means the active phase of the investigation is suffi-*  
11 *ciently complete to enable the appropriate authority*  
12 *to reach a decision with respect to the disposition of*  
13 *charges for the offense.*

14           ***Subtitle F—Member Education,***  
15           ***Training, and Transition***

16 ***SEC. 551. COUNSELING IN THE TRANSITION ASSISTANCE***  
17           ***PROGRAM REGARDING SEXUAL ASSAULT,***  
18           ***SEXUAL OR GENDER HARASSMENT, AND INTI-***  
19           ***MATE PARTNER VIOLENCE.***

20           *Section 1142(b) of title 10, United States Code, is*  
21 *amended by adding at the end the following new paragraph:*

22           “(20) *Information concerning health care (in-*  
23 *cluding mental health care) furnished by the Sec-*  
24 *retary of Veterans Affairs to veterans and members of*  
25 *the Armed Forces who have survived sexual assault,*

1       *sexual or gender harassment, or intimate partner vio-*  
2       *lence.”.*

3   **SEC. 552. ESTABLISHMENT OF MENTORING AND CAREER**  
4                   **COUNSELING PROGRAM.**

5       *(a) IN GENERAL.—Chapter 107 of title 10, United*  
6       *States Code, is amended by adding at the end the following*  
7       *new section:*

8   **“§2158. Mentoring and career counseling program**

9       *“(a) ESTABLISHMENT; OBJECTIVES.—The Secretary of*  
10       *Defense, in coordination with the Secretaries of the military*  
11       *departments and the Chief Diversity Officer, shall imple-*  
12       *ment a program for mentoring and career counseling*  
13       *that—*

14               *“(1) ensures that all military occupational spe-*  
15               *cialties and career fields reflect the demographics of*  
16               *the armed forces; and*

17               *“(2) ensures that members in all ranks and*  
18               *grades reflect the demographics of the armed forces.*

19       *“(b) PROGRAM DESCRIPTION AND COMPONENTS.—The*  
20       *program under subsection (a) shall—*

21               *“(1) include mentoring and career counseling ef-*  
22               *forts that start prior to the initial career field deci-*  
23               *sion point and continue throughout the career of each*  
24               *participating member;*

1           “(2) provide guidance on accession into the mili-  
2           tary occupational specialties and career fields that ex-  
3           perience the highest rates and greatest number of pro-  
4           motions to a grade above O-6; and

5           “(3) promote information regarding career  
6           choices, including opportunities in the reserve compo-  
7           nents, to optimize the ability of a participating mem-  
8           ber to make informed career choices from accession to  
9           retirement.

10          “(c) *EVALUATION METRICS.*—The Secretary of Defense  
11          shall establish and maintain metrics to evaluate the effec-  
12          tiveness of the program under this section.”.

13          (b) *CLERICAL AMENDMENT.*—The table of sections at  
14          the beginning of chapter 107 of such title is amended by  
15          at the end the following new item:

          “2158. *Mentoring and career counseling program.*”.

16          (c) *INTERIM REPORT.*—

17               (1) *REPORT REQUIRED.*—Not later than 120  
18               days after the date of the enactment of this Act, the  
19               Secretary of Defense shall submit to the congressional  
20               defense committees on Armed Services of the Senate  
21               and the House of Representatives a report on the im-  
22               plementation of section 2158 of title 10, United States  
23               Code, as added by subsection (a).

24               (2) *ELEMENTS.*—The report under paragraph  
25               (1) shall include the following:

1           (A) *A description and assessment of the*  
2           *manner in which the Department of Defense*  
3           *shall implement the program under subsection*  
4           *(a) of such section 2158.*

5           (B) *The initial evaluation metrics developed*  
6           *under subsection (c) of such section 2158.*

7           (C) *An explanation of whether the program*  
8           *will be carried out as part of another program*  
9           *of the Department or through the establishment*  
10          *of a separate program.*

11          (D) *A comprehensive description of the ad-*  
12          *ditional personnel, resources, and training that*  
13          *will be required to implement the program, in-*  
14          *cluding identification of the specific number of*  
15          *additional billets that will be needed to staff the*  
16          *program.*

17          (E) *Recommendations of the Secretary for*  
18          *additional legislation that the Secretary deter-*  
19          *mines e necessary to effectively and efficiently*  
20          *implement the program.*

21          (d) *ANNUAL REPORT.—*

22               (1) *REPORT REQUIRED.—Not later than October*  
23               *1, 2021, and annually thereafter for three years, the*  
24               *Secretary of Defense shall submit to the congressional*  
25               *defense committees on Armed Services of the Senate*

1       *and the House of Representatives a report on the pro-*  
2       *gram under section 2158 of title 10, United States*  
3       *Code, as added by subsection (a).*

4             (2) *ELEMENTS.—Each report under paragraph*  
5       *(1) shall include, disaggregated by Armed Force, the*  
6       *following:*

7             (A) *The latest evaluation metrics developed*  
8       *under subsection (c) of such section 2158.*

9             (B) *The number of individuals,*  
10       *disaggregated by grade, ethnicity, race, and gen-*  
11       *der, who were eligible for participation in the*  
12       *program.*

13            (C) *The number of individuals,*  
14       *disaggregated by grade, ethnicity, race, and gen-*  
15       *der, who opted out of participation in the pro-*  
16       *gram.*

17            (D) *An assessment of the effectiveness of the*  
18       *program in advancing the careers of minority*  
19       *commissioned officers.*

20       (e) *PUBLICATION.—The Secretary of Defense shall—*

21             (1) *publish on an appropriate publicly available*  
22       *website of the Department of Defense the reports re-*  
23       *quired under subsections (c) and (d); and*

1           (2) *ensure that any data included with each such*  
2           *report is made available in a machine-readable for-*  
3           *mat that is downloadable, searchable, and sortable.*

4           (f) *IMPLEMENTATION DATE.*—*The Secretary of Defense*  
5           *shall implement the program under section 2158 of title 10,*  
6           *United States Code, as added by subsection (a), not later*  
7           *than one year after the date of the enactment of this Act.*

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

9           (1) *The term “minority person” means any in-*  
10          *dividual who is a citizen of the United States and*  
11          *who is—*

12                   (A) *Asian American;*

13                   (B) *Native Hawaiian;*

14                   (C) *a Pacific Islander;*

15                   (D) *African American;*

16                   (E) *Hispanic;*

17                   (F) *Puerto Rican;*

18                   (G) *Native American;*

19                   (H) *an Alaska Native; or*

20                   (I) *female.*

21           (2) *The term “minority commissioned officer”*  
22          *means any commissioned officer who is a minority*  
23          *person.*

1           (3) *The term “machine-readable” has the mean-*  
2           *ing given that term in section 3502(18) of title 44,*  
3           *United States Code.*

4 **SEC. 553. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**  
5           **GUAGE CENTER.**

6           (a) *AUTHORITY TO AWARD BACHELOR’S DEGREES.—*  
7           *Section 2168 of title 10, United States Code, is amended—*

8                   (1) *in the section heading, by striking “**Asso-***  
9                   *ciate” and inserting “**Associate or Bachelor**”;*  
10                  *and*

11                   (2) *by amending subsection (a) to read as fol-*  
12                  *lows:*

13                  “*(a) Subject to subsection (b), the Commandant of the*  
14                  *Defense Language Institute may confer—*

15                           “*(1) an Associate of Arts degree in a foreign lan-*  
16                           *guage upon any graduate of the Foreign Language*  
17                           *Center of the Institute who fulfills the requirements*  
18                           *for that degree; or*

19                           “*(2) a Bachelor of Arts degree in a foreign lan-*  
20                           *guage upon any graduate of the Foreign Language*  
21                           *Center of the Institute who fulfills the requirements*  
22                           *for that degree.”.*

23                  (b) *CLERICAL AMENDMENT.—The table of sections at*  
24                  *the beginning of chapter 108 of title 10, United States Code,*

1 *is amended by striking the item relating to section 2168*  
 2 *and inserting the following new item:*

“2168. *Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.*”.

3 **SEC. 554. DEFENSE LANGUAGE INSTITUTE FOREIGN LAN-**  
 4 **GUAGE CENTER.**

5 (a) *AUTHORITY TO AWARD BACHELOR’S DEGREES.*—

6 *Section 2168 of title 10, United States Code, is amended—*

7 (1) *in the section heading, by striking “Asso-*  
 8 *ciate” and inserting “Associate or Bachelor”;*  
 9 *and*

10 (2) *by amending subsection (a) to read as fol-*  
 11 *lows:*

12 “(a) *Subject to subsection (b), the Commandant of the*  
 13 *Defense Language Institute may confer—*

14 (1) *an Associate of Arts degree in a foreign lan-*  
 15 *guage upon any graduate of the Foreign Language*  
 16 *Center of the Institute who fulfills the requirements*  
 17 *for that degree; or*

18 (2) *a Bachelor of Arts degree in a foreign lan-*  
 19 *guage upon any graduate of the Foreign Language*  
 20 *Center of the Institute who fulfills the requirements*  
 21 *for that degree.”.*

22 (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
 23 *the beginning of chapter 108 of title 10, United States Code,*



1 *is amended by striking the item relating to section 2168*  
2 *and inserting the following new item:*

*“2168. Defense Language Institute Foreign Language Center: degree of Associate  
or Bachelor of Arts in foreign language.”.*

3 **SEC. 555. INCREASE IN NUMBER OF PERMANENT PROFES-**  
4 **SORS AT THE UNITED STATES AIR FORCE**  
5 **ACADEMY.**

6 *Section 9431(b)(4) of title 10, United States Code, is*  
7 *amended by striking “23” and inserting “25”.*

8 **SEC. 556. INFORMATION ON NOMINATIONS AND APPLICA-**  
9 **TIONS FOR MILITARY SERVICE ACADEMIES.**

10 *(a) CONGRESSIONAL NOMINATIONS PORTAL.—*

11 *(1) IN GENERAL.—Not later than one year after*  
12 *the date of the enactment of this Act, the Secretary,*  
13 *in consultation with the Superintendents of the mili-*  
14 *tary service academies, shall ensure that there is a*  
15 *uniform online portal for all military service acad-*  
16 *emies that enables Members of Congress to nominate*  
17 *individuals for appointment to each academy through*  
18 *a secure website.*

19 *(2) INFORMATION COLLECTION AND REPORT-*  
20 *ING.—The online portal established under paragraph*

21 *(1) shall—*

22 *(A) collect, from each Member of Congress,*  
23 *the demographic information described in sub-*

1           *section (b) for each individual nominated by the*  
2           *Member; and*

3                     *(B) collect the information required to be*  
4           *included in each annual report of the Secretary*  
5           *under subsection (c) in a manner that enables*  
6           *the Secretary to automatically compile such in-*  
7           *formation when preparing the report.*

8           *(3) AVAILABILITY OF INFORMATION.—The portal*  
9           *shall allow Members of Congress and their designees*  
10          *to view past nomination records for all application*  
11          *cycles.*

12          *(b) STANDARD CLASSIFICATIONS FOR COLLECTION OF*  
13          *DEMOGRAPHIC DATA.—*

14                     *(1) STANDARDS REQUIRED.—The Secretary, in*  
15          *consultation with the Superintendents of the military*  
16          *service academies, shall establish standard classifica-*  
17          *tions that cadets, midshipmen, and applicants to the*  
18          *academies may use to self-identify gender, race, and*  
19          *ethnicity and to provide other demographic informa-*  
20          *tion in connection with admission to or enrollment in*  
21          *an academy.*

22                     *(2) CONSISTENCY WITH OMB GUIDANCE.—The*  
23          *standard classifications established under paragraph*  
24          *(1) shall be consistent with the standard classifica-*  
25          *tions specified in Office of Management and Budget*

1       *Directive No. 15 (pertaining to race and ethnic*  
2       *standards for Federal statistics and administrative*  
3       *reporting) or any successor directive.*

4               (3) *INCORPORATION INTO APPLICATIONS AND*  
5       *RECORDS.—Not later than 180 days after the date of*  
6       *the enactment of this Act, the Secretary shall incor-*  
7       *porate the standard classifications established under*  
8       *paragraph (1) into—*

9                       (A) *applications for admission to the mili-*  
10                      *tary service academies; and*

11                     (B) *the military personnel records of cadets*  
12                      *and midshipmen enrolled in such academies.*

13       (c) *ANNUAL REPORT ON THE DEMOGRAPHICS MILI-*  
14       *TARY SERVICE ACADEMY APPLICANTS.—*

15               (1) *REPORT REQUIRED.—Not later than Sep-*  
16       *tember 30 of each year beginning after the date of the*  
17       *enactment of this Act, the Secretary shall submit to*  
18       *the congressional defense committees a report on the*  
19       *demographics of applicants to military service acad-*  
20       *emies for the most recently concluded application*  
21       *year.*

22               (2) *ELEMENTS.—Each report under paragraph*  
23       *(1) shall include, with respect to each military service*  
24       *academy, the following:*

1           (A) *The number of individuals who sub-*  
2 *mitted an application for admission to the acad-*  
3 *emy in the application year covered by the re-*  
4 *port.*

5           (B) *Of the individuals who submitted an*  
6 *application for admission to the academy in*  
7 *such year—*

8                 (i) *the overall demographics of appli-*  
9 *cant pool, disaggregated by the classifica-*  
10 *tions established under subsection (b) and*  
11 *by Member of Congress;*

12                (ii) *the number and percentage who re-*  
13 *ceived a nomination, disaggregated by the*  
14 *classifications established under subsection*  
15 *(b) and by Member of Congress;*

16                (iii) *the number and percentage who*  
17 *received an offer for appointment to the*  
18 *academy, disaggregated by the classifica-*  
19 *tions established under subsection (b) and*  
20 *by Member of Congress; and*

21                (iv) *the number and percentage who*  
22 *accepted an appointment to the academy,*  
23 *disaggregated by the classifications estab-*  
24 *lished under subsection (b) and by Member*  
25 *of Congress.*

1           (3) *CONSULTATION.*—*In preparing each report*  
2 *under paragraph (1), the Secretary shall consult with*  
3 *the Superintendents of the military service academies.*

4           (4) *AVAILABILITY OF REPORTS AND DATA.*—*The*  
5 *Secretary shall—*

6                   (A) *make the results of each report under*  
7 *paragraph (1) available on a publicly accessible*  
8 *website of the Department of Defense; and*

9                   (B) *ensure that any data included with the*  
10 *report is made available in a machine-readable*  
11 *format that is downloadable, searchable, and*  
12 *sortable.*

13       (d) *DEFINITIONS.*—*In this section:*

14           (1) *The term “application year” means the pe-*  
15 *riod beginning on January 1 of one year and ending*  
16 *on June 1 of the following year.*

17           (2) *The term “congressional defense committees”*  
18 *has the meaning given that term in section*  
19 *101(a)(16) of title 10, United States Code.*

20           (3) *The term “machine-readable” has the mean-*  
21 *ing given that term in section 3502(18) of title 44,*  
22 *United States Code.*

23           (4) *The term “military service academy”*  
24 *means—*

25                   (A) *the United States Military Academy;*

1                   (B) the United States Naval Academy; and

2                   (C) the United States Air Force Academy.

3                   (5) The term “Secretary” means the Secretary of  
4           Defense.

5 **SEC. 557. TRANSFORMATION OF THE PROFESSIONAL MILI-**  
6 **TARY EDUCATION ENTERPRISE.**

7           (a) *SENSE OF CONGRESS.*—It is the sense of Congress  
8 that--

9                   (1) professional military education is  
10           foundational to the development of ethical and effec-  
11           tive military leaders and vital to national security;

12                   (2) oversight of professional military education  
13           is an essential part of Congress’ constitutional re-  
14           sponsibilities to regulate and maintain the Armed  
15           Forces of the United States;

16                   (3) reform of the professional military education  
17           system, as directed by the congressional defense com-  
18           mittees, has played a central role in the institutional-  
19           ization of jointness as envisioned by the Goldwater-  
20           Nichols Department of Defense Reorganization Act of  
21           1986 (Public Law 99–433);

22                   (4) the Goldwater-Nichols professional military  
23           education model has served the Nation well since the  
24           end of the Cold War by enabling successful joint mili-  
25           tary operations across the spectrum of conflict;

1           (5) recent changes in the national security envi-  
2           ronment require that the professional military edu-  
3           cation enterprise adapt to prepare the joint force to  
4           successfully defend American interests in evolving  
5           areas of strategic competition;

6           (6) the Department of Defense must transform  
7           the professional military education enterprise to meet  
8           these challenges by emphasizing focused and rigorous  
9           intellectual study reflecting the hard won strategic in-  
10          sights of history, while leveraging advancements in  
11          the modern learning environment.

12          (b) *LIMITATION.*—None of the funds authorized to be  
13          appropriated by this Act or otherwise made available for  
14          fiscal year 2021 for the Department of Defense may be obli-  
15          gated or expended consolidate, close, or significantly change  
16          the curriculum of the National Defense University or any  
17          institution of professional military education of an Armed  
18          Force until a period of 120 days has elapsed following the  
19          date on which the Under Secretary of Defense for Personnel  
20          and Readiness submits the report required under subsection  
21          (c).

22          (c) *REPORT REQUIRED.*—

23                 (1) *IN GENERAL.*—Not later than 180 days after  
24                 the date of the enactment of this Act, the Secretary of  
25                 Defense, acting through the Under Secretary of De-

1 *fense for Personnel and Readiness, shall submit to the*  
2 *Committees on Armed Services of the Senate and the*  
3 *House of Representatives a report on the status of the*  
4 *professional military education enterprise.*

5 (2) *ELEMENTS.—The report required under*  
6 *paragraph (1) shall include the following:*

7 (A) *A consolidated summary that—*

8 (i) *lists all components of the profes-*  
9 *sional military education enterprise of the*  
10 *Department of Defense, including all associ-*  
11 *ated schools, programs, research centers,*  
12 *and support activities; and*

13 (ii) *for each such component, identifies*  
14 *the assigned personnel strength, annual stu-*  
15 *dent throughput, and budget details cov-*  
16 *ering the period of three fiscal years pre-*  
17 *ceding the date of the report.*

18 (B) *An assessment of the effectiveness and*  
19 *shortfalls of the existing professional military*  
20 *education enterprise as measured against grad-*  
21 *uate utilization, post-graduate evaluations, and*  
22 *the education and force development require-*  
23 *ments of the Chairman of the Joint Chiefs of*  
24 *Staff and the Chiefs of the Armed Forces.*



1           (C) *Recommendations to improve the intel-*  
2           *lectual readiness of the joint force through re-*  
3           *forms designed to—*

4                   (i) *improve the warfighting readiness,*  
5                   *intellectual fitness and cognitive ingenuity*  
6                   *of military leaders;*

7                   (ii) *promote development of strategic*  
8                   *thinkers capable of developing integrated*  
9                   *political-military and cross-domain strate-*  
10                  *gies and new doctrinal concepts;*

11                  (iii) *enhance the effectiveness, coher-*  
12                  *ence, and efficiency of individual service*  
13                  *approaches to professional military edu-*  
14                  *cation;*

15                  (iv) *improve the depth and rigor of*  
16                  *professional military education curriculum*  
17                  *in alignment with national defense strategy*  
18                  *pace threats while enhancing strategic re-*  
19                  *lationships and operational integration*  
20                  *with key allies and international security*  
21                  *partners; and*

22                  (v) *foster the deliberate development of*  
23                  *world-class faculty through increasing the*  
24                  *value of faculty assignments and other ap-*  
25                  *propriate measures.*

1 **SEC. 558. COLLEGE OF INTERNATIONAL SECURITY AFFAIRS**  
2 **OF THE NATIONAL DEFENSE UNIVERSITY.**

3 (a) *PROHIBITION.*—*The Secretary of Defense may not*  
4 *eliminate, divest, downsize, or reorganize the College of*  
5 *International Security Affairs, nor its satellite program,*  
6 *the Joint Special Operations Masters of Arts, of the Na-*  
7 *tional Defense University, or seek to reduce the number of*  
8 *students educated at the College, or its satellite program,*  
9 *until 30 days after the date on which the congressional de-*  
10 *fense committees receive the report required by subsection*  
11 *(c).*

12 (b) *ASSESSMENT, DETERMINATION, AND REVIEW.*—  
13 *The Under Secretary of Defense for Policy, in consultation*  
14 *with the Under Secretary of Defense for Personnel and*  
15 *Readiness, the Assistant Secretary of Defense for Special*  
16 *Operations/Low-Intensity Conflict , the Deputy Assistant*  
17 *Secretary of Defense for Counternarcotics and Global*  
18 *Threats, the Deputy Assistant Secretary of Defense for Sta-*  
19 *bility and Humanitarian Affairs, the Deputy Assistant*  
20 *Secretary of Defense for Special Operations and Combating*  
21 *Terrorism, the Chief Financial Officer of the Department,*  
22 *the Chairman of the Joint Chiefs of Staff, and the Com-*  
23 *mander of United States Special Operations Command,*  
24 *shall—*

25 (1) *assess requirements for joint professional*  
26 *military education and civilian leader education in*

1 *the counterterrorism, irregular warfare, and asym-*  
2 *metrical domains to support the Department and*  
3 *other national security institutions of the Federal*  
4 *Government;*

5 (2) *determine whether the importance, challenges,*  
6 *and complexity of the modern counterterrorism envi-*  
7 *ronment and irregular and asymmetrical domains*  
8 *warrant—*

9 (A) *a college at the National Defense Uni-*  
10 *versity, or a college independent of the National*  
11 *Defense University whose leadership is respon-*  
12 *sible to the Office of the Secretary of Defense;*  
13 *and*

14 (B) *the provision of resources, services, and*  
15 *capacity at levels that are the same as, or de-*  
16 *creased or enhanced in comparison to, those re-*  
17 *sources, services, and capacity in place at the*  
18 *College of International Security Affairs on Jan-*  
19 *uary 1, 2019;*

20 (3) *review the plan proposed by the National De-*  
21 *fense University for eliminating the College of Inter-*  
22 *national Security Affairs and reducing and restruc-*  
23 *turing the counterterrorism, irregular, and asymmet-*  
24 *rical faculty, course offerings, joint professional mili-*

1        *tary education and degree and certificate programs,*  
2        *and other services provided by the College; and*

3            *(4) assess the changes made to the College of*  
4        *International Security Affairs since January 1, 2019,*  
5        *and the actions necessary to reverse those changes, in-*  
6        *cluding relocating the College and its associated budg-*  
7        *et, faculty, staff, students, and facilities outside of the*  
8        *National Defense University.*

9        *(c) REPORT REQUIRED.—Not later than February 1,*  
10        *2021, the Secretary shall submit to the congressional defense*  
11        *committees a report on—*

12            *(1) the findings of the Secretary with respect to*  
13        *the assessments, determination, and review conducted*  
14        *under subsection (b); and*

15            *(2) such recommendations as the Secretary may*  
16        *have for higher education in the counterterrorism, ir-*  
17        *regular, and asymmetrical domains.*

18        **SEC. 559. PUBLIC-PRIVATE CONSORTIUM TO IMPROVE PRO-**  
19            **FESSIONAL MILITARY EDUCATION.**

20            *(a) ESTABLISHMENT.—The Secretary of Defense, act-*  
21        *ing through the Chairman of the Joint Chiefs of Staff and*  
22        *in consultation with the Under Secretary of Defense for Per-*  
23        *sonnel and Readiness, shall establish and maintain a pub-*  
24        *lic-private consortium (referred to in this section as the*  
25        *“Consortium”) to improve and broaden professional mili-*

1 tary education for military officers and civilian employees  
2 of the Federal Government.

3 (b) DIRECTORS.—

4 (1) IN GENERAL.—The President of the National  
5 Defense University and the head of a civilian institu-  
6 tion of higher education appointed in accordance with  
7 paragraph (3) shall serve as co-directors of the Con-  
8 sortium.

9 (2) RESPONSIBILITIES OF CO-DIRECTORS.—The  
10 co-directors shall be responsible for—

11 (A) the administration and management of  
12 the Consortium; and

13 (B) developing a common curriculum for  
14 professional military education using input re-  
15 ceived from members of the Consortium.

16 (3) APPOINTMENT OF CO-DIRECTOR FROM CIVIL-  
17 IAN INSTITUTION.—Not later than June 1, 2021, the  
18 Secretary of Defense shall appoint an individual who  
19 is the President or Chancellor of a civilian institution  
20 of higher education to serve as co-director of the Con-  
21 sortium as described in paragraph (1).

22 (4) TERM OF CO-DIRECTOR.—The co-director ap-  
23 pointed under paragraph (3) shall serve an initial  
24 term of five years. The Secretary of Defense may re-  
25 appoint such co-director for one or more additional

1        *terms of not more than five years, as the Secretary*  
2        *determines appropriate.*

3            (5) *AUTHORITY.—In the event that a conflict*  
4        *arises between co-directors of the Consortium, the con-*  
5        *flict shall be resolved by the Director for Joint Force*  
6        *Development of the Joint Chiefs of Staff (J-7).*

7        (c) *ACTIVITIES OF CONSORTIUM.—The Consortium*  
8        *shall carry out the following activities:*

9            (1) *Bring the military education system (includ-*  
10        *ing military service academies, institutions that pro-*  
11        *vide professional military education, and other insti-*  
12        *tutions the provide military education) together with*  
13        *a broad group of civilian institutions of higher edu-*  
14        *cation, policy research institutes, and the commercial*  
15        *sector to develop and continually update a research-*  
16        *based curriculum to prepare early career, mid-career,*  
17        *and senior military officers and civilian employees of*  
18        *the Federal Government to succeed in an era that will*  
19        *be predominantly defined by great power competition*  
20        *and in which security challenges will transcend the*  
21        *traditional areas of defense expertise, becoming more*  
22        *complex and inter-related than before, with disrupt-*  
23        *tions that will manifest rapidly and with little warn-*  
24        *ing.*

1           (2) *Train military officers and civilian edu-*  
2           *cators serving in the joint professional military edu-*  
3           *cation system to implement the curriculum developed*  
4           *under paragraph (2) at the institutions they serve.*

5           (3) *On a regular basis, make recommendations*  
6           *to the Secretary about how the joint professional mili-*  
7           *tary education system should be modified to meet the*  
8           *challenges of apparent or possible future defense, na-*  
9           *tional security, and international environments.*

10          (d) *MEMBERS.—The Consortium shall be composed of*  
11          *representatives selected by the Secretary of Defense from the*  
12          *following organizations:*

13               (1) *Organizations within the joint professional*  
14               *military education system.*

15               (2) *Military service academies.*

16               (3) *Other institutions of the Federal Government*  
17               *that provide military education.*

18               (4) *Civilian institutions of higher education.*

19               (5) *Private sector and government policy re-*  
20               *search institutes.*

21               (6) *Organizations in the commercial sector, in-*  
22               *cluding organizations from the industrial, finance,*  
23               *and technology sectors.*

24          (e) *ANNUAL REPORT.—Not later than September 30,*  
25          *2022, and annually thereafter, the co-directors of the Con-*

1 *sortium shall submit to the Secretary of Defense and the*  
2 *congressional defense committees a report that describes the*  
3 *activities carried out by the Consortium during the pre-*  
4 *ceding year.*

5 (f) *CIVILIAN INSTITUTION DEFINED.*—*In this section,*  
6 *the term “civilian institution of higher education” means*  
7 *an institution of higher education (as defined in section 101*  
8 *of the Higher Education Act of 1965 (20 U.S.C. 1001)) that*  
9 *is not owned or controlled by the Federal Government.*

10 ***Subtitle G—Military Family Readiness and Dependents’ Education***  
11

12 ***SEC. 561. FAMILY READINESS: DEFINITIONS; COMMUNICA-***  
13 ***TION STRATEGY; REPORT.***

14 (a) *DEFINITIONS.*—*Not later than six months after the*  
15 *date of the enactment of this Act, the Secretary of Defense,*  
16 *in coordination with the Secretaries of the military depart-*  
17 *ments, shall define the terms “military family readiness”*  
18 *and “military family resiliency”.*

19 (b) *COMMUNICATION STRATEGY.*—*Not later than one*  
20 *year after the date of the enactment of this Act, the Sec-*  
21 *retary of Defense, in coordination with the Secretaries of*  
22 *the military departments, shall establish and implement a*  
23 *strategy regarding communication with military families.*  
24 *The strategy shall include the following:*



1           (1) *The use of a variety of modes of communica-*  
2           *tion to ensure the broadest means of communicating*  
3           *with military families.*

4           (2) *Updating an existing annual standardized*  
5           *survey that assesses military family readiness to ad-*  
6           *dress the following issues:*

7                   (A) *Communication with beneficiaries.*

8                   (B) *Child care.*

9                   (C) *Education,*

10                  (D) *Spousal employment.*

11                  (E) *The Exceptional Family Member Pro-*  
12                  *gram.*

13                  (F) *Financial literacy.*

14                  (G) *Financial stress.*

15                  (H) *Health care (including copayments,*  
16                  *network adequacy, and the availability of ap-*  
17                  *pointments with health care providers).*

18           (c) *REPORT.—Not later than 180 days after the date*  
19           *of the enactment of the Act, the Secretary of Defense shall*  
20           *submit to the Committees on Armed Services of the Senate*  
21           *and the House of Representatives a report regarding the*  
22           *feasibility of implementing the recommendations in—*

23                   (1) *chapter 3 of the report of the Inspector Gen-*  
24                   *eral of the Department of Defense for fiscal year 2020,*

1       *“Ensuring Wellness and Wellbeing of Service-Mem-*  
2       *bers and their Families”*; and

3               (2) *the report, dated July 2019, of the National*  
4       *Academies of Science, Engineering and Medicine, ti-*  
5       *tled “Strengthening the Military Family Readiness*  
6       *System for a Changing American Society”.*

7       **SEC. 562. SUPPORT SERVICES FOR MEMBERS OF SPECIAL**  
8               **OPERATIONS FORCES AND IMMEDIATE FAM-**  
9               **ILY MEMBERS.**

10       (a) *IN GENERAL.*—*Section 1788a of title 10, United*  
11       *States Code, is amended—*

12               (1) *in the heading—*

13                       (A) *by striking “**Family support**” and*  
14               *inserting “**Support**”;*

15                       (B) *by striking “**immediate family***  
16               *members of”*; and

17                       (C) *by adding “; **immediate family***  
18               *members” at the end;*

19               (2) *in subsection (a), by striking “for the imme-*  
20       *diate family members of members of the armed forces*  
21       *assigned to special operations forces”;*

22               (3) *in subsection (b)(1)—*

23                       (A) *by striking “the immediate family*  
24               *members”*; and

1           (B) by inserting “and the immediate family  
2 members of such members” before the semicolon;  
3 (4) in subsection (d)(2)—

4           (A) in subparagraph (A)—

5           (i) by striking “family members of”;  
6 and

7           (ii) by inserting “and immediate fam-  
8 ily members of such members” before the pe-  
9 riod;

10          (B) in subparagraph (B)—

11          (i) by striking “and on family mem-  
12 bers of” and inserting a comma; and

13          (ii) by inserting “, and immediate  
14 family members of such members” before the  
15 period; and

16 (5) in subsection (e)(4)—

17          (A) by inserting “psychological support,  
18 spiritual support, and” before “costs”;

19          (B) by striking “immediate family members  
20 of”;

21          (C) by inserting “(including the reserve  
22 components)” after “members of the armed  
23 forces”; and

24          (D) by inserting “, and immediate family  
25 members of such members,” before “while”.

1           (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
2 *the beginning of chapter 88 of title 10, United States Code,*  
3 *is amended by striking the item relating to section 1788a*  
4 *and inserting the following:*

          “1788a. *Support programs: members of special operations forces; immediate family members*”.

5 **SEC. 563. AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE**  
6                           **TO CERTAIN IN-HOME CHILD CARE PRO-**  
7                           **VIDERS FOR MEMBERS OF THE ARMED**  
8                           **FORCES AND SURVIVORS OF MEMBERS WHO**  
9                           **DIE IN COMBAT IN THE LINE OF DUTY.**

10           (a) *AUTHORITY.*—*Section 1798 of title 10, United*  
11 *States Code, is amended—*

12                   (1) *in subsection (a), in the matter preceding*  
13 *paragraph (1), by inserting “, or to an in-home child*  
14 *care provider,” after “youth program services”;*

15                   (2) *by redesignating subsection (c) as subsection*  
16 *(d); and*

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

19           “(c) *ELIGIBLE IN-HOME CHILD CARE PROVIDERS.*—  
20 *The Secretary may determine that an in-home child care*  
21 *provider is eligible for financial assistance under this sec-*  
22 *tion.*”.

1           (b) *IN-HOME CHILD CARE PROVIDER DEFINED.*—Sec-  
2 *tion 1800 of such title is amended by adding at the end*  
3 *the following:*

4           “(5) *The term ‘in-home child care provider’*  
5 *means an individual (including a nanny, babysitter,*  
6 *or au pair) who provides child care services in the*  
7 *home of the child.”.*

8           (c) *REGULATIONS.*—*Not later than July 1, 2021, the*  
9 *Secretary of Defense shall prescribe regulations that estab-*  
10 *lish eligibility requirements and amounts of financial as-*  
11 *sistance for an in-home child care provider under subsection*  
12 *(c) of section 1798 of title 10, United States Code, as*  
13 *amended by subsection (a).*

14 **SEC. 564. 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 “or maintenance (including con-*  
21 *tinuing education courses)” after “pursuit”; and*

22           (2) *by adding at the end the following: “Such fi-*  
23 *nancial assistance may be applied to the costs of na-*  
24 *tional tests that may earn a participating military*  
25 *spouse course credits required for a degree approved*

1        *under the program (including the College Level Ex-*  
2        *amination Program tests and the Subject Standard-*  
3        *ized Tests of the Defense Activity for Non-Traditional*  
4        *Education Support Division of the Department of De-*  
5        *fense).”*

6        **SEC. 565. CHILD CARE.**

7        (a) *24-HOUR CHILD CARE.*—*If the Secretary of De-*  
8        *fense determines it feasible, the Secretary shall furnish child*  
9        *care to each child of a member of the Armed Forces or em-*  
10       *ployee of the Department of Defense while that member or*  
11       *employee works on rotating shifts at a military installation.*

12       (b) *METRICS.*—*Not later than six months after the*  
13       *date of the enactment of this Act, the Secretary of Defense*  
14       *shall develop and implement metrics to evaluate the effec-*  
15       *tiveness of the child care priority system of the Department*  
16       *of Defense, including—*

17                (1) *the speed of placement for children of mem-*  
18                *bers of the Armed Forces on active duty;*

19                (2) *the type of child care offered;*

20                (3) *available spaces in such system, if any; and*

21                (4) *other metrics to monitor the child care pri-*  
22                *ority system determined by the Secretary.*

23        (c) *REPORT.*—*Not later than 180 days after the date*  
24        *of the enactment of the 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 regarding the*  
2 *results of a study that evaluates—*

3 *(1) the sufficiency of the stipend furnished by the*  
4 *Secretary to members of the Armed Forces for civilian*  
5 *child care; and*

6 *(2) whether the amount of such stipend should be*  
7 *based on—*

8 *(A) cost of living in the applicable locale;*  
9 *and*

10 *(B) the capacity of licensed civilian child*  
11 *care providers in the local market.*

12 **SEC. 566. CONTINUATION OF PAID PARENTAL LEAVE UPON**  
13 **DEATH OF CHILD.**

14 *Not later than 180 days after the date of the enactment*  
15 *of this Act, the Secretary of Defense shall amend the regula-*  
16 *tions prescribed pursuant to subsections (i) and (j) of sec-*  
17 *tion 701 of title 10, United States Code, to provide that*  
18 *the eligibility of primary and secondary caregivers for paid*  
19 *parental leave that has already been approved shall not ter-*  
20 *minate upon the death of the child for whom such leave*  
21 *is taken.*

1 **SEC. 567. STUDY AND REPORT ON THE PERFORMANCE OF**  
2 **THE DEPARTMENT OF DEFENSE EDUCATION**  
3 **ACTIVITY.**

4 (a) *STUDY.*—*The Secretary of Defense shall conduct a*  
5 *study on the performance of the Department of Defense*  
6 *Education Activity.*

7 (b) *ELEMENTS.*—*The study under subsection (a) shall*  
8 *include the following:*

9 (1) *A review of the curriculum relating to health,*  
10 *resiliency, and nutrition taught in schools operated*  
11 *by the Department of Defense Education Activity and*  
12 *a comparison of such curriculum to appropriate edu-*  
13 *cation benchmarks.*

14 (2) *An analysis of the outcomes experienced by*  
15 *students in such schools, as measured by—*

16 (A) *the performance of such students on the*  
17 *National Assessment of Educational Progress*  
18 *carried out under section 303(b)(3) of the Na-*  
19 *tional Assessment of Educational Progress Au-*  
20 *thorization Act (20 U.S.C. 9622(b)(3)); and*

21 (B) *any other methodologies used by the De-*  
22 *partment of Defense Education Activity to meas-*  
23 *ure individual student outcomes.*

24 (3) *An assessment of the effectiveness of the*  
25 *School Liaison Officer program of the Department of*  
26 *Defense Education Activity in achieving the goals of*



1        *the program with an emphasis on goals relating to*  
2        *special education and family outreach.*

3        *(c) REPORT.—Not later than 180 days after the date*  
4        *of the enactment of the Act, the Secretary of Defense shall*  
5        *submit to the Committees on Armed Services of the Senate*  
6        *and the House of Representatives a report that includes the*  
7        *findings of the study conducted under subsection (a).*

8        **SEC. 568. COMPTROLLER GENERAL OF THE UNITED STATES**  
9                                    **REPORT ON THE STRUCTURAL CONDITION OF**  
10                                   **DEPARTMENT OF DEFENSE EDUCATION AC-**  
11                                   **TIVITY SCHOOLS.**

12        *(a) REPORT REQUIRED.—Not later than one year*  
13        *after the date of the enactment of this Act, the Comptroller*  
14        *General of the United States shall submit to the congress-*  
15        *sional defense committees a report setting forth an assess-*  
16        *ment by the Comptroller General of the structural condition*  
17        *of schools of the Department of Defense Education Activity,*  
18        *both within the continental United States (CONUS) and*  
19        *outside the continental United States (OCONUS).*

20        *(b) VIRTUAL SCHOOLS.—The report shall include an*  
21        *assessment of the virtual infrastructure or other means by*  
22        *which students attend Department of Defense Education*  
23        *Activity schools that have no physical structure, including*  
24        *the satisfaction of the military families concerned with such*  
25        *infrastructure or other means.*

1 **SEC. 569. PILOT PROGRAM TO EXPAND ELIGIBILITY FOR**  
2 **ENROLLMENT AT DOMESTIC DEPENDENT EL-**  
3 **EMENTARY AND SECONDARY SCHOOLS.**

4 (a) *PILOT PROGRAM AUTHORIZED.*—Beginning not  
5 later than 180 days after the date of the enactment of this  
6 Act, the Secretary of Defense shall carry out a pilot pro-  
7 gram under which a dependent of a full-time, active-duty  
8 member of the Armed Forces may enroll in a covered  
9 DODEA school at the military installation to which the  
10 member is assigned, on a space-available basis as described  
11 in subsection (c), without regard to whether the member re-  
12 sides on the installation as described in 2164(a)(1) of title  
13 10, United States Code.

14 (b) *PURPOSES.*—The purposes of the pilot program  
15 under this section are—

16 (1) *to evaluate the feasibility and advisability of*  
17 *expanding enrollment in covered DODEA schools;*  
18 *and*

19 (2) *to determine how increased access to such*  
20 *schools will affect military and family readiness.*

21 (c) *ENROLLMENT ON SPACE-AVAILABLE BASIS.*—A  
22 student participating in the pilot program under this sec-  
23 tion may be enrolled in a covered DODEA school only if  
24 the school has the capacity to accept the student, as deter-  
25 mined by the Director of the Department of Defense Edu-  
26 cation Activity.

1           (d) *LOCATIONS.*—*The Secretary of Defense shall carry*  
2 *out the pilot program under this section at not more than*  
3 *four military installations at which covered DODEA*  
4 *schools are located. The Secretary shall select military in-*  
5 *stallations for participation in the program based on—*

6                   (1) *the readiness needs of the Secretary of a the*  
7 *military department concerned; and*

8                   (2) *the capacity of the DODEA schools located at*  
9 *the installation to accept additional students, as de-*  
10 *termined by the Director of the Department of Defense*  
11 *Education Activity.*

12           (e) *TERMINATION.*—*The authority to carry out the*  
13 *pilot program under this section shall terminate four years*  
14 *after the date of the enactment of this Act.*

15           (f) *COVERED DODEA SCHOOL DEFINED.*—*In this*  
16 *Section, the term “covered DODEA school” means a domes-*  
17 *tic dependent elementary or secondary school operated by*  
18 *the Department of Defense Education Activity that—*

19                   (1) *has been established on or before the date of*  
20 *the enactment of this Act; and*

21                   (2) *is located in the continental United States.*

1 **SEC. 569A. CONTINUED ASSISTANCE TO SCHOOLS WITH**  
2 **SIGNIFICANT NUMBERS OF MILITARY DE-**  
3 **PENDENT STUDENTS.**

4 (a) *ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*  
5 *NUMBERS OF MILITARY DEPENDENT STUDENTS.*—Of the  
6 amount authorized to be appropriated for fiscal year 2021  
7 in division D of this Act and available for operation and  
8 maintenance for Defense-wide activities as specified in the  
9 funding table in section 4301 of this Act, \$40,000,000 shall  
10 be available only for the purpose of providing assistance  
11 to local educational agencies under subsection (a) of section  
12 572 of the National Defense Authorization Act for Fiscal  
13 Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

14 (b) *IMPACT AID FOR CHILDREN WITH SEVERE DIS-*  
15 *ABILITIES.*—Of the amount authorized to be appropriated  
16 for fiscal year 2021 in division D of this Act and available  
17 for operation and maintenance for Defense-wide activities  
18 as specified in the funding table in section 4301 of this Act,  
19 \$10,000,000 shall be available for payments under section  
20 363 of the Floyd D. Spence National Defense Authorization  
21 Act for Fiscal Year 2001 (Public Law 106–398; 20 U.S.C.  
22 7703a).

23 (c) *LOCAL EDUCATIONAL AGENCY DEFINED.*—In this  
24 section, the term “local educational agency” has the mean-  
25 ing given that term in section 7013(9) of the Elementary  
26 and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

1 **SEC. 569B. STANDARDIZATION OF THE EXCEPTIONAL FAM-**  
2 **ILY MEMBER PROGRAM.**

3 (a) *POLICY.*—Not later than six months after the date  
4 of the enactment of this Act, the Secretary of Defense, in  
5 coordination with the Secretaries of the military depart-  
6 ments, shall, to the extent practicable, standardize the Ex-  
7 ceptional Family Member Program (in this section referred  
8 to as the “EFMP”) across the military departments.

9 (b) *ELEMENTS.*—The EFMP, standardized under sub-  
10 section (a), shall include the following:

11 (1) *Processes for the identification and enroll-*  
12 *ment of dependents of covered members with special*  
13 *needs.*

14 (2) *A process for the permanent change of orders*  
15 *for covered members, to ensure seamless continuity of*  
16 *services at the new permanent duty station.*

17 (3) *A review process for installations to ensure*  
18 *that health care furnished through the TRICARE pro-*  
19 *gram, special needs education programs, and installa-*  
20 *tion-based family support programs are available to*  
21 *military families enrolled in the EFMP.*

22 (4) *A standardized respite care benefit across the*  
23 *covered Armed Forces, including the number of hours*  
24 *available under such benefit to military families en-*  
25 *rolled in the EFMP.*

26 (5) *Outcomes and metrics to evaluate the EFMP.*

1           (6) *A requirement that the Secretary of each*  
2 *military department provide a dedicated EFMP at-*  
3 *torney, who specializes in education law, at each*  
4 *military installation—*

5                   (A) *the Secretary determines is a primary*  
6 *receiving installation for military families with*  
7 *special needs; and*

8                   (B) *in a State that the Secretary determines*  
9 *has historically not supported families enrolled*  
10 *in the EFMP.*

11           (7) *The option for a family enrolled in the*  
12 *EFMP to continue to receive all services under that*  
13 *program and the bachelor allowance for housing if—*

14                   (A) *the covered member receives a new per-*  
15 *manent duty station; and*

16                   (B) *the covered member and family elect for*  
17 *the family not to relocate with the covered mem-*  
18 *ber.*

19           (8) *A process to discuss policy challenges and op-*  
20 *portunities, best practices adopted across the covered*  
21 *Armed Forces, a forum period for discussion with*  
22 *members of military families with special needs, and*  
23 *other matters the Secretary of Defense determines ap-*  
24 *propriate.*

1           (c) *CASE MANAGEMENT.*—*The Secretary of Defense, in*  
2 *coordination with the Secretaries of the military depart-*  
3 *ments, shall develop an EFMP case management model, in-*  
4 *cluding the following:*

5                   (1) *A single EFMP office, located at the head-*  
6 *quarters of each covered Armed Force, to oversee im-*  
7 *plementation of the EFMP and coordinate health care*  
8 *services, permanent change of station order proc-*  
9 *essing, and educational support services for that cov-*  
10 *ered Armed Force.*

11                   (2) *An EFMP office at each military installa-*  
12 *tion with case managers to assist each family of a*  
13 *covered member in the development of a plan that ad-*  
14 *dresses the areas specified in subsection (b)(1).*

15           (d) *REPORT.*—*Not later than 180 days after the date*  
16 *of the enactment of the Act, the Secretary of Defense shall*  
17 *submit to the Committees on Armed Services of the Senate*  
18 *and the House of Representatives a report on the implemen-*  
19 *tation of the items identified under subsections (a), (b), and*  
20 *(c), including any recommendations of the Secretary re-*  
21 *garding legislation.*

22           (e) *GAO REPORT.*—*Not later than one year after the*  
23 *date of the enactment of this Act, the Comptroller General*  
24 *of the United States shall submit to the Committees on*

1 *Armed Services of the Senate and the House of Representa-*  
2 *tives a report on—*

3           (1) *whether military families have higher rates*  
4 *of disputes and loss of free and appropriate public*  
5 *education under section 504 of the Rehabilitation Act*  
6 *of 1973 (Public Law 93–112; 29 U.S.C. 794) than ci-*  
7 *vilian counterparts; and*

8           (2) *an analysis of the number of due process*  
9 *hearings that were filed by school districts against*  
10 *children of members of the Armed Forces.*

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

12           (1) *The term “covered Armed Force” means an*  
13 *Armed Force under the jurisdiction of the Secretary*  
14 *of a military department.*

15           (2) *The term “covered member” means a mem-*  
16 *ber—*

17                   (A) *of a covered Armed Force; and*

18                   (B) *with a dependent with special needs.*

## 19 ***Subtitle H—Diversity and Inclusion***

### 20 ***SEC. 571. DIVERSITY AND INCLUSION REPORTING RE-*** 21 ***QUIREMENTS.***

22           (a) *STANDARD DIVERSITY METRICS AND ANNUAL RE-*  
23 *PORTING REQUIREMENT.—Section 113 of title 10, United*  
24 *States Code is amended—*

25           (1) *in subsection (c)—*



1           (A) by redesignating paragraphs (2) and  
2           (3) as paragraphs (3) and (4), respectively; and  
3           (B) by inserting after paragraph (1), the  
4           following new paragraph (2):

5           “(2) a report from each military department on  
6           the goals, barriers, and status of diversity and inclu-  
7           sion of that military department;” and

8           (2) in subsection (g)(1)(B), by inserting after  
9           clause (vi), the following new clause (vii):

10           “(vii) Strategic metrics and bench-  
11           marks evaluating how the officer and en-  
12           listed corps reflects the eligible United  
13           States population across all armed forces  
14           and ranks.”;

15           (3) by redesignating subsections (m) and (n) as  
16           subsections (n) and (o), respectively; and

17           (4) by inserting after subsection (k), the fol-  
18           lowing new subsections (l) and (m):

19           “(l)(1) The Secretary of Defense shall establish and  
20           maintain a standard set of strategic metrics and bench-  
21           marks toward objectives of:

22           “(A) an officer and enlisted corps that reflects  
23           the eligible U.S. population across all armed forces  
24           and ranks; and

1           “(B) a military force that is able to prevail in  
2           its wars, prevent and deter conflict, defeat adversaries  
3           and succeed in a wide range of contingencies, and  
4           preserve and enhance the all-volunteer force.

5           “(2) In implementing the requirement in paragraph  
6 (1), the Secretary shall—

7           “(A) establish a universal data collection system  
8           to ensure comparability across each military depart-  
9           ment;

10           “(B) establish standard definitions of demo-  
11           graphic groups, a common methodology, and a com-  
12           mon reporting structure across each military depart-  
13           ment;

14           “(C) conduct annual barrier analyses to review  
15           demographic diversity patterns across the military  
16           life cycle, starting with accessions; and

17           “(D) each year meet with the Secretaries of the  
18           military departments, the Chiefs of Staff of the armed  
19           forces, and the Chairman of the Joint Chiefs of Staff  
20           to assess progress towards the objective under para-  
21           graph (1) and establish recommendations to meet  
22           such objective.

23           “(m) The Secretary shall include in each national de-  
24           fense strategy under subsection (g)—

1           “(1) *the demographics, disaggregated by grade,*  
2           *ethnicity, race, gender, and military occupational*  
3           *specialty, for—*

4                   “(A) *accession into the armed forces;*

5                   “(B) *the enlisted corps;*

6                   “(C) *the commissioned officers;*

7                   “(D) *graduates of the military service acad-*  
8                   *emies;*

9                   “(E) *the rate of promotion in the promotion*  
10                  *zone;*

11                  “(F) *the rate of promotion below the zone*  
12                  *for promotion;*

13                  “(G) *the rates of retention;*

14                  “(H) *command selection;*

15                  “(I) *special assignments;*

16                  “(J) *career broadening assignments;*

17                  “(K) *aides to general officers and flag offi-*  
18                  *cers; and*

19                  “(L) *any other matter the Secretary deter-*  
20                  *mines appropriate;*

21           “(2) *an analysis of assignment patterns by eth-*  
22           *nicity, race, and gender;*

23           “(3) *an analysis of attitudinal survey data by*  
24           *ethnicity, race, and gender;*

1           “(4) *an assessment of the available pool of quali-*  
2           *fied of Asian American, Native Hawaiian, Pacific Is-*  
3           *lander, African American, Hispanic, Puerto Rican,*  
4           *Native American, Alaska Native and female can-*  
5           *didates for pay grades O–9 and O–10;*

6           “(5) *identification of persistent, group-specific*  
7           *deviations from overall averages and plans to inves-*  
8           *tigate underlying causes; and*

9           “(6) *summaries of progress made on previous ac-*  
10          *tions.*”.

11          **(b) NATIONAL GUARD DIVERSITY REPORTING.**—*Sec-*  
12          *tion 10504 of title 10, United States Code is amended by*  
13          *adding at the end the following new subsection (d):*

14          **“(d) REPORT ON DIVERSITY AND INCLUSION.**—

15                 **“(1) IN GENERAL.**—*Not less than once every four*  
16                 *years, the Chief of the National Guard Bureau shall*  
17                 *report in writing to the Secretary of Defense and the*  
18                 *Congress on the status of diversity in each State, Ter-*  
19                 *ritory, and the District of Columbia for all ranks of*  
20                 *the Army and Air National Guard.*

21                 **“(2) ELEMENTS.**—*Each report under paragraph*  
22                 *(1) shall include—*

23                         **“(A) the demographics, disaggregated by**  
24                         *State, grade, ethnicity, race, gender, and mili-*  
25                         *tary occupational specialty, for—*

1                   “(i) accession into the National Guard;

2                   “(ii) the enlisted corps;

3                   “(iii) the commissioned officers;

4                   “(iv) the rate of promotion in the pro-  
5 motion zone;

6                   “(v) the rate of promotion below the  
7 zone for promotion;

8                   “(vi) the rates of retention;

9                   “(vii) command selection;

10                  “(viii) special assignments;

11                  “(ix) career broadening assignments;

12                  “(x) aides to a general officer; and

13                  “(xi) any other matter the Chief of the  
14 National Guard Bureau determines appro-  
15 priate;

16                  “(B) an analysis of assignment patterns by  
17 ethnicity, race, and gender;

18                  “(C) an analysis of attitudinal survey data  
19 by ethnicity, race, and gender;

20                  “(D) an assessment of the available pool of  
21 qualified of Asian American, Native Hawaiian,  
22 Pacific Islander, African American, Hispanic,  
23 Puerto Rican, Native American, Alaska Native  
24 and female candidates for pay grades O-9 and  
25 O-10;

1           “(E) identification of persistent, group-spe-  
2           cific deviations from overall averages and plans  
3           to investigate underlying causes; and

4           “(F) summaries of progress made on pre-  
5           vious actions.

6           “(3) PUBLIC AVAILABILITY.—The Chief of the  
7           National Guard Bureau shall—

8           “(A) publish on an appropriate publicly  
9           available website of the National Guard the re-  
10          ports required under paragraph (1); and

11          “(B) ensure that any data included with the  
12          report is made available in a machine-readable  
13          format that is downloadable, searchable, and  
14          sortable.”.

15          (c) COAST GUARD DIVERSITY REPORTING.—Section  
16          5101 of title 14, United States Code is amended—

17                 (1) in subsection (b)—

18                         (A) by redesignating paragraphs (2) and  
19                         (3) as paragraphs (3) and (4), respectively; and

20                         (B) by inserting after paragraph (1), the  
21                         following new paragraph (2):

22                                 “(2) the goals, barriers, and status of diversity  
23                                 and inclusion;”; and

24                                 (3) by adding at the end the following new sub-  
25                                 section (c):

1       “(c) Not less than once every four years, the Secretary  
2 shall include in the annual request under subsection (a)—

3               “(1) the demographics, disaggregated by grade,  
4 ethnicity, race, gender, and military occupational  
5 specialty, for—

6                       “(A) accession into the Coast Guard;

7                       “(B) the enlisted corps;

8                       “(C) the commissioned officers;

9                       “(D) graduates of the Coast Guard Acad-  
10 emy;

11                      “(E) the rate of promotion in the promotion  
12 zone;

13                      “(F) the rate of promotion below the zone  
14 for promotion;

15                      “(G) the rates of retention;

16                      “(H) command selection;

17                      “(I) special assignments;

18                      “(J) career broadening assignments;

19                      “(K) aides to a flag officer; and

20                      “(L) any other matter the Secretary deter-  
21 mines appropriate;

22               “(2) an analysis of assignment patterns by eth-  
23 nicity, race, and gender;

24               “(3) an analysis of attitudinal survey data by  
25 ethnicity, race, and gender;

1           “(4) an assessment of the available pool of quali-  
2           fied of Asian American, Native Hawaiian, Pacific Is-  
3           lander, African American, Hispanic, Puerto Rican,  
4           Native American, Alaska Native and female can-  
5           didates for pay grades O–9 and O–10;

6           “(5) identification of persistent, group-specific  
7           deviations from overall averages and plans to inves-  
8           tigate underlying causes; and

9           “(6) summaries of progress made on previous ac-  
10          tions.”.

11          (d) *REQUIREMENT TO CONSIDER MINORITY OFFICERS*  
12 *FOR O–9 AND O–10 GRADES.*—

13           (1) *ARMY, NAVY, AIR FORCE, MARINE CORPS, AND*  
14 *SPACE FORCE.*—Section 601 of title 10, United States  
15 *Code is amended by adding at the end the following*  
16 *new subsections:*

17          “(e) *The Chairman of the Joint Chiefs of Staff shall*  
18 *consider all Asian American, Native Hawaiian, Pacific Is-*  
19 *lander, African American, Hispanic, Puerto Rican, Native*  
20 *American, Alaska Native and female candidates prior to*  
21 *recommending to the President an initial appointment to*  
22 *the grade of lieutenant general or vice admiral, or an ini-*  
23 *tial appointment to the grade of general or admiral.*

24          “(f) *When seeking the advice and consent of the Senate*  
25 *under subsection (a), the President shall submit to the Com-*



1 *mittee on Armed Services of the Senate a certification*  
2 *that—*

3           “(1) *all Asian American, Native Hawaiian, Pa-*  
4 *cific Islander, African American, Hispanic, Puerto*  
5 *Rican, Native American, Alaska Native and female*  
6 *candidates were considered for appointment; and*

7           “(2)(A) *none of the candidates under subpara-*  
8 *graph (A) met the qualifications needed by an officer*  
9 *-serving in that position or office to carry out effec-*  
10 *tively the duties and responsibilities of that position*  
11 *or office; or*

12           “(B) *the officers in the positions designated*  
13 *under subsection (a) represent the diversity of the*  
14 *armed forces to the extent practicable.”.*

15           (2) *COAST GUARD.—Section 305(a) of title 14,*  
16 *United States Code, is amended by adding at the end*  
17 *the following new paragraphs:*

18           “(4) *The Commandant shall consider all Asian Amer-*  
19 *ican, Native Hawaiian, Pacific Islander, African Amer-*  
20 *ican, Hispanic, Puerto Rican, Native American, Alaska*  
21 *Native and female candidates prior to recommending to the*  
22 *President an initial appointment to the grade of vice admiral,*  
23 *or an initial appointment to the grade of admiral.*

24           “(5) *When seeking the advice and consent of the Senate*  
25 *under subsection (a), the President shall submit to the com-*

1 *mittee of the Senate with jurisdiction over the department*  
 2 *in which the Coast Guard is operating a certification*  
 3 *that—*

4           “(A) *all Asian American, Native Hawaiian, Pa-*  
 5 *cific Islander, African American, Hispanic, Puerto*  
 6 *Rican, Native American, Alaska Native and female*  
 7 *candidates were considered for appointment; and*

8           “(B)(i) *none of the candidates under subpara-*  
 9 *graph (A) met the qualifications needed by an officer*  
 10 *serving in that position or office to carry out effec-*  
 11 *tively the duties and responsibilities of that position*  
 12 *or office; or*

13           “(ii) *the officers in the positions designated*  
 14 *under subsection (a) represent the diversity of the*  
 15 *armed forces to the extent practicable.”.*

16 **SEC. 572. ESTABLISHMENT OF DIVERSITY AND INCLUSION**

17                           **ADVISORY COUNCIL OF THE DEPARTMENT OF**  
 18                           **DEFENSE.**

19           (a) *ESTABLISHMENT.*—Chapter 7 of title 10, United  
 20 *States Code, is amended by inserting before section 187 the*  
 21 *following:*

22 **“§ 186. Diversity and Inclusion Advisory Council**

23           “(a) *ESTABLISHMENT.*—*The Secretary of the Depart-*  
 24 *ment of Defense (referred to in this section as the ‘Sec-*  
 25 *retary’)* shall establish a council to be known as the ‘Diver-

1 *sity and Inclusion Advisory Council of the Department of*  
2 *Defense*’ (referred to in this section as the ‘Council’).

3 “(b) *DUTIES.*—*The Council shall provide advice and*  
4 *recommendations to the Secretary on matters concerning*  
5 *diversity and inclusion in the Department of Defense, relat-*  
6 *ing to the following:*

7 “(1) *Aligning diversity and inclusion with the*  
8 *strategic goals of the Department of Defense.*

9 “(2) *Conducting strategic outreach efforts to*  
10 *identify, attract, and recruit individuals that rep-*  
11 *resent the demographic diversity of the United States.*

12 “(3) *Developing, mentoring, and retaining a di-*  
13 *verse and inclusive Armed Forces.*

14 “(4) *Encouraging leadership development*  
15 *through diversity and inclusion practices and proc-*  
16 *esses.*

17 “(c) *MEMBERSHIP.*—

18 “(1) *IN GENERAL.*—*The Council shall be com-*  
19 *posed of not fewer than 22 members, including the*  
20 *Federal officials and officers specified in paragraph*  
21 *(2), and not fewer than 12 members appointed by the*  
22 *Secretary from nongovernmental positions described*  
23 *in paragraph (3).*

1           “(2) *FEDERAL OFFICIALS AND OFFICERS.*—*The*  
2           *Federal officials and officers specified in this para-*  
3           *graph are the following:*

4                   “(A) *The Chief Diversity Officer of the De-*  
5                   *partment of Defense.*

6                   “(B) *The Under Secretary of Defense for*  
7                   *Personnel and Readiness.*

8                   “(C) *The Chief of Staff of the Army.*

9                   “(D) *The Chief of Naval Operations.*

10                  “(E) *The Chief of Staff of the Air Force.*

11                  “(F) *The Chief of Space Operations.*

12                  “(G) *The Chief of Staff of the Air Force.*

13                  “(H) *The Commandant of the Marine*  
14                  *Corps.*

15                  “(I) *The Commandant of the Coast Guard.*

16                  “(J) *The Chief of the National Guard Bu-*  
17                  *reau.*

18           “(3) *NONGOVERNMENTAL POSITIONS.*—*Non-*  
19           *governmental positions described in this paragraph*  
20           *are the following:*

21                   “(A) *Five presidents or chancellors of insti-*  
22                   *tutions of higher education, including private*  
23                   *and public institutions representing diverse*  
24                   *areas of the United States.*

1           “(B) Senior leaders of the defense industries  
2 of the United States.

3           “(C) Senior leaders of veterans or military  
4 service organizations.

5           “(D) Veterans (as defined in section 101 of  
6 title 38).

7           “(E) Others determined appropriate by the  
8 Secretary.

9           “(4) TIMING OF APPOINTMENTS.—Appointments  
10 to the Council shall be made not later than for  
11 months after the date of the enactment of this Act.

12           “(5) TERMS.—

13           “(A) IN GENERAL.—Each member shall be  
14 appointed for a term of two years.

15           “(B) VACANCIES.—Any member appointed  
16 to fill a vacancy occurring before the expiration  
17 of the term for which the member’s predecessor  
18 was appointed shall be appointed only for the re-  
19 mainder of that term. A member may serve after  
20 the expiration of that term until a successor has  
21 been appointed.

22           “(6) CHAIRPERSON AND VICE CHAIRPERSON.—

23           “(A) CHAIRPERSON.—The Chairperson of  
24 the Council shall be the Chief Diversity Officer  
25 of the Department of Defense.

1           “(B) *VICE CHAIRPERSON.*—*The Vice Chair-*  
2           *person shall be designated by the Secretary at*  
3           *the time of the appointment of the members pur-*  
4           *suant to paragraph (4), and when a vacancy of*  
5           *the Vice Chairperson occurs, as the case may be.*

6           “(d) *MEETING.*—

7           “(1) *MEETINGS.*—*The Council shall meet not*  
8           *fewer than four times each year at the call of the*  
9           *Chairperson or Vice Chairperson.*

10           “(2) *QUORUM.*—*Twelve members of the Council,*  
11           *including six appointed under subsection (c)(2) and*  
12           *six appointed under subsection (c)(3), shall constitute*  
13           *a quorum.*

14           “(e) *COMPENSATION.*—

15           “(1) *PROHIBITION ON COMPENSATION.*—*Except*  
16           *as provided in paragraph (2), members of the Council*  
17           *may not receive additional pay, allowances, or bene-*  
18           *fits by reason of their service on the Council.*

19           “(2) *TRAVEL EXPENSES.*—*Each member shall re-*  
20           *ceive travel expenses, including per diem in lieu of*  
21           *subsistence, in accordance with applicable provisions*  
22           *under subchapter I of chapter 57 of title 5.*

23           “(f) *ADMINISTRATIVE SUPPORT SERVICES.*—*Upon the*  
24           *request of the Council, the Secretary shall provide to the*  
25           *Council, on a reimbursable basis, the administrative sup-*

1 port services necessary for the Council to carry out its re-  
2 sponsibilities under this Act.

3 “(g) *REPORTS.*—Not later than 180 days after the date  
4 on which the Council holds its initial meeting under sub-  
5 section (d) and annually thereafter, the Council shall sub-  
6 mit to the congressional defense committees a report con-  
7 taining a detailed statement of the advice and recommenda-  
8 tions of the Council pursuant to subsection (b).”

9 (b) *CLERICAL AMENDMENT.*—The table of sections at  
10 the beginning of chapter 7 of title 10, United States Code,  
11 is amended by inserting before the item relating to section  
12 187 the following:

“186. *Diversity and Inclusion Advisory Council.*”

13 **SEC. 573. ESTABLISHMENT OF SPECIAL INSPECTOR GEN-**  
14 **ERAL FOR RACIAL AND ETHNIC DISPARITIES**  
15 **IN THE ARMED FORCES; AMENDMENTS TO IN-**  
16 **SPECTOR GENERAL ACT.**

17 (a) *SPECIAL INSPECTOR GENERAL FOR RACIAL AND*  
18 *ETHNIC DISPARITIES IN THE ARMED FORCES.*—

19 (1) *PURPOSES.*—The purposes of this section are  
20 the following:

21 (A) *To provide for the independent and ob-*  
22 *jective conduct and supervision of audits and in-*  
23 *vestigations relating to racial and ethnic dis-*  
24 *parities in military personnel and military jus-*

1           *tice systems, and white supremacy among mili-*  
2           *tary personnel.*

3           *(B) To provide recommendations to the Sec-*  
4           *retary of Defense and to Congress on actions nec-*  
5           *essary to eliminate racial and ethnic disparities*  
6           *in military personnel and military justice sys-*  
7           *tems.*

8           *(2) OFFICE OF INSPECTOR GENERAL.—To carry*  
9           *out the purposes of paragraph (1), there is hereby es-*  
10          *tablished, in the Department of Defense, the Office of*  
11          *the Special Inspector General for Racial and Ethnic*  
12          *Disparities in the Armed Forces.*

13          *(3) APPOINTMENT OF INSPECTOR GENERAL.—*

14           *(A) NOMINATION; APPOINTMENT.—The head*  
15           *of the Office of the Special Inspector General for*  
16           *Racial and Ethnic Disparities is the Special In-*  
17           *pector General for Racial and Ethnic Dispari-*  
18           *ties (in this section referred to as the “Inspector*  
19           *General”), who shall be appointed by the Presi-*  
20           *dent, by and with the advice and consent of the*  
21           *Senate.*

22           *(B) QUALIFICATIONS.—The appointment of*  
23           *the Inspector General shall be made solely on the*  
24           *basis of integrity and demonstrated ability in*  
25           *accounting, auditing, financial analysis, law,*



1           *management analysis, public administration, or*  
2           *investigations.*

3           (C) *DEADLINE FOR NOMINATION.*—*The*  
4           *nomination of an individual as Inspector Gen-*  
5           *eral shall be made not later than 90 days after*  
6           *the date of the enactment of this Act.*

7           (D) *COMPENSATION.*—*The annual rate of*  
8           *basic pay of the Inspector General shall be the*  
9           *annual rate of basic pay provided for positions*  
10          *at level IV of the Executive Schedule under sec-*  
11          *tion 5315 of title 5, United States Code.*

12          (E) *PROHIBITION ON POLITICAL ACTIVI-*  
13          *TIES.*—*For purposes of section 7324 of title 5,*  
14          *United States Code, the Inspector General shall*  
15          *not be considered an employee who determines*  
16          *policies to be pursued by the United States in*  
17          *the nationwide administration of Federal law.*

18          (F) *REMOVAL.*—*The Inspector General shall*  
19          *be removable from office in accordance with the*  
20          *provisions of section 3(b) of the Inspector Gen-*  
21          *eral Act of 1978 (5 U.S.C. App.).*

22          (4) *ASSISTANT INSPECTORS GENERAL.*—*The In-*  
23          *spector General shall, in accordance with applicable*  
24          *laws and regulations governing the civil service, ap-*  
25          *point an Assistant Inspector General for Military*

1 *Justice who shall have the responsibility for auditing*  
2 *and investigation activities relating to racial and eth-*  
3 *nic disparities within the military justice system.*

4 (5) *SUPERVISION.—*

5 (A) *IN GENERAL.—Except as provided in*  
6 *subparagraph (B), the Inspector General shall*  
7 *report directly to, and be under the general su-*  
8 *per vision of the Secretary of Defense.*

9 (B) *INDEPENDENCE TO CONDUCT INVES-*  
10 *TIGATIONS AND AUDITS.—No officer of the De-*  
11 *partment of Defense shall prevent or prohibit the*  
12 *Inspector General from initiating, carrying out,*  
13 *or completing any audit or investigation related*  
14 *to racial and ethnic disparities or from issuing*  
15 *any subpoena during the course of any such*  
16 *audit or investigation.*

17 (6) *DUTIES.—*

18 (A) *OVERSIGHT OF MILITARY JUSTICE.—It*  
19 *shall be the duty of the Inspector General to con-*  
20 *duct, supervise, and coordinate audits and inves-*  
21 *tigations of—*

22 (i) *the effect of military justice policies*  
23 *and practices on racial and ethnic dispari-*  
24 *ties, including overrepresentation of minori-*  
25 *ties in actions related to investigations,*

1           *courts-martial, nonjudicial punishments,*  
2           *and other military justice actions as deter-*  
3           *mined by the Inspector General;*

4           *(ii) the effect of military personnel*  
5           *policies and practices, including recruiting,*  
6           *accessions, and promotions, on racial and*  
7           *ethnic disparities, including underrepresenta-*  
8           *tion of minorities among members of the*  
9           *Armed Forces under the jurisdiction of the*  
10          *Secretary of a military department in*  
11          *grades above E-7;*

12          *(iii) the scope and efficacy of existing*  
13          *diversity and inclusion offices and pro-*  
14          *grams within the Department of Defense;*  
15          *and*

16          *(iv) white supremacist activities*  
17          *among military personnel and any other*  
18          *issues, determined by the Inspector General,*  
19          *necessary to address racial and ethnic dis-*  
20          *parities within the Armed Forces under the*  
21          *jurisdiction of the Secretary of a military*  
22          *department.*

23          *(B) OTHER DUTIES RELATED TO OVER-*  
24          *SIGHT.—The Inspector General shall establish,*  
25          *maintain, and oversee such systems, procedures,*

1           *and controls as the Inspector General considers*  
2           *appropriate to discharge the duties under sub-*  
3           *paragraph (A).*

4           (C) *DUTIES AND RESPONSIBILITIES UNDER*  
5           *INSPECTOR GENERAL ACT OF 1978.—In addition*  
6           *to the duties specified in subparagraphs (A) and*  
7           *(B), the Inspector General shall also have the du-*  
8           *ties and responsibilities of inspectors general*  
9           *under the Inspector General Act of 1978.*

10          (D) *COORDINATION OF EFFORTS.—In car-*  
11          *rying out the duties, responsibilities, and au-*  
12          *thorities of the Inspector General under this sec-*  
13          *tion, the Inspector General shall coordinate with,*  
14          *and receive the cooperation of each of the fol-*  
15          *lowing:*

16               (i) *The Inspector General of the De-*  
17               *partment of Defense.*

18               (ii) *The Inspector General of the Army.*

19               (iii) *The Inspector General of the*  
20               *Navy.*

21               (iv) *The Inspector General of the Air*  
22               *Force.*

23          (7) *POWERS AND AUTHORITIES.—*

24               (A) *AUTHORITIES UNDER INSPECTOR GEN-*  
25               *ERAL ACT OF 1978.—In carrying out the duties*

1           *specified in paragraph (6), the Inspector General*  
2           *shall have the authorities provided in section 6*  
3           *of the Inspector General Act of 1978.*

4           (B) *AUDIT STANDARDS.—The Inspector*  
5           *General shall carry out the duties specified in*  
6           *paragraph (6)(A) in accordance with section*  
7           *4(b)(1) of the Inspector General Act of 1978.*

8           (8) *PERSONNEL, FACILITIES, AND OTHER RE-*  
9           *SOURCES.—*

10           (A) *PERSONNEL.—The Inspector General*  
11           *may select, appoint, and employ such officers*  
12           *and employees as may be necessary for carrying*  
13           *out the duties of the Inspector General, subject to*  
14           *the provisions of title 5, United States Code, gov-*  
15           *erning appointments in the competitive service,*  
16           *and the provisions of chapter 51 and subchapter*  
17           *III of chapter 53 of such title, relating to classi-*  
18           *fication and General Schedule pay rates.*

19           (B) *EMPLOYMENT OF EXPERTS AND CON-*  
20           *SULTANTS.—The Inspector General may obtain*  
21           *services as authorized by section 3109 of title 5,*  
22           *United States Code, at daily rates not to exceed*  
23           *the equivalent rate prescribed for grade GS–15 of*  
24           *the General Schedule by section 5332 of such*  
25           *title.*

1           (C) *CONTRACTING AUTHORITY.*—*To the ex-*  
2 *tent and in such amounts as may be provided in*  
3 *advance by appropriations Acts, the Inspector*  
4 *General may enter into contracts and other ar-*  
5 *rangements for audits, studies, analyses, and*  
6 *other services with public agencies and with pri-*  
7 *ivate persons, and make such payments as may*  
8 *be necessary to carry out the duties of the Inspec-*  
9 *tor General.*

10           (D) *RESOURCES.*—*The Secretary of De-*  
11 *fense, as appropriate, shall provide the Inspector*  
12 *General with appropriate and adequate office*  
13 *space at appropriate locations of the Department*  
14 *of Defense, together with such equipment, office*  
15 *supplies, and communications facilities and*  
16 *services as may be necessary for the operation of*  
17 *such offices, and shall provide necessary mainte-*  
18 *nance services for such offices and the equipment*  
19 *and facilities located therein.*

20           (E) *ASSISTANCE FROM FEDERAL AGEN-*  
21 *CIES.*—

22           (i) *IN GENERAL.*—*Upon request of the*  
23 *Inspector General for information or assist-*  
24 *ance from any department, agency, or other*  
25 *entity of the Federal Government, the head*

1           *of such entity shall, insofar as is practicable*  
2           *and not in contravention of any existing*  
3           *law, furnish such information or assistance*  
4           *to the Inspector General, or an authorized*  
5           *designee.*

6           (ii) *REPORTING OF REFUSED ASSIST-*  
7           *ANCE.—Whenever information or assistance*  
8           *requested by the Inspector General is, in the*  
9           *judgment of the Inspector General, unrea-*  
10          *sonably refused or not provided, the Inspec-*  
11          *tor General shall report the circumstances*  
12          *to the Secretary of Defense, as appropriate,*  
13          *and to the appropriate congressional com-*  
14          *mittees without delay.*

15          (9) *REPORTS.—*

16                (A) *QUARTERLY REPORTS.—Not later than*  
17                *30 days after the end of each fiscal-year quarter,*  
18                *the Inspector General shall submit quarterly re-*  
19                *ports to the Secretary of Defense and the congres-*  
20                *sional defense committees summarizing the ac-*  
21                *tivities of the Inspector General for the previous*  
22                *quarter.*

23                (B) *ANNUAL REPORTS.—The Inspector Gen-*  
24                *eral shall submit annual reports to the Secretary*  
25                *of Defense and the congressional defense commit-*

1            *tees presenting recommendations for changes to*  
2            *policy, practice, regulation, and statute to elimi-*  
3            *nate disparities within the military personnel*  
4            *and military justice systems and to eliminate*  
5            *white supremacist activities among military per-*  
6            *sonnel.*

7            (C) *OCCASIONAL REPORTS.*—*The Inspector*  
8            *General shall, from time to time, submit addi-*  
9            *tional reports containing findings and rec-*  
10           *ommendations at the discretion of the Inspector*  
11           *General.*

12           (D) *ONLINE PUBLICATION.*—*The Inspector*  
13           *General shall publish each report under this*  
14           *paragraph on a publicly available website not*  
15           *later than seven days after submission to the*  
16           *Secretary of Defense and the congressional de-*  
17           *fense committees.*

18           (10) *FUNDING.*—*This section shall be carried out*  
19           *using not more than \$10,000,000 of funds authorized*  
20           *to be appropriated in this Act for Operation and*  
21           *Maintenance, Defense-wide, and no additional*  
22           *amounts are authorized to be appropriated to carry*  
23           *out this section.*



1           (b) *AMENDMENTS TO THE INSPECTOR GENERAL*  
2 *ACT.—The Inspector General Act of 1978 (5 U.S.C. App.)*  
3 *is amended—*

4           (1) *in section 3(b)—*

5                   (A) *by inserting “(1)” before “An Inspector*  
6 *General”;*

7                   (B) *by inserting after the first sentence the*  
8 *following: “An Inspector General may only be*  
9 *removed by the President before the expiration of*  
10 *the term of the Inspector General for permanent*  
11 *incapacity, neglect of duty, malfeasance, convic-*  
12 *tion of a felony or conduct involving moral tur-*  
13 *pitude, knowing violation of a law, gross mis-*  
14 *management, gross waste of funds, or abuse of*  
15 *authority.”; and*

16                   (C) *by adding at the end the following new*  
17 *paragraphs:*

18           “(2) *If an Inspector General is removed by the Presi-*  
19 *dent under paragraph (1) fewer than 30 days after the*  
20 *President has communicated in writing the reasons for such*  
21 *removal pursuant to paragraph (1), the Inspector General*  
22 *shall submit to the Council of the Inspectors General on*  
23 *Integrity and Efficiency a report that includes the following*  
24 *information:*

1           “(A) A description of the facts and circumstances  
2           of each investigation involving a senior government  
3           employee (as defined in section 5 of this Act) being  
4           conducted by that Inspector General at the time of  
5           such removal.

6           “(B) Any other matter that the Inspector Gen-  
7           eral determines to include.

8           “(3) Any individual serving as the head of an Office  
9           of Inspector General, after the removal of an Inspector Gen-  
10          eral under paragraph (1), shall issue to the Council of the  
11          Inspectors General on Integrity and Efficiency a report  
12          identifying any instances in which an investigation or mat-  
13          ter described in paragraph (2) is closed prior to its comple-  
14          tion, with a description of the reasons for closing the inves-  
15          tigation or matter.”; and

16                 (2) in section 8G(e), by adding at the end the  
17          following new paragraph:

18          “(3) In the event of the removal of an Inspector Gen-  
19          eral, the Council of the Inspectors General on Integrity and  
20          Efficiency shall—

21                 “(A) investigate the reasons for removal provided  
22                 by the President;

23                 “(B) publish a report including the determina-  
24                 tion of the Council whether the reasons described in

1       subparagraph (A) are in accordance with the relevant  
2       provisions relating to for cause removal;

3               “(C) review any investigation that was being  
4       conducted by the Inspector General at the time of  
5       such removal; and

6               “(D) submit, to the congressional committees the  
7       Council determine to be relevant, a report that in-  
8       cludes the determination of the Council whether an  
9       investigation described in subparagraph (C) moti-  
10      vated such removal.”.

11 **SEC. 574. QUESTIONS REGARDING RACISM, ANTI-SEMITISM,**  
12                               **AND SUPREMACISM IN WORKPLACE SURVEYS**  
13                               **ADMINISTERED BY THE SECRETARY OF DE-**  
14                               **FENSE.**

15       Section 593 of the National Defense Authorization Act  
16 for Fiscal Year 2020 (Public Law 116–92) is amended, in  
17 paragraph (1), by inserting “, racist, anti-Semitic, or su-  
18 premacist” after “extremist”.

19 **SEC. 575. REPORT ON DEMOGRAPHICS OF OFFICERS AP-**  
20                               **POINTED TO CERTAIN GRADES.**

21       Not later than the first October 1 to occur after the  
22 date of the enactment of this Act, and annually thereafter,  
23 each Secretary of a military department shall submit to  
24 the Committees on Armed Services of the Senate and House  
25 of Representatives a report summarizing the gender and

1 *race of each individual who received an appointment under*  
2 *section 531 or 601 of title 10, United States Code, during*  
3 *the immediately preceding fiscal year.*

4 **SEC. 576. PLANS TO INCREASE FEMALE AND MINORITY REP-**  
5 **RESENTATION IN THE ARMED FORCES.**

6 (a) *PLANS REQUIRED.*—*The Secretary of Defense and*  
7 *each Secretary of a military department shall develop plans*  
8 *to increase, with respect to female and minority members*  
9 *of the Armed Forces under the jurisdiction of that Sec-*  
10 *retary, the following:*

11 (1) *Recruitment.*

12 (2) *Retention.*

13 (3) *Representation in grades above E-7.*

14 (b) *ELEMENTS.*—*Each plan developed under this sec-*  
15 *tion shall include clearly defined goals, performance meas-*  
16 *ures, and timeframes.*

17 (c) *GOALS.*—*A goal under subsection (b) shall be to*  
18 *exceed, by not less than 100 percent, the rate at which the*  
19 *number of members described in subsection (a)(3) increased*  
20 *during the five years immediately preceding the date of the*  
21 *enactment of this Act.*

22 (d) *SUBMITTAL.*—*Not later than 180 days after the*  
23 *date of the enactment of this Act, the Secretary of Defense*  
24 *and each Secretary of a military department shall submit*  
25 *to the committees on Armed Services of the Senate and the*

1 *House of Representatives a copy of each plan developed*  
2 *under this section by that Secretary.*

3       (e) *REPORT.*—*Three months after submitting a plan*  
4 *under subsection (d) and quarterly thereafter for five years,*  
5 *the Secretary of Defense and each Secretary of a military*  
6 *department shall submit to the committees on Armed Serv-*  
7 *ices of the Senate and the House of Representatives a report*  
8 *indicating the number of female and minority members in*  
9 *grades above E-7 in each Armed Force under the jurisdic-*  
10 *tion of that Secretary.*

11 **SEC. 577. EVALUATION OF BARRIERS TO MINORITY PAR-**  
12 **TICIPATION IN CERTAIN UNITS OF THE**  
13 **ARMED FORCES.**

14       (a) *STUDY REQUIRED.*—

15           (1) *IN GENERAL.*—*Not later than 30 days after*  
16 *the date of the enactment of this Act, the Under Sec-*  
17 *retary of Defense for Personnel and Readiness shall*  
18 *seek to enter into an agreement with a federally fund-*  
19 *ed research and development center with relevant ex-*  
20 *pertise to conduct an evaluation of the barriers to mi-*  
21 *nority participation in covered units of the Armed*  
22 *Forces.*

23           (2) *ELEMENTS.*—*The evaluation required under*  
24 *paragraph (1) shall include the following elements:*

1           (A) *A description of the racial, ethnic, and*  
2           *gender composition of covered units.*

3           (B) *A comparison of the participation rates*  
4           *of minority populations in covered units to par-*  
5           *ticipation rates of the general population as*  
6           *members and as officers of the Armed Forces.*

7           (C) *A comparison of the percentage of mi-*  
8           *nority officers in the grade of O-7 or higher who*  
9           *have served in each covered unit to such percent-*  
10          *age for all such officers in the Armed Force of*  
11          *that covered unit.*

12          (D) *An identification of barriers to minor-*  
13          *ity participation in the accession, assessment,*  
14          *and training processes.*

15          (E) *The status and effectiveness of the re-*  
16          *sponse to the recommendations contained in the*  
17          *report of the RAND Corporation titled “Barriers*  
18          *to Minority Participation in Special Operations*  
19          *Forces” and any follow-up recommendations.*

20          (F) *Recommendations to increase the num-*  
21          *bers of minority officers in the Armed Forces.*

22          (G) *Recommendations to increase minority*  
23          *participation in covered units.*

24          (H) *Any other matters the Secretary deter-*  
25          *mines appropriate.*

1           (3) *REPORT TO CONGRESS.*—*The Secretary*  
2     *shall—*

3                   (A) *submit to the congressional defense com-*  
4     *mittees a report on the results of the study by*  
5     *not later than January 1, 2022; and*

6                   (B) *provide interim briefings to such com-*  
7     *mittees upon request.*

8           (b) *DESIGNATION.*—*The study conducted under sub-*  
9     *section (a) shall be known as the “Study on Reducing Bar-*  
10    *riers to Minority Participation in Elite Units in the Armed*  
11    *Services”.*

12          (c) *IMPLEMENTATION REQUIRED.*—

13                   (1) *IN GENERAL.*—*Except as provided in para-*  
14    *graph (2), not later than March 1, 2023, the Sec-*  
15    *retary of Defense shall commence the implementation*  
16    *of each recommendation included in the final report*  
17    *submitted under subsection (a)(3).*

18                   (2) *EXCEPTIONS.*—

19                           (A) *DELAYED IMPLEMENTATION.*—*The Sec-*  
20    *retary of Defense may commence implementation*  
21    *of a recommendation described paragraph (1)*  
22    *later than March 1, 2023, if—*

23                                   (i) *the Secretary submits to the con-*  
24    *gressional defense committees, not later than*  
25    *January 1, 2023, written notice of the in-*

1           *tent of the Secretary to delay implementa-*  
2           *tion of the recommendation; and*

3           *(ii) includes, as part of such notice, a*  
4           *specific justification for the delay in imple-*  
5           *menting the recommendation.*

6           *(B) NONIMPLEMENTATION.—The Secretary*  
7           *of Defense may elect not to implement a rec-*  
8           *ommendation described in paragraph (1), if—*

9           *(i) the Secretary submits to the con-*  
10           *gressional defense committees, not later than*  
11           *January 1, 2023, written notice of the in-*  
12           *tent of the Secretary not to implement the*  
13           *recommendation; and*

14           *(ii) includes, as part of such notice—*

15           *(I) the reasons for the Secretary’s*  
16           *decision not to implement the rec-*  
17           *ommendation; and*

18           *(II) a summary of alternative ac-*  
19           *tions the Secretary will carry out to*  
20           *address the purposes underlying the*  
21           *recommendation.*

22           *(3) IMPLEMENTATION PLAN.—For each rec-*  
23           *ommendation that the Secretary implements under*  
24           *this subsection, the Secretary shall submit to the con-*



1       gressional defense committees an implementation plan  
2       that includes—

3               (A) a summary of actions the Secretary has  
4               carried out, or intends to carry out, to imple-  
5               ment the recommendation; and

6               (B) a schedule, with specific milestones, for  
7               completing the implementation of the rec-  
8               ommendation.

9       (d) *COVERED UNITS DEFINED.*—In this section, the  
10      term “covered units” means the following:

11           (1) *Army Special Forces.*

12           (2) *Army Rangers.*

13           (3) *Navy SEALs.*

14           (4) *Air Force Combat Control Teams.*

15           (5) *Air Force Pararescue.*

16           (6) *Air Force Special Reconnaissance.*

17           (7) *Marine Raider Regiments.*

18           (8) *Marine Corps Force Reconnaissance.*

19           (9) *Coast Guard Maritime Security Response*  
20      *Team.*

21           (10) *Any other forces designated by the Secretary*  
22      *of Defense as special operations forces.*

23           (11) *Pilot and navigator military occupational*  
24      *specialties.*

1 ***Subtitle I—Decorations and Awards***

2 ***SEC. 581. ESTABLISHMENT OF THE ATOMIC VETERANS***

3 ***SERVICE MEDAL.***

4 (a) *SERVICE MEDAL REQUIRED.*—*The Secretary of*  
5 *Defense shall design and produce a military service medal,*  
6 *to be known as the “Atomic Veterans Service Medal”, to*  
7 *honor retired and former members of the Armed Forces who*  
8 *are radiation-exposed veterans (as such term is defined in*  
9 *section 1112(c)(3) of title 38, United States Code).*

10 (b) *DISTRIBUTION OF MEDAL.*—

11 (1) *ISSUANCE TO RETIRED AND FORMER MEM-*  
12 *BERS.*—*At the request of a radiation-exposed veteran,*  
13 *the Secretary of Defense shall issue the Atomic Vet-*  
14 *erans Service Medal to the veteran.*

15 (2) *ISSUANCE TO NEXT-OF-KIN.*—*In the case of a*  
16 *radiation-exposed veteran who is deceased, the Sec-*  
17 *retary may provide for issuance of the Atomic Vet-*  
18 *erans Service Medal to the next-of-kin of the person.*

19 (3) *APPLICATION.*—*The Secretary shall prepare*  
20 *and disseminate as appropriate an application by*  
21 *which radiation-exposed veterans and their next-of-*  
22 *kin may apply to receive the Atomic Veterans Service*  
23 *Medal.*

1 **SEC. 582. AUTHORIZATION FOR AWARD OF THE DISTIN-**  
 2 **GUISHED-SERVICE CROSS FOR RAMIRO F.**  
 3 **OLIVO FOR ACTS OF VALOR DURING THE**  
 4 **VIETNAM WAR.**

5 (a) *AUTHORIZATION.*—Notwithstanding the time limi-  
 6 tations specified in section 7274 of title 10, United States  
 7 Code, or any other time limitation with respect to the  
 8 awarding of certain medals to persons who served in the  
 9 United States Armed Forces, the President of the United  
 10 States is authorized to award the Distinguished-Service  
 11 Cross under section 7272 of such title to Ramiro F. Olivo  
 12 for the acts of valor during the Vietnam War described in  
 13 subsection (b).

14 (b) *ACTS OF VALOR DESCRIBED.*—The acts of valor  
 15 described in this subsection are the actions of Ramiro F.  
 16 Olivo on May 9, 1968, as a member of the Army while serv-  
 17 ing in the Republic of Vietnam with Company C, 1st Bat-  
 18 talion, 5th Cavalry Regiment, 1st Cavalry Division.

19 **Subtitle J—Miscellaneous Reports**  
 20 **and Other Matters**

21 **SEC. 591. EXPANSION OF DEPARTMENT OF DEFENSE**  
 22 **STARBASE PROGRAM.**

23 (a) *IN GENERAL.*—Section 2193b of title 10, United  
 24 States Code, is amended—

25 (1) *in the section heading, by striking*  
 26 **“science, mathematics, and technology”**

1       and inserting “**science, technology, engineer-**  
2       **ing, art and design, and mathematics**”;

3               (2) in subsection (a), by striking “science, math-  
4       ematics, and technology” and inserting “science, tech-  
5       nology, engineering, art and design, and mathe-  
6       matics”; and

7               (3) in subsection (b), by striking “mathematics,  
8       science, and technology” and inserting “science, tech-  
9       nology, engineering, art and design, and mathe-  
10      matics”.

11      (b) *CLERICAL AMENDMENT.*—The table of sections at  
12 the beginning of chapter 111 of title 10, United States Code,  
13 is amended by striking the item relating to section 2193b  
14 and inserting the following new item:

“2193b. Improvement of education in technical fields: program for support of ele-  
mentary and secondary education in science, technology, engi-  
neering, art and design, and mathematics.”.

15   **SEC. 592. INCLUSION OF CERTAIN OUTLYING AREAS IN THE**  
16                   **DEPARTMENT OF DEFENSE STARBASE PRO-**  
17                   **GRAM.**

18      Section 2193b(h) of title 10, United States Code, is  
19 amended by inserting “the Commonwealth of the Northern  
20 Mariana Islands, American Samoa,” before “and Guam”.

1 **SEC. 593. PROHIBITION ON CHARGING FOR OR COUNTING**  
2 **CERTAIN ACRONYMS ON HEADSTONES OF IN-**  
3 **DIVIDUALS INTERRED AT ARLINGTON NA-**  
4 **TIONAL CEMETERY.**

5 *The Secretary of the Army shall prescribe regulations*  
6 *or establish policies that, with regards to the headstone for*  
7 *an individual interred at Arlington National Cemetery,*  
8 *prohibit the charging of a fee for, or counting towards char-*  
9 *acter or line count, the following acronyms:*

10 (1) *“KIA” for an individual killed in action.*

11 (2) *“MIA” for an individual who was missing in*  
12 *action.*

13 (3) *“POW” for an individual who was a pris-*  
14 *oner of war.*

15 **SEC. 594. REPORT ON PLACEMENT OF MEMBERS OF THE**  
16 **ARMED FORCES IN ACADEMIC STATUS WHO**  
17 **ARE VICTIMS OF SEXUAL ASSAULT ONTO**  
18 **NON-RATED PERIODS.**

19 *Not later than 90 days after the date of the enactment*  
20 *of this Act, the Secretary of Defense shall submit to the*  
21 *Committees on Armed Services of the Senate and the House*  
22 *of Representatives a report on the feasibility and advis-*  
23 *ability, and current practice (if any), of the Department*  
24 *of Defense of granting requests by members of the Armed*  
25 *Forces who are in academic status (whether at the military*  
26 *service academies or in developmental education programs)*

1 *and who are victims of sexual assault to be placed on a*  
2 *Non-Rated Period for their performance report.*

3 **SEC. 595. SENSE OF CONGRESS REGARDING ADVERTISING**  
4 **RECRUITING EFFORTS.**

5 *It is the Sense of Congress that the Chiefs of the Armed*  
6 *Forces, in coordination with the Recruiting Commands of*  
7 *the Armed Forces, should give all due consideration to the*  
8 *use of local broadcasting and traditional news publishers*  
9 *when advertising.*

10 **TITLE VI—COMPENSATION AND**  
11 **OTHER PERSONNEL BENEFITS**  
12 **Subtitle A—Pay and Allowances**

13 **SEC. 601. INCREASE IN BASIC PAY.**

14 *Effective on January 1, 2021, the rates of monthly*  
15 *basic pay for members of the uniformed services are in-*  
16 *creased by 3.0 percent.*

17 **SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REG-**  
18 **ULAR MEMBERS.**

19 *(a) IN GENERAL.—Chapter 7 of title 37, United States*  
20 *Code, is amended by inserting after section 402a the fol-*  
21 *lowing new section:*

22 **“§ 402b. Basic needs allowance for low-income regular**  
23 **members**

24 *“(a) ALLOWANCE REQUIRED.—(1) Subject to para-*  
25 *graph (2), the Secretary of Defense shall pay to each covered*

1 member a basic needs allowance in the amount determined  
2 for such member under subsection (b).

3 “(2) In the event a household contains two or more  
4 covered members entitled to receive the allowance under this  
5 section in a given year, only one allowance may be paid  
6 for that year to a covered member among such covered mem-  
7 bers whom such covered members shall jointly elect.

8 “(b) AMOUNT OF ALLOWANCE FOR A COVERED MEM-  
9 BER.—(1) The amount of the monthly allowance payable  
10 to a covered member under subsection (a) for a year shall  
11 be the aggregate amount equal to—

12 “(A) the aggregate amount equal to—

13 “(i) 130 percent of the Federal poverty guide-  
14 lines of the Department of Health and Human Serv-  
15 ices for the location and number of persons in the  
16 household of the covered member for such year; minus

17 “(ii) the gross household income of the covered  
18 member during the preceding year; and

19 “(B) divided by 12.

20 “(2) The monthly allowance payable to a covered mem-  
21 ber for a year shall be payable for each of the 12 months  
22 following March of such year.

23 “(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than  
24 December 31 each year, the Director of the Defense Finance  
25 and Accounting Service shall notify, in writing, each indi-

1 *vidual whom the Director estimates will be a covered mem-*  
2 *ber during the following year of the potential entitlement*  
3 *of that individual to the allowance described in subsection*  
4 *(a) for that following year.*

5       *“(B) The preliminary notice under subparagraph (A)*  
6 *shall include information regarding financial management*  
7 *and assistance programs administered by the Secretary of*  
8 *Defense for which a covered member is eligible.*

9       *“(2) Not later than January 31 each year, each indi-*  
10 *vidual who seeks to receive the allowance for such year*  
11 *(whether or not subject to a notice for such year under para-*  
12 *graph (1)) shall submit to the Director such information*  
13 *as the Director shall require for purposes of this section in*  
14 *order to determine whether or not such individual is a cov-*  
15 *ered member for such year.*

16       *“(3) Not later than February 28 each year, the Direc-*  
17 *tor shall notify, in writing, each individual the Director*  
18 *determines to be a covered member for such year.*

19       *“(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1) A*  
20 *covered member otherwise entitled to receive the allowance*  
21 *under subsection (a) for a year may elect, in writing, not*  
22 *to receive the allowance for such year. Any election under*  
23 *this subsection shall be effective only for the year for which*  
24 *made. Any election for a year under this subsection is irrev-*  
25 *ocable.*



1       “(2) *A covered member who does not submit informa-*  
2 *tion described in subsection (d)(2) for a year as otherwise*  
3 *required by that subsection shall be deemed to have elected*  
4 *not to receive the allowance for such year.*

5       “(e) *DEFINITIONS.—In this section:*

6           “(1) *The term ‘covered member’ means a regular*  
7 *member of an armed force under the jurisdiction of*  
8 *the Secretary of a military department—*

9           “(A) *who has completed initial entry train-*  
10 *ing;*

11           “(B) *whose gross household income during*  
12 *the most recent year did not exceed an amount*  
13 *equal to 130 percent of the Federal poverty*  
14 *guidelines of the Department of Health and*  
15 *Human Services for the location and number of*  
16 *persons in the household of the covered member*  
17 *for such year; and*

18           “(C) *who does not elect under subsection (d)*  
19 *not to receive the allowance for such year.*

20           “(2) *The term ‘gross household income’ of a cov-*  
21 *ered member for a year for purposes of paragraph*  
22 *(1)(B) does not include any basic allowance for hous-*  
23 *ing received by the covered member (and any depend-*  
24 *ents of the covered member in the household of the cov-*

1       ered member) during such year under section 403 of  
2       this title.

3       “(f) *REGULATIONS.*—*The Secretary of Defense shall*  
4 *prescribe regulations for the administration of this section.*  
5 *Subject to subsection (e)(2), such regulations shall specify*  
6 *the income to be included in, and excluded from, the gross*  
7 *household income of individuals for purposes of this sec-*  
8 *tion.*”.

9       (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
10 *the beginning of chapter 7 of such title is amended by in-*  
11 *serting after the item relating to section 402a the following*  
12 *new item:*

“402b. *Basic needs allowance for low-income regular members.*”.

13 **SEC. 603. REORGANIZATION OF CERTAIN ALLOWANCES**  
14                                   **OTHER THAN TRAVEL AND TRANSPORTATION**  
15                                   **ALLOWANCES.**

16       (a) *PER DIEM FOR DUTY OUTSIDE THE CONTINENTAL*  
17 *UNITED STATES.*—

18               (1) *TRANSFER TO CHAPTER 7.*—*Section 475 of*  
19 *title 37, United States Code, is transferred to chapter*  
20 *7 of such title, inserted after section 403b, and reded-*  
21 *ignated as section 405.*

22               (2) *REPEAL OF TERMINATION PROVISION.*—*Sec-*  
23 *tion 405 of title 37, United States Code, as added by*  
24 *paragraph (1), is amended by striking subsection (f).*

25       (b) *ALLOWANCE FOR FUNERAL HONORS DUTY.*—

1           (1) *TRANSFER TO CHAPTER 7.*—Section 495 of  
2           *title 37, United States Code, is transferred to chapter*  
3           *7 of such title, inserted after section 433a, and reded-*  
4           *icated as section 435.*

5           (2) *REPEAL OF TERMINATION PROVISION.*—Sec-  
6           *tion 435 of title 37, United States Code, as added by*  
7           *paragraph (1), is amended by striking subsection (c).*

8           (c) *CLERICAL AMENDMENTS.*—

9           (1) *CHAPTER 7.*—The table of sections at the be-  
10          *ginning of chapter 7 of title 37, United States Code,*  
11          *is amended—*

12                   (A) *by inserting after the item relating to*  
13                   *section 403b the following new item:*

                  “405. *Travel and transportation allowances: per diem while on duty outside the*  
                  *continental United States.*”; and

14                   (B) *by inserting after the item relating to*  
15                   *section 433a the following new item:*

                  “435. *Funeral honors duty: allowance.*”.

16          (2) *CHAPTER 8.*—The table of sections at the be-  
17          *ginning of chapter 8 of title 37, United States Code,*  
18          *is amended by striking the items relating to sections*  
19          *475 and 495.*

1     **Subtitle B—Bonuses and Special**  
2                    **Incentive Pays**

3     **SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING**  
4                    **BONUS AND SPECIAL PAY AUTHORITIES.**

5            (a) *AUTHORITIES RELATING TO RESERVE FORCES.*—  
6     Section 910(g) of title 37, United States Code, relating to  
7     income replacement payments for reserve component mem-  
8     bers experiencing extended and frequent mobilization for ac-  
9     tive duty service, is amended by striking “December 31,  
10    2020” and inserting “December 31, 2021”.

11          (b) *TITLE 10 AUTHORITIES RELATING TO HEALTH*  
12    *CARE PROFESSIONALS.*—The following sections of title 10,  
13    United States Code, are amended by striking “December 31,  
14    2020” and inserting “December 31, 2021”:

15            (1) Section 2130a(a)(1), relating to nurse officer  
16    candidate accession program.

17            (2) Section 16302(d), relating to repayment of  
18    education loans for certain health professionals who  
19    serve in the Selected Reserve.

20          (c) *AUTHORITIES RELATING TO NUCLEAR OFFI-*  
21    *CERS.*—Section 333(i) of title 37, United States Code, is  
22    amended by striking “December 31, 2020” and inserting  
23    “December 31, 2021”.

24          (d) *AUTHORITIES RELATING TO TITLE 37 CONSOLI-*  
25    *DATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AU-*

1 *THORITIES.—The following sections of title 37, United*  
2 *States Code, are amended by striking “December 31, 2020”*  
3 *and inserting “December 31, 2021”:*

4           (1) *Section 331(h), relating to general bonus au-*  
5 *thority for enlisted members.*

6           (2) *Section 332(g), relating to general bonus au-*  
7 *thority for officers.*

8           (3) *Section 334(i), relating to special aviation*  
9 *incentive pay and bonus authorities for officers.*

10           (4) *Section 335(k), relating to special bonus and*  
11 *incentive pay authorities for officers in health profes-*  
12 *sions.*

13           (5) *Section 336(g), relating to contracting bonus*  
14 *for cadets and midshipmen enrolled in the Senior Re-*  
15 *serve Officers’ Training Corps.*

16           (6) *Section 351(h), relating to hazardous duty*  
17 *pay.*

18           (7) *Section 352(g), relating to assignment pay or*  
19 *special duty pay.*

20           (8) *Section 353(i), relating to skill incentive pay*  
21 *or proficiency bonus.*

22           (9) *Section 355(h), relating to retention incen-*  
23 *tives for members qualified in critical military skills*  
24 *or assigned to high priority units.*

1           (e) *AUTHORITY TO PROVIDE TEMPORARY INCREASE IN*  
2 *RATES OF BASIC ALLOWANCE FOR HOUSING.*—Section  
3 403(b)(7)(E) of title 37, United States Code, is amended  
4 by striking “December 31, 2020” and inserting “December  
5 31, 2021”.

6 **SEC. 612. INCREASE IN CERTAIN HAZARDOUS DUTY INCEN-**  
7                           **TIVE PAY FOR MEMBERS OF THE UNIFORMED**  
8                           **SERVICES.**

9           Section 351(b) of title 37, United States Code, is  
10 amended by striking “\$250” both places it appears and in-  
11 serting “\$275”.

12 **SEC. 613. STANDARDIZATION OF PAYMENT OF HAZARDOUS**  
13                           **DUTY INCENTIVE PAY FOR MEMBERS OF THE**  
14                           **UNIFORMED SERVICES.**

15           (a) *IN GENERAL.*—Section 351(c) of title 37, United  
16 States Code, is amended to read as follows:

17           “(c) *PAYMENT.*—Hazardous duty pay shall be paid on  
18 a monthly basis.”.

19           (b) *EFFECTIVE DATE.*—The amendments made by this  
20 section shall take effect on October 1, 2020, and shall apply  
21 with respect to duty performed in any month beginning on  
22 or after that date.

1 **SEC. 614. CLARIFICATION OF 30 DAYS OF CONTINUOUS**  
2 **DUTY ON BOARD A SHIP REQUIRED FOR FAM-**  
3 **ILY SEPARATION ALLOWANCE FOR MEMBERS**  
4 **OF THE UNIFORMED SERVICES.**

5 *Section 427(a)(1)(B) of title 37, United States Code,*  
6 *is amended by inserting “(or under orders to remain on*  
7 *board the ship while at the home port)” after “of the ship”.*

8 **SEC. 615. EXPANSION OF REIMBURSABLE STATE LICEN-**  
9 **SURE AND CERTIFICATION COSTS FOR A**  
10 **MILITARY SPOUSE ARISING FROM RELOCA-**  
11 **TION.**

12 *Section 476(p)(5) of title 37, United States Code, is*  
13 *amended in the matter preceding subparagraph (A), by*  
14 *striking “and” and inserting “fees, continuing education*  
15 *courses, and”.*

16 ***Subtitle C—Family and Survivor***  
17 ***Benefits***

18 **SEC. 621. EXPANSION OF AUTHORITY TO PROVIDE FINAN-**  
19 **CIAL ASSISTANCE TO CIVILIAN PROVIDERS**  
20 **OF CHILD CARE SERVICES OR YOUTH PRO-**  
21 **GRAM SERVICES FOR SURVIVORS OF MEM-**  
22 **BERS OF THE ARMED FORCES WHO DIE IN**  
23 **THE LINE OF DUTY.**

24 *Section 1798(a) of title 10, United States Code, is*  
25 *amended by striking “in combat-related incidents”.*

1 **SEC. 622. EXPANSION OF DEATH GRATUITY FOR ROTC**  
2 **GRADUATES.**

3 *Section 623(b) of the National Defense Authorization*  
4 *Act for Fiscal Year 2020 (Public Law 116–92) is amended*  
5 *by striking “the date of the enactment of this Act” and in-*  
6 *serting “May 1, 2017”.*

7 **SEC. 623. RECALCULATION OF FINANCIAL ASSISTANCE FOR**  
8 **PROVIDERS OF CHILD CARE SERVICES AND**  
9 **YOUTH PROGRAM SERVICES FOR DEPEND-**  
10 **ENTS.**

11 *(a) IN GENERAL.—Not later than July 1, 2021, the*  
12 *Secretary of Defense shall develop a method by which to*  
13 *determine appropriate amounts of financial assistance*  
14 *under section 1798 of title 10, United States Code. In such*  
15 *development, the Secretary shall take into consideration the*  
16 *following:*

- 17 *(1) Grades of members of the Armed Forces.*  
18 *(2) The cost of living in an applicable locale.*  
19 *(3) Whether a military installation has a mili-*  
20 *tary child development center, including any wait list*  
21 *length.*  
22 *(4) Whether a military child development center*  
23 *has vacant child care employee positions.*  
24 *(5) The capacity of licensed civilian child care*  
25 *providers in an applicable locale.*



1           (6) *The average cost of licensed civilian child*  
2           *care services available in an applicable locale.*

3           (b) *REPORT.*—*Not later than August 1, 2021, the Sec-*  
4           *retary shall submit a report the Committees on Armed Serv-*  
5           *ices of the Senate and the House of Representatives on the*  
6           *method developed under this section.*

7           (c) *DEFINITIONS.*—*In this section, the terms “child*  
8           *care employee” and “military child development center”*  
9           *have the meanings given those terms in section 1800 of title*  
10          *10, United States Code.*

11          **SEC. 624. PRIORITY FOR CERTAIN MILITARY FAMILY HOUS-**  
12                            **ING TO A MEMBER OF THE ARMED FORCES**  
13                            **WHOSE SPOUSE AGREES TO PROVIDE FAMILY**  
14                            **HOME DAY CARE SERVICES.**

15          (a) *PRIORITY.*—*If the Secretary of a military depart-*  
16          *ment determines that not enough child care employees are*  
17          *employed at a military child development center on a mili-*  
18          *tary installation under the jurisdiction of that Secretary*  
19          *to adequately care for the children of members of the Armed*  
20          *Forces stationed at that military installation, the Sec-*  
21          *retary, to the extent practicable, may give priority for cov-*  
22          *ered military family housing to a member whose spouse is*  
23          *an eligible military spouse.*

24          (b) *NUMBER OF PRIORITY POSITIONS.*—*A Secretary of*  
25          *a military department may grant priority under subsection*

1 *(a) only to the minimum number of eligible military*  
2 *spouses that the Secretary determines necessary to provide*  
3 *adequate child care to the children of members stationed*  
4 *at a military installation described in subsection (a).*

5 *(c) LIMITATION.—Nothing in this section may be con-*  
6 *strued to require the Secretary of a military department*  
7 *to provide covered military family housing that has been*  
8 *adapted for disabled individuals to a member under this*  
9 *section instead of to a member with one more dependents*  
10 *enrolled in the Exceptional Family Member Program.*

11 *(d) RESULT OF FAILURE TO PROVIDE FAMILY HOME*  
12 *DAY CARE SERVICES OR LOSS OF ELIGIBILITY.—The Sec-*  
13 *retary of the military department concerned may remove*  
14 *a household provided covered military family housing*  
15 *under this section therefrom if the Secretary determines the*  
16 *spouse of that member has failed to abide by an agreement*  
17 *described in subsection (e)(3) or has ceased to be an eligible*  
18 *military spouse. Such removal may not occur sooner than*  
19 *60 days after the date of such determination.*

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

21 *(1) The terms “child care employee”, “family*  
22 *home day care”, and “military child development*  
23 *center” have the meanings given those terms in sec-*  
24 *tion 1800 of title 10, United States Code.*

1           (2) *The term “covered military family housing”*  
2           *means military family housing—*

3                   (A) *located on a military installation de-*  
4                   *scribed in subsection (a); and*

5                   (B) *that the Secretary of the military de-*  
6                   *partment concerned determines is large enough*  
7                   *to provide family home day care services to no*  
8                   *fewer than six children (not including children*  
9                   *in the household of the eligible military spouse).*

10          (3) *The term “eligible military spouse” means a*  
11          *military spouse who—*

12                   (A) *is eligible for military family housing;*

13                   (B) *is eligible to provide family home day*  
14                   *care services;*

15                   (C) *has provided family home day care*  
16                   *services for at least one year; and*

17                   (D) *agrees in writing to provide family*  
18                   *home day care services in covered military fam-*  
19                   *ily housing for a period determined by the Sec-*  
20                   *retary of the military department concerned.*

21 **SEC. 625. STUDY ON FEASIBILITY OF TSP CONTRIBUTIONS**

22                   **BY MILITARY SPOUSES.**

23           (a) *STUDY REQUIRED.—The Secretary of Defense shall*  
24           *conduct a study on potential enhancements to the military*

1 *Thrift Savings Plan administered by the Federal Retirement Thrift Investment Board.*

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

5 (1) *An evaluation of the effect of allowing military spouses to contribute or make eligible retirement*  
6 *account transfers to the military Thrift Savings Plan*  
7 *account of the member of the Armed Forces to whom*  
8 *that military spouse is married.*

10 (2) *Legislation the Secretary determines necessary to permit contributions and transfers described*  
11 *in paragraph (1).*

13 (3) *An evaluation of whether and to what extent employer-funded matching of contributions described*  
14 *in paragraph (1) may encourage further participation in the military Thrift Savings Plan.*

17 (c) *REPORTING.*—

18 (1) *INITIAL REPORT.*—*Not later than February*  
19 *1, 2021, the Secretary of Defense shall submit to the*  
20 *Federal Retirement Thrift Investment Board a report*  
21 *on the results of the study under subsection (a).*

22 (2) *ANALYSIS.*—*Not later than 60 days after receiving the report under paragraph (1), the Federal*  
23 *Thrift Savings Retirement Board shall analyze the report*  
24 *under paragraph (1), generate recommendations*  
25

1        *and comments it determines appropriate, and submit*  
 2        *such analysis, recommendations, and comments to the*  
 3        *Secretary.*

4            (3) *FINAL REPORT.*—*Not later than April 1,*  
 5        *2021, the Secretary shall submit to the Committees on*  
 6        *Armed Services of the Senate and House of Represent-*  
 7        *atives the report under paragraph (1) and the anal-*  
 8        *ysis, recommendations, and comments under para-*  
 9        *graph (2).*

## 10    ***Subtitle D—Defense Resale Matters***

### 11    ***SEC. 631 . BASE RESPONDERS ESSENTIAL NEEDS AND DIN-*** 12            ***ING ACCESS.***

13            (a) *IN GENERAL.*—*Chapter 54 of title 10, United*  
 14        *States Code, is amended by adding at the end the following*  
 15        *new section:*

#### 16    ***“§ 1066. Use of commissary stores and MWR facilities:*** 17            ***protective services civilian employees***

18            “(a) *ELIGIBILITY OF PROTECTIVE SERVICES CIVILIAN*  
 19        *EMPLOYEES.*—*An individual employed as a protective serv-*  
 20        *ices civilian employee at a military installation shall be*  
 21        *permitted to purchase food and hygiene items at a com-*  
 22        *missary store or MWR retail facility located on that mili-*  
 23        *tary installation.*

24            “(b) *USER FEE AUTHORITY.*—(1) *The Secretary of*  
 25        *Defense shall prescribe regulations that impose a user fee*

1 *on individuals who are eligible solely under this section to*  
2 *purchase merchandise at a commissary store or MWR retail*  
3 *facility.*

4       “(2) *The Secretary shall set the user fee under this sub-*  
5 *section at a rate that the Secretary determines will offset*  
6 *any increase in expenses arising from this section borne by*  
7 *the Department of the Treasury on behalf of commissary*  
8 *stores associated with the use of credit or debit cards for*  
9 *customer purchases, including expenses related to card net-*  
10 *work use and related transaction processing fees.*

11       “(3) *The Secretary shall deposit funds collected pursu-*  
12 *ant to a user fee under this subsection in the General Fund*  
13 *of the Treasury.*

14       “(4) *Any fee under this subsection is in addition to*  
15 *the uniform surcharge under section 2484(d) of this title.*

16       “(c) *DEFINITIONS.—In this section:*

17               “(1) *The term ‘MWR retail facility’ has the*  
18 *meaning given that term in section 1063 of this title.*

19               “(2) *The term ‘protective services civilian em-*  
20 *ployee’ means a position in any of the following series*  
21 *(or successor classifications) of the General Schedule:*

22                       “(A) *Security Administration (GS–0080).*

23                       “(B) *Fire Protection and Prevention (GS–*  
24                       0081).

25                       “(C) *Police (GS–0083).*

1                   “(D) *Security Guard (GS–0085)*.

2                   “(E) *Emergency Management (GS–0089)*.”.

3           (b) *CLERICAL AMENDMENT*.—*The table of sections at*  
4 *the beginning of chapter 54 of title 10, United States Code,*  
5 *is amended by adding at the end the following new item:*

“1066. *Use of commissary stores and MWR facilities: protective services civilian employees.*”.

6 **SEC. 632. FIRST RESPONDER ACCESS TO MOBILE EX-**  
7 **CHANGES.**

8           Section 1146 of title 10, United States Code, is amend-  
9 ed by adding at the end the following new subsection:

10           “(d) *EMERGENCY RESPONSE PROVIDERS DURING A*  
11 *DECLARED MAJOR DISASTER OR EMERGENCY*.—*The Sec-*  
12 *retary of Defense shall prescribe regulations to allow an*  
13 *emergency response provider (as that term is defined in sec-*  
14 *tion 2 of the Homeland Security Act of 2002 (Public Law*  
15 *107–296; 6 U.S.C. 101)) to use a mobile commissary or ex-*  
16 *change store deployed to an area covered by a declaration*  
17 *of a major disaster or emergency under section 401 of the*  
18 *Robert T. Stafford Disaster Relief and Emergency Assist-*  
19 *ance Act (42 U.S.C. 5170).*”.

20 **SEC. 633. UPDATED BUSINESS CASE ANALYSIS FOR CON-**  
21 **SOLIDATION OF THE DEFENSE RESALE SYS-**  
22 **TEM.**

23           (a) *IN GENERAL*.—*Not later than March 1, 2021, the*  
24 *Chief Management Officer of the Department of Defense, in*

1 *coordination with the Undersecretary of Defense for Per-*  
2 *sonnel and Readiness, shall update the study titled “Study*  
3 *to Determine the Feasibility of Consolidation of the Defense*  
4 *Resale Entities” and dated December 4, 2018, to include*  
5 *a new business case analysis that—*

6 *(1) establishes new baselines for—*

7 *(A) savings from the costs of goods sold;*

8 *(B) costs of new information technology re-*  
9 *quired for such consolidation; and*

10 *(C) costs of headquarters relocation arising*  
11 *from such consolidation; and*

12 *(2) addresses each recommendation for executive*  
13 *action in the Government Accountability Office report*  
14 *GAO–20–418SU.*

15 *(b) REVIEW AND COMMENT.—Not later than April 1,*  
16 *2021, the Secretary of Defense shall make the updated busi-*  
17 *ness case analysis (in this section referred to as the “up-*  
18 *dated BCA”) available to the Secretaries of the military de-*  
19 *partments for comment.*

20 *(c) SUBMITTAL TO CONGRESSIONAL COMMITTEES.—*  
21 *Not later than June 1, 2021, the Secretary of Defense shall*  
22 *make any comments made under subsection (b) and the up-*  
23 *dated BCA available to the Committees on Armed Services*  
24 *of the Senate and the House of Representatives.*



1       (d) *DELAY OF CONSOLIDATION.*—*The Secretary of De-*  
2 *fense may not take any action to consolidate military ex-*  
3 *changes and commissaries until the Committees on Armed*  
4 *Services of the Senate and the House of Representatives no-*  
5 *tify the Secretary in writing of receipt and acceptance of*  
6 *the updated BCA.*

7                   ***Subtitle E—Other Personnel***  
8                                   ***Benefits***

9   ***SEC. 641. MAINTENANCE OF FUNDING FOR STARS AND***  
10                                   ***STRIPES.***

11       (a) *FUNDING.*—

12               (1) *OPERATION AND MAINTENANCE.*—*Of the*  
13 *amounts authorized to be appropriated for fiscal year*  
14 *2021 in Division D of this Act and available for oper-*  
15 *ations and maintenance for Defense-wide activities as*  
16 *specified in the funding table in section 4301 of this*  
17 *Act, \$9,000,000 shall be made available for the pur-*  
18 *pose of maintaining the operations and publication of*  
19 *Stars and Stripes.*

20               (2) *CONTINGENCY OPERATIONS.*—*Of the amounts*  
21 *authorized to be appropriated for fiscal year 2021 in*  
22 *Division D of this Act and available for overseas con-*  
23 *tingency operations for Defense-wide activities as*  
24 *specified in the funding tables in section 4301 of this*  
25 *Act, \$6,000,000 shall be made available for the pur-*

1        *pose of maintaining the operations and publication of*  
2        *Stars and Stripes*

3        *(b) REPORT ON BUSINESS CASE ANALYSIS.—Not later*  
4        *than March 1, 2021, the Secretary of Defense, in coordina-*  
5        *tion with the editor of Stars and Stripes, shall submit a*  
6        *report to the Committees on Armed Services of the Senate*  
7        *and the House of Representatives detailing the business case*  
8        *analysis for various options for Stars and Stripes. The re-*  
9        *port shall contain the following elements:*

10            *(1) An analysis of the pros and cons of, and*  
11            *business case for, continuing the operation and publi-*  
12            *cation of Stars and Stripes at its current levels, in-*  
13            *cluding other options for the independent reporting*  
14            *currently provided, especially in a deployed environ-*  
15            *ment.*

16            *(2) An analysis of the modes of communication*  
17            *used by Stars and Stripes.*

18            *(3) An analysis of potential reduced operations*  
19            *of Stars and Stripes.*

20            *(4) An analysis of the operation of Stars and*  
21            *Stripes solely as a non-appropriated entity.*

22            *(5) An analysis of operating Stars and Stripes*  
23            *as a category B morale, welfare, and recreation enti-*  
24            *ty.*

1           (6) *An assessment of the value of the availability*  
2           *of Stars and Stripes (in print or an electronic*  
3           *version) to deployed or overseas members of the*  
4           *Armed Forces.*

5           **TITLE VII—HEALTH CARE**  
6           **PROVISIONS**

7           **Subtitle A—TRICARE and Other**  
8           **Health Care Benefits**

9           **SEC. 701. EXPANSION OF MENTAL HEALTH ASSESSMENTS**  
10           **FOR MEMBERS OF THE ARMED FORCES.**

11           *Section 1074m of title 10, United States Code, is*  
12           *amended by adding at the end the following new subsection:*

13           “(g) *MENTAL HEALTH ASSESSMENTS FOR PARTICIPA-*  
14           *TION IN CERTAIN ACTIVITIES.—(1) The Secretary shall pro-*  
15           *vide to a member described in paragraph (2) mental health*  
16           *assessments under this section in a frequency and schedule*  
17           *that the Secretary determines to be as similar as practicable*  
18           *to the frequency and schedule for such assessments under*  
19           *subsection (a)(1).*

20           “(2) *A member described in this paragraph is a mem-*  
21           *ber who, while not deployed in support of a contingency*  
22           *operation, participated in warfighting activities that had*  
23           *a direct and immediate impact on a combat operation or*  
24           *other military operation.”.*

1 **SEC. 702. MANDATORY REFERRAL FOR MENTAL HEALTH**  
2 **EVALUATION.**

3 *Section 1090a of title 10, United States Code, is*  
4 *amended—*

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

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

9 *“(e) PROCESS APPLICABLE TO MEMBER DISCLO-*  
10 *SURE.—The regulations required by subsection (a) shall—*

11 *“(1) establish a phrase that enables a member of*  
12 *the armed forces to trigger a referral of the member*  
13 *by a commanding officer or supervisor for a mental*  
14 *health evaluation;*

15 *“(2) require a commanding officer or supervisor*  
16 *to make such referral as soon as practicable following*  
17 *disclosure by the member to the commanding officer*  
18 *or supervisor of the phrase established under para-*  
19 *graph (1); and*

20 *“(3) ensure that the process protects the confiden-*  
21 *tiality of the member in a manner similar to the con-*  
22 *fidentiality provided for members making restricted*  
23 *reports under section 1565b(b) of this title.”.*

1 **SEC. 703. ASSESSMENTS AND TESTING RELATING TO EXPO-**  
2 **SURE TO PERFLUOROALKYL AND**  
3 **POLYFLUOROALKYL SUBSTANCES.**

4 (a) *PERIODIC HEALTH ASSESSMENT.*—*The Secretary*  
5 *of Defense shall ensure that any periodic health assessment*  
6 *provided to a member of the Armed Forces includes an eval-*  
7 *uation of whether the member has been—*

8 (1) *based or stationed at a military installation*  
9 *identified by the Department of Defense as a location*  
10 *with a known or suspected release of perfluoroalkyl*  
11 *substances or polyfluoroalkyl substances during the*  
12 *period in which the member was based or stationed*  
13 *at the military installation; or*

14 (2) *exposed to such substances, including by eval-*  
15 *uating any information in the health record of the*  
16 *member.*

17 (b) *SEPARATION HISTORY AND PHYSICAL EXAMINA-*  
18 *TIONS.*—*Section 1145(a)(5) of title 10, United States Code,*  
19 *is amended by adding at the end the following new subpara-*  
20 *graph:*

21 “(D) *The Secretary concerned shall ensure that each*  
22 *physical examination of a member under subparagraph (A)*  
23 *includes an assessment of whether the member was—*

24 “(i) *based or stationed at a military installation*  
25 *identified by the Department as a location with a*  
26 *known or suspected release of perfluoroalkyl sub-*

1 *stances or polyfluoroalkyl substances during the pe-*  
2 *riod in which the member was based or stationed at*  
3 *the military installation; or*

4 *“(ii) exposed to such substances, including by as-*  
5 *sessing any information in the health record of the*  
6 *member.”.*

7 *(c) DEPLOYMENT ASSESSMENTS.—Section 1074f(b)(2)*  
8 *of title 10, United States Code, is amended by adding at*  
9 *the end the following new subparagraph:*

10 *“(E) An assessment of whether the member*  
11 *was—*

12 *“(i) based or stationed at a military instal-*  
13 *lation identified by the Department as a location*  
14 *with a known or suspected release of*  
15 *perfluoroalkyl substances or polyfluoroalkyl sub-*  
16 *stances during the period in which the member*  
17 *was based or stationed at the military installa-*  
18 *tion; or*

19 *“(ii) exposed to such substances, including*  
20 *by assessing any information in the health*  
21 *record of the member.”.*

22 *(d) PROVISION OF BLOOD TESTING.—*

23 *(1) MEMBERS OF THE ARMED FORCES.—*

24 *(A) IN GENERAL.—If a covered evaluation*  
25 *of a member of the Armed Forces results in a*

1           *positive determination of potential exposure to*  
2           *perfluoroalkyl substances or polyfluoroalkyl sub-*  
3           *stances, the Secretary of Defense shall provide to*  
4           *that member, during that covered evaluation,*  
5           *blood testing to determine and document poten-*  
6           *tial exposure to such substances.*

7           *(B) INCLUSION IN HEALTH RECORD.—The*  
8           *results of blood testing of a member of the Armed*  
9           *Forces conducted under subparagraph (A) shall*  
10          *be included in the health record of the member.*

11          *(2) COVERED EVALUATION DEFINED.—In this*  
12          *subsection, the term “covered evaluation” means—*

13                 *(A) a periodic health assessment conducted*  
14                 *in accordance with subsection (a);*

15                 *(B) a separation history and physical ex-*  
16                 *amination conducted under section 1145(a)(5) of*  
17                 *title 10, United States Code, as amended by sub-*  
18                 *section (b); and*

19                 *(C) a deployment assessment conducted*  
20                 *under section 1074f(b)(2) of such title, as amend-*  
21                 *ed by subsection (c).*

22    **SEC. 704. IMPROVEMENT TO BREAST CANCER SCREENING.**

23            *Section 1074d(b)(2) of title 10, United States Code, is*  
24    *amended by inserting before the period at the end the fol-*

1 *lowing: “, including through the use of digital breast*  
2 *tomosynthesis”.*

3                   ***Subtitle B—Health Care***  
4                   ***Administration***

5 ***SEC. 711. PROTECTION OF THE ARMED FORCES FROM IN-***  
6                   ***FECTIOUS DISEASES.***

7           (a) *IN GENERAL.*—Chapter 55 of title 10, United  
8 *States Code, is amended by inserting after section 1073d*  
9 *the following new section:*

10 ***“§1073e. Protection of armed forces from infectious***  
11                   ***diseases***

12           “(a) *PROTECTION.*—The Secretary of Defense shall en-  
13 *sure that the armed forces have the diagnostic equipment,*  
14 *testing capabilities, and personal protective equipment nec-*  
15 *essary to protect members of the armed forces from the*  
16 *threat of infectious diseases and to treat members who con-*  
17 *tract infectious diseases.*

18           “(b) *REQUIREMENTS.*—In carrying out subsection (a),  
19 *the Secretary shall ensure the following:*

20                   “(1) *Each military medical treatment facility*  
21 *has the testing capabilities described in such sub-*  
22 *section.*

23                   “(2) *Each deployed naval vessel has the testing*  
24 *capabilities described in such subsection.*



1           “(3) *Members of the armed forces deployed in*  
2           *support of a contingency operation outside of the*  
3           *United States have access to the testing capabilities*  
4           *described in such subsection, including at field hos-*  
5           *pitals, combat support hospitals, field medical sta-*  
6           *tions, and expeditionary medical facilities.*

7           “(4) *The Department of Defense maintains a*  
8           *stock of personal protective equipment in a quantity*  
9           *sufficient for each member of the armed forces, includ-*  
10          *ing the reserve components thereof.*

11          “(c) *RESEARCH AND DEVELOPMENT.—(1) The Sec-*  
12          *retary shall include with the defense budget materials (as*  
13          *defined by section 231(f) of this title) for a fiscal year a*  
14          *plan to research and develop vaccines for infectious diseases.*

15          “(2) *The Secretary shall ensure that the medical lab-*  
16          *oratories of the Department of Defense are equipped with*  
17          *the technology needed to facilitate rapid research in the case*  
18          *of a pandemic.”.*

19          “(b) *CLERICAL AMENDMENT.—The table of contents at*  
20          *the beginning of such chapter is amended by inserting after*  
21          *the item relating to section 1073d the following new item:*

          “1073e. *Protection of armed forces from infectious diseases.”.*

1 **SEC. 712. INCLUSION OF DRUGS, BIOLOGICAL PRODUCTS,**  
2 **AND CRITICAL MEDICAL SUPPLIES IN NA-**  
3 **TIONAL SECURITY STRATEGY FOR NATIONAL**  
4 **TECHNOLOGY AND INDUSTRIAL BASE.**

5 (a) NATIONAL SECURITY STRATEGY FOR NATIONAL  
6 TECHNOLOGY AND INDUSTRIAL BASE.—Section 2501(a) of  
7 title 10, United States Code, is amended by adding at the  
8 end the following new paragraph:

9 “(11) Providing for the provision of drugs, bio-  
10 logical products, vaccines, and critical medical sup-  
11 plies (including personal protective equipment, diag-  
12 nostic and testing capabilities, and lifesaving breath-  
13 ing apparatuses required for the treatment of severe  
14 respiratory illness and respiratory distress) required  
15 to enable combat readiness and protect the health of  
16 the armed forces.”

17 (b) REPORT.—

18 (1) IN GENERAL.—Not later than one year after  
19 the date of the enactment of this Act, the Secretary of  
20 Defense, in consultation with the Secretary of Health  
21 and Human Services, the Commissioner of Food and  
22 Drugs, and the heads of other departments and agen-  
23 cies of the Federal Government that the Secretary of  
24 Defense determines appropriate, shall submit to the  
25 appropriate congressional committees a report on  
26 vulnerabilities to the drugs, biological products, vac-

1 *cines, and critical medical supplies of the Department*  
2 *of Defense.*

3 (2) *MATTERS INCLUDED.—The report under*  
4 *paragraph (1) shall include—*

5 (A) *an identification and origin of any fin-*  
6 *ished drugs, as identified by the Secretary of De-*  
7 *fense, and the essential components of such*  
8 *drugs, including raw materials, chemical compo-*  
9 *nents, and active pharmaceutical ingredients*  
10 *that are necessary for the manufacture of such*  
11 *drugs, whose supply is at risk of disruption dur-*  
12 *ing a time of war or national emergency;*

13 (B) *an identification of shortages of finished*  
14 *drugs, biological products, vaccines, and critical*  
15 *medical supplies essential for combat readiness*  
16 *and the protection of the health of the Armed*  
17 *Forces, as identified by the Secretary of Defense;*

18 (C) *an identification of the defense and geo-*  
19 *political contingencies that are sufficiently likely*  
20 *to arise that may lead to the discontinuance,*  
21 *interruption or meaningful disruption in the*  
22 *supply of a drug, biological product, vaccine, or*  
23 *critical medical supply, and recommendations*  
24 *regarding actions the Secretary of Defense should*

1           *take to reasonably prepare for the occurrence of*  
2           *such contingencies;*

3           *(D) an assessment conducted by the Sec-*  
4           *retary of Defense of the resilience and capacity*  
5           *of the current supply chain and industrial base*  
6           *to support national defense upon the occurrence*  
7           *of the contingencies identified in subparagraph*  
8           *(C), including with respect to—*

9                     *(i) the manufacturing capacity of the*  
10                    *United States;*

11                    *(ii) gaps in domestic manufacturing*  
12                    *capabilities, including non-existent, extinct,*  
13                    *threatened, and single-point-of-failure capa-*  
14                    *bilities; and*

15                    *(iii) supply chains with single points*  
16                    *of failure and limited resiliency; and*

17           *(E) recommendations to enhance and*  
18           *strengthen the surge requirements and readiness*  
19           *contracts of the Department of Defense to ensure*  
20           *the sufficiency of the stockpile of the Department*  
21           *of, and the ready access by the Department to,*  
22           *critical medical supplies, pharmaceuticals, vac-*  
23           *cines, counter-measure prophylaxis, and personal*  
24           *protective equipment, including with respect to*  
25           *the effectiveness of the theater lead agent for med-*

1           *ical materiel program in support of the combat-*  
2           *ant commands.*

3           (3) *FORM.*—*The report under paragraph (1)*  
4           *shall be submitted in classified form.*

5           (4) *DEFINITIONS.*—*In this subsection:*

6                 (A) *The term “appropriate congressional*  
7                 *committees” means the following:*

8                         (i) *The congressional defense commit-*  
9                         *tees.*

10                        (ii) *The Committee on Energy and*  
11                        *Commerce and the Committee on Homeland*  
12                        *Security of the House of Representatives.*

13                        (iii) *The Committee on Health, Edu-*  
14                        *cation, Labor, and Pensions and the Com-*  
15                        *mittee on Homeland Security and Govern-*  
16                        *mental Affairs of the Senate.*

17                 (B) *The term “critical medical equipment”*  
18                 *includes personal protective equipment, diag-*  
19                 *nostic tests, testing supplies, and lifesaving*  
20                 *breathing apparatuses required to treat severe*  
21                 *respiratory illnesses and distress.*

1 **SEC. 713. CONTRACT AUTHORITY OF THE UNIFORMED**  
2 **SERVICES UNIVERSITY OF THE HEALTH**  
3 **SCIENCES.**

4 *Section 2113(g)(1) of title 10, United States Code, is*  
5 *amended—*

6 *(1) in subparagraph (E), by striking “and” at*  
7 *the end;*

8 *(2) in subparagraph (F), by striking the period*  
9 *at the end and inserting “; and”; and*

10 *(3) by adding at the end the following new sub-*  
11 *paragraph:*

12 *“(G) notwithstanding section 2304(k) of*  
13 *this title, to enter into such contracts, coopera-*  
14 *tive agreements, or grants on a sole-source basis*  
15 *pursuant to section 2304(c)(5) of this title.”.*

16 **SEC. 714. EXTENSION OF ORGANIZATION REQUIREMENTS**  
17 **FOR DEFENSE HEALTH AGENCY.**

18 *Section 1073c(e) of title 10, United States Code, is*  
19 *amended by striking “September 30, 2022” and inserting*  
20 *“September 30, 2025”.*

21 **SEC. 715. MODIFICATION TO LIMITATION ON THE REALIGN-**  
22 **MENT OR REDUCTION OF MILITARY MEDICAL**  
23 **MANNING END STRENGTH.**

24 *Section 719 of the National Defense Authorization Act*  
25 *for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1454)*  
26 *is amended—*

1           (1) *in subsection (a), in the matter preceding*  
2 *paragraph (1), by striking “may not realign or re-*  
3 *duce military medical end strength authorizations*  
4 *until” and inserting the following: “may not realign*  
5 *or reduce military medical end strength authoriza-*  
6 *tions during the one-year period following the date of*  
7 *the enactment of the National Defense Authorization*  
8 *Act for Fiscal Year 2021, and after such period, may*  
9 *not realign or reduce such authorizations unless”;* and

10           (2) *in subsection (b)(1), by inserting before the*  
11 *period at the end the following: “, including with re-*  
12 *spect to both the homeland defense mission and pan-*  
13 *demic influenza”.*

14 **SEC. 716. MODIFICATIONS TO IMPLEMENTATION PLAN FOR**  
15 **RESTRUCTURE OR REALIGNMENT OF MILI-**  
16 **TARY MEDICAL TREATMENT FACILITIES.**

17           *Section 703(d) of the National Defense Authorization*  
18 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*  
19 *2199) is amended—*

20           (1) *in paragraph (2), by striking subparagraph*  
21 *(D) and inserting the following new subparagraph:*

22                   *“(D) A description of how the Secretary*  
23 *will carry out subsection (b), including with re-*  
24 *spect to—*

1           “(i) the standards required for health  
2           care providers to accept and transition cov-  
3           ered beneficiaries to the purchased care  
4           component of the *TRICARE* program;

5           “(ii) a method to monitor and report  
6           on quality benchmarks for the beneficiary  
7           population that is required to transition to  
8           such component of the *TRICARE* program;  
9           and

10           “(iii) a process by which the Defense  
11           Health Agency will ensure that such compo-  
12           nent of the *TRICARE* program has the re-  
13           quired capacity.”; and

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

16           “(4) *NOTICE AND WAIT.*—The Secretary may not  
17           implement the plan under paragraph (1) unless—

18           “(A) the Secretary has submitted the plan  
19           to the congressional defense committees; and

20           “(B) a one-year period elapses following the  
21           later of the date of such submission or the date  
22           of the enactment of the *National Defense Author-*  
23           *ization Act for Fiscal Year 2021.*”.



1 **SEC. 717. POLICY TO ADDRESS OPIOID PRESCRIPTION**  
2 **ABUSE PREVENTION.**

3 (a) *REQUIREMENT.*—*The Secretary of Defense shall*  
4 *develop a policy and tracking mechanism for opioids that*  
5 *monitors and prohibits the over prescribing of opioids to*  
6 *ensure compliance with clinical practice guidelines.*

7 (b) *ELEMENTS.*—*The requirements under subsection*  
8 *(a) shall include the following:*

9 (1) *Limit the prescribing of opioids to the mor-*  
10 *phine milligram equivalent level per day specified in*  
11 *the guideline published by the Centers for Disease*  
12 *Control and Prevention titled “CDC Guideline for*  
13 *Prescribing Opioids for Chronic Pain—United*  
14 *States, 2016”, or such successor guideline.*

15 (2) *Limit the supply of opioids to within clini-*  
16 *cally accepted guidelines.*

17 (3) *Develop a waiver process for specific patient*  
18 *categories that will require treatment beyond the limit*  
19 *specified in paragraph (1).*

20 (4) *Implement controls to ensure that the pre-*  
21 *scriptions in the military health system data reposi-*  
22 *tory exist and that the dispense date and the metric*  
23 *quantity field for opioid prescriptions in liquid form*  
24 *are consistent among all systems.*

1           (5) *Implement opioid prescribing controls within*  
2           *the electronic health record system known as “Gen-*  
3           *esis”.*

4           (6) *Develop metrics that can be used by the De-*  
5           *fense Health Agency and each military medical treat-*  
6           *ment facility to actively monitor and limit the over-*  
7           *prescribing of opioids.*

8           (7) *Develop a report that tracks progression to-*  
9           *ward reduced levels of opioid use.*

10 **SEC. 718. ADDITION OF BURN PIT REGISTRATION TO ELEC-**

11 **TRONIC HEALTH RECORDS OF MEMBERS OF**

12 **THE ARMED FORCES AND VETERANS.**

13           (a) *UPDATES TO ELECTRONIC HEALTH RECORDS.—*  
14 *Beginning not later than one year after the date of the en-*  
15 *actment of this Act—*

16           (1) *the Secretary of Defense shall ensure that the*  
17 *electronic health record maintained by such Secretary*  
18 *of a member of the Armed Forces registered with the*  
19 *burn pit registry is updated with any information*  
20 *contained in such registry; and*

21           (2) *the Secretary of Veterans Affairs shall ensure*  
22 *that the electronic health record maintained by such*  
23 *Secretary of a veteran registered with the burn pit*  
24 *registry is updated with any information contained*  
25 *in such registry.*

1       (b) *BURN PIT REGISTRY DEFINED.*—*In this section,*  
2 *the term “burn pit registry” means the registry established*  
3 *under section 201 of the Dignified Burial and Other Vet-*  
4 *erans’ Benefits Improvement Act of 2012 (Public Law 112–*  
5 *260; 38 U.S.C. 527 note).*

6       ***Subtitle C—Matters Relating to***  
7                                   ***COVID–19***

8       ***SEC. 721. COVID–19 MILITARY HEALTH SYSTEM REVIEW***  
9                                   ***PANEL.***

10       (a) *ESTABLISHMENT.*—*The Secretary of Defense shall*  
11 *establish a panel to be known as the “COVID–19 Military*  
12 *Health System Review Panel” (in this section referred to*  
13 *as the “panel”).*

14       (b) *COMPOSITION.*—

15               (1) *MEMBERS.*—*The panel shall be composed of*  
16 *the following members:*

17                               (A) *The President of the Uniformed Services*  
18                               *University of the Health Sciences.*

19                               (B) *The Director of the Defense Health*  
20                               *Agency.*

21                               (C) *The Surgeon General of the Army.*

22                               (D) *The Surgeon General of the Navy.*

23                               (E) *The Surgeon General of the Air Force.*

24                               (F) *The Joint Staff Surgeon.*

1           (G) *The Deputy Assistant Secretary of De-*  
2           *fense for Health Readiness Policy and Oversight.*

3           (H) *The Deputy Assistant Secretary of De-*  
4           *fense for Health Resources Management and Pol-*  
5           *icy.*

6           (2) *CHAIRPERSON.—The chairperson of the*  
7           *panel shall be the President of the Uniformed Services*  
8           *University of the Health Sciences.*

9           (3) *TERMS.—Each member shall be appointed*  
10          *for the life of the panel.*

11          (c) *DUTIES.—*

12           (1) *IN GENERAL.—The panel shall—*

13           (A) *review the response of the military*  
14           *health system to the coronavirus disease 2019*  
15           *(COVID–19) and the effects of COVID–19 on*  
16           *such system, including by analyzing any*  
17           *strengths or weaknesses of such system identified*  
18           *as a result COVID–19; and*

19           (B) *using information from the review,*  
20           *make such recommendations as the panel con-*  
21           *siders appropriate with respect to any policy,*  
22           *practice, organization, manning level, funding*  
23           *level, or legislative authority relating to the mili-*  
24           *tary health system.*

1           (2) *ELEMENTS OF REVIEW.*—*In conducting the*  
2 *review under paragraph (1), each member of the*  
3 *panel shall lead a review of at least one of the fol-*  
4 *lowing elements, with respect to the military health*  
5 *system:*

6                   (A) *Policy, including any policy relating to*  
7 *force health protection or medical standards for*  
8 *the appointment, enlistment, or induction of in-*  
9 *dividuals into the Armed Forces.*

10                   (B) *Public health activities, including any*  
11 *activity relating to risk communication, surveil-*  
12 *lance, or contact tracing.*

13                   (C) *Research, diagnostics, and therapeutics.*

14                   (D) *Logistics and technology.*

15                   (E) *Force structure and manning.*

16                   (F) *Governance and organization.*

17                   (G) *Operational capabilities and oper-*  
18 *ational support.*

19                   (H) *Education and training.*

20                   (I) *Health benefits under the TRICARE*  
21 *program.*

22                   (J) *Engagement and security activities re-*  
23 *lating to global health.*

24                   (K) *The financial impact of COVID–19 on*  
25 *the military health system.*

1       (d) *REPORT.*—Not later than June 1, 2021, the Sec-  
2       retary of Defense shall submit to the congressional defense  
3       committees a report that includes the findings of the panel  
4       as a result of the review under subsection (c)(1)(A), together  
5       with such recommendations as the panel considers appro-  
6       priate under subsection (c)(1)(B).

7       (e) *TERMINATION.*—The panel shall terminate on June  
8       1, 2021.

9       **SEC. 722. COVID-19 GLOBAL WAR ON PANDEMICS.**

10       (a) *STRATEGY.*—The Secretary of Defense shall develop  
11       a strategy for pandemic preparedness and response that in-  
12       cludes the following:

13               (1) *Identification of activities necessary to be*  
14               *carried out prior to a pandemic to ensure prepared-*  
15               *ness and effective communication of roles and respon-*  
16               *sibilities within the Department of Defense, includ-*  
17               *ing—*

18                       (A) *reviewing the frequency of each exercise*  
19                       *conducted by the Department or a military de-*  
20                       *partment that relates to a pandemic or severe in-*  
21                       *fluenza season or related force health protection;*

22                       (B) *ensuring such exercises are appro-*  
23                       *priately planned, resourced, and practiced;*

24                       (C) *including a consideration of the capa-*  
25                       *bilities and capacities necessary to carry out the*

1           *strategy under this section, and related oper-*  
2           *ations for force health protection, and ensuring*  
3           *that these are included in each cost evaluation,*  
4           *Defense-wide review, or manning assessment of*  
5           *the Department of Defense that affects such capa-*  
6           *bilities and capacities;*

7           *(D) reviewing the placement, exploring*  
8           *broader utilization of global health engagement*  
9           *liaisons, and increasing the scope of global health*  
10          *activities of the Department of Defense;*

11          *(E) assessing a potential career track relat-*  
12          *ing to health protection research for members of*  
13          *the Armed Forces and civilian employees of the*  
14          *Department of Defense;*

15          *(F) providing to members of the Armed*  
16          *Forces guidance on force health protection prior*  
17          *to and during a pandemic or severe influenza*  
18          *season, including guidance on specific behaviors*  
19          *or actions required, such as self-isolating, social*  
20          *distancing, and additional protective measures*  
21          *to be carried out after contracting a novel virus*  
22          *or influenza;*

23          *(G) reviewing and updating the inventory*  
24          *of medical supplies and equipment of the De-*  
25          *partment of Defense that is available for oper-*

1           *ational support to the combatant commands*  
2           *prior to and during a pandemic (such as vac-*  
3           *cines, biologics, drugs, preventive medicine,*  
4           *antiviral medicine, and equipment relating to*  
5           *trauma support), including a review of—*

6                     *(i) the sufficiency of prepositioned*  
7                     *stocks; and*

8                     *(ii) the effectiveness of the Warstopper*  
9                     *Program of the Defense Logistics Agency, or*  
10                    *such successor program;*

11            *(H) reviewing and updating distribution*  
12            *plans of the Department of Defense for critical*  
13            *medical supplies and equipment within the in-*  
14            *ventory of the Department of Defense, including*  
15            *vaccines and antiviral medicines; and*

16            *(I) reviewing and updating research on in-*  
17            *fectious diseases and preventive medicine con-*  
18            *ducted by the military health system, including*  
19            *research conducted by the Health Related Com-*  
20            *munities of Interest of the Department of De-*  
21            *fense, the Joint Program Committees, the over-*  
22            *seas medical laboratories of the Department of*  
23            *Defense, the Armed Forces Health Surveillance*  
24            *Branch, or other elements of the Department of*  
25            *Defense that conduct research in support of*



1           *members of the Armed Forces or beneficiaries*  
2           *under the TRICARE program.*

3           *(2) Review of Department of Defense systems for*  
4           *health surveillance and detection to ensure continuous*  
5           *situational awareness and early warning with respect*  
6           *to a pandemic, including a review of—*

7                   *(A) the levels of funding and investment,*  
8                   *and the overall value, of the Global Emerging In-*  
9                   *fections Surveillance and Response System of the*  
10                  *Department of Defense, including the value dem-*  
11                  *onstrated by the role of such system in—*

12                           *(i) improving the Department of De-*  
13                           *fense prevention and surveillance of, and*  
14                           *the response to, infectious diseases that may*  
15                           *impact members of the Armed Forces;*

16                           *(ii) informing decisions relating to*  
17                           *force health protection across the geographic*  
18                           *combatant commands;*

19                           *(iii) ensuring laboratory readiness to*  
20                           *support pandemic response efforts and to*  
21                           *understand infectious disease threats to the*  
22                           *Armed Forces; and*

23                           *(iv) coordinating and collaborating*  
24                           *with partners, such as the geographic com-*

1            *batant commands, other Federal agencies,*  
2            *and international partners;*

3            *(B) the levels of funding and investment,*  
4            *and the overall value, of the overseas medical*  
5            *laboratories of the Department of Defense, in-*  
6            *cluding the value demonstrated by the role of*  
7            *such laboratories in conducting research and*  
8            *forming partnerships with other elements of the*  
9            *Department of Defense, other Federal agencies,*  
10           *international partners in the country in which*  
11           *such laboratory is located, and, as applicable, the*  
12           *private sector of the United States; and*

13           *(C) the levels of funding and investment,*  
14           *and the overall value, of the Direct HIV/AIDS*  
15           *Prevention Program of the Department of De-*  
16           *fense, including the value demonstrated by the*  
17           *role of such program in developing (in coordina-*  
18           *tion with other Federal agencies) programs for*  
19           *the prevention, care, and treatment of the human*  
20           *immunodeficiency virus infection and acquired*  
21           *immune deficiency syndrome.*

22           *(3) Identification of activities to limit the spread*  
23           *of an infectious disease outbreak among members of*  
24           *the Armed Forces and beneficiaries under the*  
25           *TRICARE program, including activities to mitigate*

1        *the health, social, and economic impacts of a pan-*  
2        *demic on such members and beneficiaries, including*  
3        *by—*

4                *(A) reviewing the role of the Department of*  
5                *Defense in the National Disaster Medical System*  
6                *under section 2812 of the Public Health Service*  
7                *Act (42 U.S.C. 300hh–11) and implementing*  
8                *plans across the Department that leverage med-*  
9                *ical facilities, personnel, and response capabili-*  
10               *ties of the Federal Government to support re-*  
11               *quirements under such Act relating to medical*  
12               *surge capacity;*

13               *(B) determining the range of public health*  
14               *capacity, medical surge capacity, administrative*  
15               *capacity, and veterinary capacity necessary for*  
16               *the Armed Forces to—*

17                        *(i) support operations during a pan-*  
18                        *demic; and*

19                        *(ii) develop mechanisms to reshape*  
20                        *force structure during such pandemic as*  
21                        *necessary (contingent upon primary mis-*  
22                        *sion requirements); and*

23                *(C) determining the range of activities for*  
24                *operational medical support and infrastructure*  
25                *sustainment that the Department of Defense and*

1            *other Federal agencies have the capacity to im-*  
2            *plement during a pandemic (contingent upon*  
3            *primary mission requirements), and develop*  
4            *plans for the implementation of such activities.*

5            *(b) STUDY ON RESPONSE TO COVID–19.—The Sec-*  
6            *retary shall conduct a study on the response of the military*  
7            *health system to the coronavirus disease 2019 (COVID–19).*

8            *(c) REPORT.—Not later than June 1, 2021, the Sec-*  
9            *retary shall submit to the congressional defense committees*  
10          *a report containing—*

11                  *(1) the strategy under subsection (a); and*

12                  *(2) the study under subsection (b), including any*  
13                  *findings or recommendations from the study that re-*  
14                  *late to an element of the strategy under subsection*  
15                  *(a), such as recommended changes to policy, funding,*  
16                  *practices, manning, organization, or legislative au-*  
17                  *thority.*

18          **SEC. 723. REGISTRY OF TRICARE BENEFICIARIES DIAG-**  
19                  **NOSED WITH COVID–19.**

20                  *(a) ESTABLISHMENT.—Not later than June 1, 2021,*  
21                  *the Secretary of Defense shall establish and maintain a reg-*  
22                  *istry of TRICARE beneficiaries who have been diagnosed*  
23                  *with COVID–19.*

1       (b) *CONTENTS.*—*The registry under subsection (a)*  
2 *shall include, with respect to each TRICARE beneficiary*  
3 *included in the registry, the following:*

4           (1) *The demographic information of the bene-*  
5 *ficiary.*

6           (2) *Information on the industrial or occupa-*  
7 *tional history of the beneficiary, to the extent such in-*  
8 *formation is available in the records regarding the*  
9 *COVID–19 diagnosis of the beneficiary.*

10          (3) *Administrative information regarding the*  
11 *COVID–19 diagnosis of the beneficiary, including the*  
12 *date of the diagnosis and the location and source of*  
13 *the test used to make the diagnosis.*

14          (4) *Any symptoms of COVID–19 manifested in*  
15 *the beneficiary.*

16          (5) *Any treatments for COVID–19 taken by the*  
17 *beneficiary, or other medications taken by the bene-*  
18 *ficiary, when the beneficiary was diagnosed with*  
19 *COVID–19.*

20          (6) *Any pathological data characterizing the in-*  
21 *cidence of COVID–19 and the type of treatment for*  
22 *COVID–19 provided to the beneficiary.*

23          (7) *Any other information determined appro-*  
24 *priate by the Secretary.*

1           (c) *REPORT.*—Not later than 180 days after the date  
2 of the enactment of this Act, the Secretary shall submit to  
3 the Committees on Armed Services of the House of Rep-  
4 resentatives and the Senate a report on establishing the reg-  
5 istry under subsection (a), including—

6                   (1) a plan to implement the registry;

7                   (2) the cost of implementing the registry;

8                   (3) the location of the registry; and

9                   (4) any recommended legislative changes with re-  
10 spect to establishing the registry.

11           (d) *TRICARE BENEFICIARY DEFINED.*—In this sec-  
12 tion, the term “*TRICARE beneficiary*” means the fol-  
13 lowing:

14                   (1) An individual covered by section 1074(a) of  
15 title 10, United States Code.

16                   (2) A covered beneficiary (as defined in section  
17 1072 of title 10, United States Code).

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

3   ***SEC. 731. MODIFICATIONS TO PILOT PROGRAM ON CIVILIAN***  
4                                   ***AND MILITARY PARTNERSHIPS TO ENHANCE***  
5                                   ***INTEROPERABILITY AND MEDICAL SURGE CA-***  
6                                   ***PABILITY AND CAPACITY OF NATIONAL DIS-***  
7                                   ***ASTER MEDICAL SYSTEM.***

8           *Section 740 of the National Defense Authorization Act*  
9 *for Fiscal Year 2020 (Public Law 116–92) is amended—*

10                   (1) *in subsection (a)—*

11                                   (A) *by striking “The Secretary of Defense*  
12 *may” and inserting “Beginning not later than*  
13 *180 days after the date of the enactment of the*  
14 *National Defense Authorization Act for Fiscal*  
15 *Year 2021, the Secretary of Defense shall”;* and

16                                   (B) *by striking “and the Secretary of*  
17 *Transportation” and inserting “the Secretary of*  
18 *Transportation, and the Administrator of the*  
19 *Federal Emergency Management Agency”;*

20                   (2) *in subsection (d), by striking “and the Sec-*  
21 *retary of Transportation” and inserting “the Sec-*  
22 *retary of Transportation, and the Administrator of*  
23 *the Federal Emergency Management Agency”;* and

24                   (3) *in subsection (f)—*

1           (A) by striking “the Committees on Armed  
2           Services of the Senate and the House of Rep-  
3           resentatives” each place it appears and inserting  
4           “the appropriate congressional committees”;

5           (B) in paragraph (1)(B)(i), by inserting be-  
6           fore the period the following: “, including a rec-  
7           ommendation for at least one of the locations se-  
8           lected under subsection (c)”;

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

11          “(3) *APPROPRIATE CONGRESSIONAL COMMITTEES*  
12          *DEFINED.—In this subsection, the term ‘appropriate*  
13          *congressional committees’ means the following:*

14               “(A) *The Committee on Armed Services, the*  
15               *Committee on Transportation and Infrastruc-*  
16               *ture, the Committee on Veterans’ Affairs, the*  
17               *Committee on Homeland Security, and the Com-*  
18               *mittee on Energy and Commerce of the House of*  
19               *Representatives.*

20               “(B) *The Committee on Armed Services, the*  
21               *Committee on Commerce, Science, and Transpor-*  
22               *tation, the Committee on Veterans’ Affairs, the*  
23               *Committee on Homeland Security and Govern-*  
24               *mental Affairs, and the Committee on Health,*  
25               *Education, Labor, and Pensions of the Senate.”.*



1 **SEC. 732. REPORTS ON SUICIDE AMONG MEMBERS OF THE**  
2 **ARMED FORCES AND SUICIDE PREVENTION**  
3 **PROGRAMS AND ACTIVITIES OF THE DEPART-**  
4 **MENT OF DEFENSE.**

5 *Section 741(a)(2) of the National Defense Authoriza-*  
6 *tion Act for Fiscal Year 2020 (Public Law 116–92; 133*  
7 *Stat. 1467) is amended—*

8 *(1) in subparagraph (B), by adding at the end*  
9 *the following new clause:*

10 *“(iii) The one-year period following the*  
11 *date on which the member returns from*  
12 *such a deployment.”;*

13 *(2) by redesignating subparagraphs (D) through*  
14 *(H) as subparagraphs (E) through (I), respectively;*

15 *(3) by inserting after subparagraph (C) the fol-*  
16 *lowing new subparagraph (D):*

17 *“(D) The number of suicides involving a*  
18 *member who was prescribed a medication to*  
19 *treat a mental health or behavioral health diag-*  
20 *nosis during the one-year period preceding the*  
21 *death.”; and*

22 *(4) by adding at the end the following new sub-*  
23 *paragraph:*

24 *“(J) A description of the programs carried*  
25 *out by the military departments to address and*

1           *reduce the stigma associated with seeking assist-*  
2           *ance for mental health or suicidal thoughts.”.*

3 **SEC. 733. CLARIFICATION OF RESEARCH UNDER JOINT**  
4           **TRAUMA EDUCATION AND TRAINING DIREC-**  
5           **TORATE AND INCLUSION OF MILITARY WORK-**  
6           **ING DOGS.**

7           *(a) IN GENERAL.—Subsection (b) of section 708 of the*  
8           *National Defense Authorization Act for Fiscal Year 2017*  
9           *(Public Law 114–328; 10 U.S.C. 1071 note) is amended—*

10           *(1) in paragraph (7), by striking “of members of*  
11           *the Armed Forces” and inserting “with respect to both*  
12           *members of the Armed Forces and military working*  
13           *dogs”; and*

14           *(2) by striking paragraph (9) and inserting the*  
15           *following new paragraph:*

16           *“(9) To inform and advise the conduct of re-*  
17           *search on the leading causes of morbidity and mor-*  
18           *tality of members of the Armed Forces and military*  
19           *working dogs in combat.”.*

20           **(b) VETERINARIANS IN PERSONNEL MANAGEMENT**  
21 **PLAN.—Subsection (d)(1) of such section is amended—**

22           *(1) by redesignating subparagraph (F) as sub-*  
23           *paragraph (G); and*

24           *(2) by inserting after subparagraph (E) the fol-*  
25           *lowing new subparagraph:*

1                   “(F) *Veterinary care.*”.

2   **SEC. 734. EXTENSION OF THE JOINT DEPARTMENT OF DE-**  
3                   **FENSE-DEPARTMENT OF VETERANS AFFAIRS**  
4                   **MEDICAL       FACILITY       DEMONSTRATION**  
5                   **PROJECT.**

6           *Section 1704(e) of the National Defense Authorization*  
7   *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*  
8   *2567), as most recently amended by section 732 of the Na-*  
9   *tional Defense Authorization Act for Fiscal Year 2020 (Pub-*  
10   *lic Law 116–92), is further amended by striking “Sep-*  
11   *tember 30, 2021” and inserting “September 30, 2023”.*

12   **SEC. 735. INFORMATION SHARING BY SECRETARY OF DE-**  
13                   **FENSE REGARDING PREVENTION OF INFANT**  
14                   **AND MATERNAL MORTALITY.**

15           *(a) AUTHORIZATION OF INFORMATION SHARING.—The*  
16   *Secretary of Defense may enter into memoranda of under-*  
17   *standing with State and local health authorities to share*  
18   *the practices of, and lessons learned by, the military health*  
19   *system for the prevention of infant and maternal mortality.*

20           *(b) STATE DEFINED.—In this section, the term*  
21   *“State” means each State, the District of Columbia, each*  
22   *commonwealth, territory or possession of the United States,*  
23   *and each federally recognized Indian Tribe.*

1 **SEC. 736. GRANT PROGRAM FOR INCREASED COOPERATION**  
2 **ON POST-TRAUMATIC STRESS DISORDER RE-**  
3 **SEARCH BETWEEN UNITED STATES AND**  
4 **ISRAEL.**

5 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
6 *that the Secretary of Defense, acting through the Psycho-*  
7 *logical Health and Traumatic Brain Injury Research Pro-*  
8 *gram, should seek to explore scientific collaboration between*  
9 *American academic institutions and nonprofit research en-*  
10 *tities, and Israeli institutions with expertise in researching,*  
11 *diagnosing, and treating post-traumatic stress disorder.*

12 (b) *GRANT PROGRAM.*—*The Secretary of Defense, in*  
13 *coordination with the Secretary of Veterans Affairs and the*  
14 *Secretary of State, shall award grants to eligible entities*  
15 *to carry out collaborative research between the United*  
16 *States and Israel with respect to post-traumatic stress dis-*  
17 *orders. The Secretary of Defense shall carry out the grant*  
18 *program under this section in accordance with the agree-*  
19 *ment titled “Agreement Between the Government of the*  
20 *United States of America and the Government of Israel on*  
21 *the United States-Israel Binational Science Foundation”,*  
22 *dated September 27, 1972.*

23 (c) *ELIGIBLE ENTITIES.*—*To be eligible to receive a*  
24 *grant under this section, an entity shall be an academic*  
25 *institution or a nonprofit entity located in the United*  
26 *States.*

1           (d) *AWARD.*—*The Secretary shall award grants under*  
2 *this section to eligible entities that—*

3                 (1) *carry out a research project that—*

4                         (A) *addresses a requirement in the area of*  
5 *post-traumatic stress disorders that the Secretary*  
6 *determines appropriate to research using such*  
7 *grant; and*

8                         (B) *is conducted by the eligible entity and*  
9 *an entity in Israel under a joint research agree-*  
10 *ment; and*

11                 (2) *meet such other criteria that the Secretary*  
12 *may establish.*

13           (e) *APPLICATION.*—*To be eligible to receive a grant*  
14 *under this section, an eligible entity shall submit an appli-*  
15 *cation to the Secretary at such time, in such manner, and*  
16 *containing such commitments and information as the Sec-*  
17 *retary may require.*

18           (f) *GIFT AUTHORITY.*—*The Secretary may accept,*  
19 *hold, and administer, any gift of money made on the condi-*  
20 *tion that the gift be used for the purpose of the grant pro-*  
21 *gram under this section. Such gifts of money accepted under*  
22 *this subsection shall be deposited in the Treasury in the De-*  
23 *partment of Defense General Gift Fund and shall be avail-*  
24 *able, subject to appropriation, without fiscal year limita-*  
25 *tion.*

1       (g) *REPORTS.*—Not later than 180 days after the date  
2 on which an eligible entity completes a research project  
3 using a grant under this section, the Secretary shall submit  
4 to Congress a report that contains—

5           (1) a description of how the eligible entity used  
6 the grant; and

7           (2) an evaluation of the level of success of the re-  
8 search project.

9       (h) *TERMINATION.*—The authority to award grants  
10 under this section shall terminate on the date that is seven  
11 years after the date on which the first such grant is award-  
12 ed.

13 **SEC. 737. PILOT PROGRAM ON CRYOPRESERVATION AND**  
14 **STORAGE.**

15       (a) *PILOT PROGRAM.*—The Secretary of Defense shall  
16 establish a pilot program to provide not more than 1,000  
17 members of the Armed Forces serving on active duty with  
18 the opportunity to cryopreserve and store their gametes  
19 prior to deployment to a combat zone.

20       (b) *PERIOD.*—

21           (1) *IN GENERAL.*—The Secretary shall provide  
22 for the cryopreservation and storage of gametes of a  
23 participating member of the Armed Forces under sub-  
24 section (a), at no cost to the member, in a facility of  
25 the Department of Defense or at a private entity pur-

1        *suant to a contract under subsection (d) until the*  
2        *date that is one year after the retirement, separation,*  
3        *or release of the member from the Armed Forces.*

4                (2) *CONTINUED CRYOPRESERVATION AND STOR-*  
5        *AGE.—At the end of the one-year period specified in*  
6        *paragraph (1), the Secretary shall authorize an indi-*  
7        *vidual whose gametes were cryopreserved and stored*  
8        *in a facility of the Department as described in that*  
9        *paragraph to select, including pursuant to an ad-*  
10       *vance medical directive or military testamentary in-*  
11       *strument completed under subsection (c), one of the*  
12       *following options:*

13                (A) *To continue such cryopreservation and*  
14        *storage in such facility with the cost of such*  
15        *cryopreservation and storage borne by the indi-*  
16        *vidual.*

17                (B) *To transfer the gametes to a private*  
18        *cryopreservation and storage facility selected by*  
19        *the individual.*

20                (C) *To authorize the Secretary to dispose of*  
21        *the gametes of the individual not earlier than the*  
22        *date that is 90 days after the end of the one-year*  
23        *period specified in paragraph (1) with respect to*  
24        *the individual.*

1           (c) *ADVANCE MEDICAL DIRECTIVE AND MILITARY*  
2 *TESTAMENTARY INSTRUMENT.*—A member of the Armed  
3 Forces who elects to cryopreserve and store their gametes  
4 under this section shall complete an advance medical direc-  
5 tive described in section 1044c(b) of title 10, United States  
6 Code, and a military testamentary instrument described in  
7 section 1044d(b) of such title, that explicitly specifies the  
8 use of their cryopreserved and stored gametes if such mem-  
9 ber dies or otherwise loses the capacity to consent to the  
10 use of their cryopreserved and stored gametes.

11           (d) *AGREEMENTS.*—To carry out this section, the Sec-  
12 retary may enter into agreements with private entities that  
13 provide cryopreservation and storage services for gametes.

14 **SEC. 738. PILOT PROGRAM ON PARENTS SERVING AS CER-**  
15 **TIFIED NURSING ASSISTANTS FOR CHILDREN**  
16 **UNDER TRICARE PROGRAM.**

17           (a) *PILOT PROGRAM.*—The Director of the Defense  
18 Health Agency may carry out a pilot program under which  
19 an eligible parent serves as a certified nursing assistant  
20 under the *TRICARE* program with respect to providing  
21 personal care services to a covered child.

22           (b) *DURATION.*—If the Director carries out the pilot  
23 program under subsection (a), the Director shall carry out  
24 the pilot program for a period of 18 months.



1           (c) *BRIEFING.*—If the Director carries out the pilot  
2 program under subsection (a), not later than one year after  
3 the date of the enactment of this Act, the Director shall pro-  
4 vide to the congressional defense committees a briefing on  
5 the pilot program.

6           (d) *REPORT.*—If the Director carries out the pilot pro-  
7 gram under subsection (a), not later than 180 days after  
8 the date of the completion of the pilot program, the Director  
9 shall submit to the congressional defense committees a re-  
10 port on the pilot program. The report shall include—

11                   (1) *the cost of the program;*

12                   (2) *an analysis of whether the pilot program met*  
13 *established performance metrics;*

14                   (3) *an analysis of whether the pilot program*  
15 *provided the standard of care to the patient that is*  
16 *required; and*

17                   (4) *the recommendation of the Director regard-*  
18 *ing whether the pilot program should be made perma-*  
19 *nent.*

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

21                   (1) *The term “covered child” means a covered*  
22 *beneficiary described in section 1072(2)(D) of title 10,*  
23 *United States Code, who—*

24                           (A) *is the child of a member of the uni-*  
25 *formed services serving on active duty; and*

1           (B) is eligible for private duty nursing  
2           under the Extended Care Health Option under  
3           subsections (d) through (f) of section 1079 of such  
4           title.

5           (2) The term “eligible parent” means an indi-  
6           vidual who is—

7                   (A) a certified nursing assistant; and

8                   (B) the parent of a covered child.

9           (3) The term “personal care services” means per-  
10          sonal care services prescribed by a medical doctor and  
11          provided by a certified nursing assistant under the  
12          supervision and guidance of a registered nurse case  
13          manager.

14          (4) The term “TRICARE program” has the  
15          meaning given that term in section 1072 of title 10,  
16          United States Code.

17 **SEC. 739. STUDY ON INCIDENCE OF CANCER DIAGNOSIS**  
18                   **AND MORTALITY AMONG PILOTS IN THE**  
19                   **ARMED FORCES.**

20          (a) *STUDY.*—Not later than 180 days after the date  
21          of the enactment of this Act, the Secretary of Defense shall  
22          seek to enter into an agreement with the National Acad-  
23          emies of Sciences, Engineering, and Medicine to conduct a  
24          study to—

1           (1) *determine the incidence of cancer diagnosis*  
2           *and mortality among members, and former members,*  
3           *of the Armed Forces who serve as pilots compared to*  
4           *such members who do not serve as pilots, including by*  
5           *determining such incidence based on gender, age, fly-*  
6           *ing hours, Armed Force, and type of aircraft; and*

7           (2) *determine the appropriate age to begin*  
8           *screening such members for cancer, including by de-*  
9           *termining such age based on gender, flying hours,*  
10          *Armed Force, and type of aircraft.*

11          (b) *SUBMISSION.*—*Not later than two years after the*  
12          *date on which the Secretary enters into the agreement under*  
13          *subsection (a), the Secretary shall submit to the appropriate*  
14          *congressional committees a report on the findings from the*  
15          *study under such subsection.*

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

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

19                       (A) *the Committees on Armed Services and*  
20                       *Veterans’ Affairs of the House of Representatives;*  
21                       *and*

22                       (B) *the Committees on Armed Services and*  
23                       *Veterans’ Affairs of the Senate.*

1           (2) *The term “Armed Forces” means each Armed*  
2 *Force under the jurisdiction of the Secretary of a*  
3 *military department.*

4           (3) *The term “pilot” includes an individual who*  
5 *frequently accompanies a pilot in a cockpit, such as*  
6 *a navigator.*

7 **SEC. 740. REPORT ON DIET AND NUTRITION OF MEMBERS**  
8 **OF THE ARMED FORCES.**

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 *gressional defense committees a report on the diet and nu-*  
12 *trition of members of the Armed Forces. The report shall*  
13 *describe the following:*

14           (1) *The relationship between the diet and nutri-*  
15 *tion of members and the health, performance, and*  
16 *combat effectiveness of members.*

17           (2) *The relationship between diets high in*  
18 *Omega-3 fatty acids, or other diets that may lower*  
19 *inflammation and obesity, and improved mental*  
20 *health.*

21           (3) *The extent to which the food and beverages*  
22 *offered at the dining halls of the Armed Forces as of*  
23 *the date of the report are designed to optimize the*  
24 *health, performance, and combat effectiveness of mem-*  
25 *bers according to science-based approaches.*

1           (4) *The plan of the Secretary to improve the*  
2           *health, performance, and combat effectiveness of mem-*  
3           *bers by modifying the food and beverages offered at*  
4           *the dining halls of the Armed Forces, including in*  
5           *ways that minimize the change members.*

6           (5) *Expected costs and timeline to implement*  
7           *such plan, including any expected savings from re-*  
8           *duced medical costs.*

9   **SEC. 741. REPORT ON COSTS AND BENEFITS OF ALLOWING**  
10                   **RETIRED MEMBERS OF THE ARMED FORCES**  
11                   **TO CONTRIBUTE TO HEALTH SAVINGS AC-**  
12                   **COUNTS.**

13           (a) *REPORT.*—*Not later than 180 days after the date*  
14           *of the enactment of this Act, the Assistant Secretary of De-*  
15           *fense for Health Affairs shall submit to the congressional*  
16           *defense committees a report on the costs and benefits of al-*  
17           *lowing covered individuals to make contributions to a*  
18           *health savings account.*

19           (b) *MATTERS.*—*The report under subsection (a) shall*  
20           *include a description of the following:*

21                   (1) *Any anticipated cost savings as a result of*  
22                   *allowing covered individuals to make contributions to*  
23                   *health savings accounts.*

1           (2) *Any anticipated increase in health care op-*  
2           *tions available to covered individuals as a result of*  
3           *allowing such contributions.*

4           (3) *Any anticipated disruption or delay in*  
5           *health services or benefits for covered individuals as*  
6           *a result of allowing such contributions.*

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

8           (1) *The term “covered individual”—*

9           (A) *means a beneficiary covered by sub-*  
10           *section (c) of section 1086 of title 10, United*  
11           *States Code; and*

12           (B) *includes a Medicare-eligible beneficiary*  
13           *described in subsection (d)(2) of such section.*

14           (2) *The term “health savings account” has the*  
15           *meaning given that term in section 223(d) of the In-*  
16           *ternal Revenue Code of 1986.*

17 **SEC. 742. STUDY ON TOXIC EXPOSURE AT KARSHI-**  
18           **KHANABAD AIR BASE, UZBEKISTAN.**

19           (a) *STUDY.—*

20           (1) *IN GENERAL.—The Secretary of Defense shall*  
21           *conduct a study on toxic exposure by members of the*  
22           *Armed Forces deployed to Karshi–Khanabad Air*  
23           *Base, Uzbekistan, at any time during the period be-*  
24           *ginning October 1, 2001, and ending December 31,*  
25           *2005.*

1           (2) *MATTERS INCLUDED.*—*The study under*  
2 *paragraph (1) shall include the following:*

3           (A) *An assessment regarding the conditions*  
4 *of Karshi–Khanabad Air Base, Uzbekistan, dur-*  
5 *ing the period beginning October 1, 2001, and*  
6 *ending December 31, 2005, including an identi-*  
7 *fication of toxic substances contaminating the*  
8 *Air Base during such period.*

9           (B) *An epidemiological study of the health*  
10 *consequences of a member of the Armed Forces*  
11 *deployed to the Air Base during such period.*

12           (C) *An assessment of any association be-*  
13 *tween exposure to toxic substances identified*  
14 *under subparagraph (A) and the health con-*  
15 *sequences studied under subparagraph (B).*

16       (b) *REPORT.*—*Not later than 180 days after the date*  
17 *of the enactment of this Act, the Secretary of Defense shall*  
18 *submit to the Committees on Armed Services of the House*  
19 *of Representatives and the Senate a report on the results*  
20 *of the study under subsection (a).*

21 **SEC. 743. AUDIT OF MEDICAL CONDITIONS OF TENANTS IN**  
22 **PRIVATIZED MILITARY HOUSING.**

23       (a) *IN GENERAL.*—*Not later than 90 days after the*  
24 *date of the enactment of this Act, the Inspector General of*  
25 *the Department of Defense shall commence the conduct of*

1 *an audit of the medical conditions of eligible individuals*  
2 *and the association between adverse exposures of such indi-*  
3 *viduals in unsafe or unhealthy housing units and the health*  
4 *of such individuals.*

5 (b) *CONTENT OF AUDIT.—The audit conducted under*  
6 *subsection (a) shall—*

7 (1) *determine the percentage of units of*  
8 *privatized military housing that are unsafe or*  
9 *unhealthy housing units;*

10 (2) *study the adverse exposures of eligible indi-*  
11 *viduals that relate to residing in an unsafe or*  
12 *unhealthy housing unit and the effect of such expo-*  
13 *sures on the health of such individuals; and*

14 (3) *determine the association, to the extent per-*  
15 *mitted by available scientific data, and provide quan-*  
16 *tifiable data on such association, between such ad-*  
17 *verse exposures and the occurrence of a medical condi-*  
18 *tion in eligible individuals residing in unsafe or*  
19 *unhealthy housing units.*

20 (c) *CONDUCT OF AUDIT.—The Inspector General of the*  
21 *Department shall conduct the audit under subsection (a)*  
22 *using the same privacy preserving guidelines used by the*  
23 *Inspector General in conducting other audits of health*  
24 *records.*



1       (d) *SOURCE OF DATA.*—*In conducting the audit under*  
2 *subsection (a), the Inspector General of the Department*  
3 *shall use—*

4           (1) *de-identified data from electronic health*  
5 *records of the Department;*

6           (2) *records of claims under the TRICARE pro-*  
7 *gram (as defined in section 1072(7) of title 10,*  
8 *United States Code); and*

9           (3) *such other data as determined necessary by*  
10 *the Inspector General.*

11       (e) *SUBMITTAL AND PUBLIC AVAILABILITY OF RE-*  
12 *PORT.*—*Not later than one year after the commencement of*  
13 *the audit under subsection (a), the Inspector General of the*  
14 *Department shall—*

15           (1) *submit to the Secretary of Defense and the*  
16 *Committees on Armed Services of the Senate and the*  
17 *House of Representatives a report on the results of the*  
18 *audit conducted under subsection (a); and*

19           (2) *publish such report on a publicly available*  
20 *internet website of the Department of Defense.*

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

22           (1) *The term “eligible individual” means a*  
23 *member of the Armed Forces or a family member of*  
24 *a member of the Armed Forces who—*

1           (A) *has resided in an unsafe or unhealthy*  
2           *housing unit; and*

3           (B) *has registered under the Housing Envi-*  
4           *ronmental Health Response Registry of the*  
5           *Army.*

6           (2) *The term “privatized military housing”*  
7           *means military housing provided under subchapter*  
8           *IV of chapter 169 of title 10, United States Code.*

9           (3) *The term “unsafe or unhealthy housing unit”*  
10          *means a unit of privatized military housing in*  
11          *which, at any given time, at least one of the following*  
12          *hazards is present:*

13               (A) *Physiological hazards, including the fol-*  
14               *lowing:*

15                       (i) *Dampness or microbial growth.*

16                       (ii) *Lead-based paint.*

17                       (iii) *Asbestos or manmade fibers.*

18                       (iv) *Ionizing radiation.*

19                       (v) *Biocides.*

20                       (vi) *Carbon monoxide.*

21                       (vii) *Volatile organic compounds.*

22                       (viii) *Infectious agents.*

23                       (ix) *Fine particulate matter.*

24                       (B) *Psychological hazards, including ease of*  
25                       *access by unlawful intruders or lighting issues.*

1                   (C) *Poor ventilation.*

2                   (D) *Safety hazards.*

3                   (E) *Other hazards as determined by the In-*  
4                   *spector General of the Department.*

5 **SEC. 744. REPORT ON INTEGRATED DISABILITY EVALUA-**  
6                   **TION SYSTEM.**

7           (a) *IN GENERAL.*—*Not later than one year after the*  
8 *date of the enactment of this Act, the Secretary of Defense*  
9 *shall submit to Congress a report on the findings of a study,*  
10 *conducted by the Secretary for the purposes of the report,*  
11 *of the implementation and application of the Integrated*  
12 *Disability Evaluation System.*

13           (b) *MATTERS INCLUDED.*—*The report under subsection*  
14 *(a) shall include the following:*

15                   (1) *All changes to policies and procedures appli-*  
16 *cable to the implementation of the Integrated Dis-*  
17 *ability Evaluation System from the previous dis-*  
18 *ability evaluation system.*

19                   (2) *The extent to which the Integrated Disability*  
20 *Evaluation System is the primary means of proc-*  
21 *essing members of the Armed Forces through the dis-*  
22 *ability evaluation system process.*

23                   (3) *The extent to which the military departments*  
24 *and the Defense Health Agency coordinate—*

1           (A) *treatment of members of the Armed*  
2           *Forces;*

3           (B) *referrals of members of the Armed*  
4           *Forces to a medical evaluation board;*

5           (C) *appointing a convening authority and*  
6           *staffing a medical evaluation board;*

7           (D) *the sharing of medical documentation*  
8           *with a medical evaluation board;*

9           (E) *evaluations of members of the Armed*  
10          *Forces for initial or subsequent limited duty sta-*  
11          *tus; and*

12          (F) *a medical evaluation board referral to*  
13          *a physical evaluation board.*

14          (4) *The process for members of the Armed Forces*  
15          *to request an impartial medical review or rebut med-*  
16          *ical evaluation board findings.*

17          (5) *The criteria a medical evaluation board con-*  
18          *vening authority applies when considering such re-*  
19          *quests under paragraph (4).*

20          (6) *The average time to process Integrated Dis-*  
21          *ability Evaluation System cases by both phase and*  
22          *stage (as defined in Department of Defense Manual*  
23          *1332.18) for both the active component and reserve*  
24          *component.*

1 **SEC. 745. REVIEW AND REPORT ON PREVENTION OF SUI-**  
2 **CIDE AMONG MEMBERS OF THE ARMED**  
3 **FORCES STATIONED AT REMOTE INSTALLA-**  
4 **TIONS OUTSIDE THE CONTIGUOUS UNITED**  
5 **STATES.**

6 (a) *REVIEW REQUIRED.*—The Comptroller General of  
7 the United States shall conduct a review of efforts by the  
8 Department of Defense to prevent suicide among members  
9 of the Armed Forces stationed at covered installations.

10 (b) *ELEMENTS OF REVIEW.*—The review conducted  
11 under subsection (a) shall include an assessment of each of  
12 the following:

13 (1) *Current policy guidelines of the Armed*  
14 *Forces on the prevention of suicide among members of*  
15 *the Armed Forces stationed at covered installations.*

16 (2) *Current suicide prevention programs of the*  
17 *Armed Forces and activities for members of the*  
18 *Armed Forces stationed at covered installations and*  
19 *their dependents, including programs provided by the*  
20 *Defense Health Program and the Office of Suicide*  
21 *Prevention.*

22 (3) *The integration of mental health screenings*  
23 *and suicide risk and prevention efforts for members of*  
24 *the Armed Forces stationed at covered installations*  
25 *and their dependents into the delivery of primary*  
26 *care for such members and dependents.*

1           (4) *The standards for responding to attempted or*  
2 *completed suicides among members of the Armed*  
3 *Forces stationed at covered installations and their de-*  
4 *pendents, including guidance and training to assist*  
5 *commanders in addressing incidents of attempted or*  
6 *completed suicide within their units.*

7           (5) *The standards regarding data collection for*  
8 *members of the Armed Forces stationed at covered in-*  
9 *stallations and their dependents, including related*  
10 *factors such as domestic violence and child abuse.*

11           (6) *The means to ensure the protection of pri-*  
12 *vacy of members of the Armed Forces stationed at*  
13 *covered installations and their dependents who seek or*  
14 *receive treatment related to suicide prevention.*

15           (7) *The availability of information from indige-*  
16 *nous populations on suicide prevention for members*  
17 *of the Armed Forces stationed at covered installations*  
18 *who are members of such a population.*

19           (8) *The availability of information from grad-*  
20 *uate research programs of institutions of higher edu-*  
21 *cation on suicide prevention for members of the*  
22 *Armed Forces.*

23           (9) *Such other matters as the Comptroller Gen-*  
24 *eral considers appropriate in connection with the pre-*  
25 *vention of suicide among members of the Armed*

1 *Forces stationed at covered installations and their de-*  
2 *pendents.*

3 (c) *BRIEFING AND REPORT.*—*The Comptroller General*  
4 *shall—*

5 (1) *not later than October 1, 2021, brief the*  
6 *Committees on Armed Services of the Senate and the*  
7 *House of Representatives on preliminary observations*  
8 *relating to the review conducted under subsection (a);*  
9 *and*

10 (2) *not later than March 1, 2022, submit to the*  
11 *Committees on Armed Services of the Senate and the*  
12 *House of Representatives a report containing the re-*  
13 *sults of such review.*

14 (d) *COVERED INSTALLATION DEFINED.*—*In this sec-*  
15 *tion, the term “covered installation” means a remote instal-*  
16 *lation of the Department of Defense outside the contiguous*  
17 *United States.*

18 ***Subtitle E—Mental Health Services***  
19 ***From Department of Veterans***  
20 ***Affairs for Members of Reserve***  
21 ***Components***

22 ***SEC. 751. 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. 752. 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. 753. 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. 754. 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 “(1)(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                  **onents 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. 755. 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 congressional defense committees  
18          and the Committees on Veterans’ Affairs of the Senate and  
19          the House of Representatives a report that includes an as-  
20          sessment of the following:

21               (1) *The increase, as compared to the day before*  
22               *the date of the enactment of this Act, of the number*  
23               *of members of the Armed Forces that use readjustment*  
24               *counseling or outpatient mental health care from the*

1        *Department of Veterans Affairs, disaggregated by*  
2        *State, Vet Center location, and clinical care site of the*  
3        *Department, as appropriate.*

4            (2) *The number of members of the reserve compo-*  
5        *nents of the Armed Forces receiving telemental health*  
6        *care from the Department.*

7            (3) *The increase, as compared to the day before*  
8        *the date of the enactment of this Act, of the annual*  
9        *cost associated with readjustment counseling and out-*  
10       *patient mental health care provided by the Depart-*  
11       *ment to members of the reserve components of the*  
12       *Armed Forces.*

13           (4) *The changes, as compared to the day before*  
14       *the date of the enactment of this Act, in staffing,*  
15       *training, organization, and resources required for the*  
16       *Department to offer readjustment counseling and out-*  
17       *patient mental health care to members of the reserve*  
18       *components of the Armed Forces.*

19           (5) *Any challenges the Department has encoun-*  
20       *tered in providing readjustment counseling and out-*  
21       *patient mental health care to members of the reserve*  
22       *components of the Armed Forces.*

23           (b) *VET CENTER DEFINED.*—*In this section, the term*  
24       *“Vet Center” has the meaning given that term in section*  
25       *1712A(h) of title 38, United States Code.*



1 **TITLE VIII—ACQUISITION POL-**  
2 **ICY, ACQUISITION MANAGE-**  
3 **MENT, AND RELATED MAT-**  
4 **TERS**

5 ***Subtitle A—Acquisition Policy and***  
6 ***Management***

7 **SEC. 801. CONGRESSIONAL NOTIFICATION OF TERMI-**  
8 **NATION OF A MIDDLE TIER ACQUISITION**  
9 **PROGRAM.**

10 *Section 804 of the National Defense Authorization Act*  
11 *for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302*  
12 *note), is amended by adding at the end the following new*  
13 *subsection:*

14 *“(e) REPORT.—Not later than 30 days after the date*  
15 *of termination of an acquisition program commenced using*  
16 *the authority under this section, the Secretary of Defense*  
17 *shall submit to Congress a notification of such termination.*  
18 *Such notice shall include—*

19 *“(1) the initial amount of a contract awarded*  
20 *under such acquisition program;*

21 *“(2) the aggregate amount of funds awarded*  
22 *under such contract; and*

23 *“(3) written documentation of the reason for ter-*  
24 *mination of such acquisition program.”.*

1 **SEC. 802. MODIFICATION TO THE DEFINITION OF NON-**  
2 **TRADITIONAL DEFENSE CONTRACTOR.**

3 *Section 2302(9) of title 10, United States Code, is*  
4 *amended to read as follows:*

5 *“(9) the term ‘nontraditional defense contractor’,*  
6 *with respect to a procurement or with respect to a*  
7 *transaction authorized under section 2371(a) or*  
8 *2371b of this title, means—*

9 *“(A) an entity that is not currently per-*  
10 *forming and has not performed, for at least the*  
11 *one-year period preceding the solicitation of*  
12 *sources by the Department of Defense for the pro-*  
13 *curement or transaction, any contract or sub-*  
14 *contract for the Department of Defense that is*  
15 *subject to full coverage under the cost accounting*  
16 *standards prescribed pursuant to section 1502 of*  
17 *title 41 and the regulations implementing such*  
18 *section; or*

19 *“(B) a corporation all of the stock of which*  
20 *is owned by an employee stock ownership plan*  
21 *(as defined in section 4975(e)(7) of the Internal*  
22 *Revenue Code of 1986).”.*

1 **SEC. 803. MAJOR WEAPON SYSTEMS: LIFE-CYCLE**  
2 **SUSTAINMENT PLAN.**

3 (a) *IN GENERAL.*—Chapter 139 of title 10, United  
4 States Code, is amended by inserting after section 2366c  
5 the following new section:

6 **“§ 2366d. Major weapon systems: life-cycle**  
7 **sustainment plans**

8 “(a) *REQUIREMENT.*—Before granting Milestone C ap-  
9 proval for a major weapon system acquired pursuant to a  
10 major defense acquisition program, the milestone decision  
11 authority for such program shall submit to the Secretary  
12 a life-cycle sustainment plan.

13 “(b) *ELEMENTS.*—A life-cycle sustainment plan re-  
14 quired under subsection (a) shall include—

15 “(1) a sustainment plan that includes the prod-  
16 uct support strategy, performance, and operation and  
17 support costs of the major weapon system;

18 “(2) metrics to measure readiness and avail-  
19 ability of the major weapon system to perform its in-  
20 tended purpose or function;

21 “(3) a schedule for the major maintenance and  
22 overhaul activities that will be required during the  
23 life cycle of the major weapon system; and

24 “(4) a sustainment baseline cost estimate for the  
25 planned life cycle of the major weapon system that  
26 includes a technical data and intellectual property

1        *management plan that clearly delineates which sub-*  
2        *systems of the major weapon system are Government-*  
3        *owned or Government-required and which subsystems*  
4        *are owned by a prime contractor or subcontractor (at*  
5        *any tier).*

6        *“(c) REVIEW.—The Secretary of Defense shall review*  
7        *a life-cycle sustainment plan submitted under subsection*  
8        *(a) 5 years after the receipt of Milestone C approval de-*  
9        *scribed in such subsection, and every 10 years thereafter,*  
10       *to ensure that the major weapon system is cost effective and*  
11       *is able to meet required metrics relating to readiness and*  
12       *availability of such system.*

13       *“(d) NOTIFICATION REQUIREMENTS.—*

14                *“(1) IN GENERAL.—Not later than 45 days after*  
15        *a significant and critical breach of a sustainment*  
16        *baseline cost estimate of a life-cycle sustainment plan*  
17        *for a major weapon system acquired pursuant to a*  
18        *major defense acquisition program, the Secretary of*  
19        *the military department that is managing such pro-*  
20        *gram shall submit to the congressional defense com-*  
21        *mittees a notification of such breach.*

22                *“(2) REVIEW.—Not later than 180 days after*  
23        *submitting a notification under paragraph (1), such*  
24        *Secretary shall review the sustainment costs of the*  
25        *major weapon system to which such notification re-*

1 *lates relative to the sustainment baseline cost esti-*  
2 *mate.*

3 “(3) *ADDITIONAL SUBMISSION.*—*Such Secretary*  
4 *shall submit to the congressional defense committees—*

5 “(A) *a certification that the review required*  
6 *under paragraph (2) has been completed; and*

7 “(B) *a remediation plan or endorsement by*  
8 *such Secretary that the sustainment cost growth*  
9 *is justified and required for such Secretary to*  
10 *meet the requirements related to the major de-*  
11 *fense acquisition program.*

12 “(e) *DEFINITIONS.*—*In this section:*

13 “(1) *MAJOR DEFENSE ACQUISITION PROGRAM.*—  
14 *The term ‘major defense acquisition program’ has the*  
15 *meaning given in section 2430 of this title.*

16 “(2) *MAJOR WEAPON SYSTEM.*—*The term ‘major*  
17 *weapon system’ has the meaning given in section*  
18 *2379(f) of this title.*

19 “(3) *MILESTONE C APPROVAL.*—*The term ‘Mile-*  
20 *stone C approval’ means a decision to enter into pro-*  
21 *duction and deployment pursuant to guidance pre-*  
22 *scribed by the Secretary of Defense for the manage-*  
23 *ment of a major defense acquisition program.*

24 “(4) *SUSTAINMENT BASELINE COST ESTIMATE.*—  
25 *The term ‘sustainment baseline cost estimate’ means*

1       *the cost estimate and schedule for a life-cycle*  
2       *sustainment plan required under this section.”.*

3       **(b) CLERICAL AMENDMENT.**—*The table of sections at*  
4       *the beginning of chapter 139 of title 10, United States Code,*  
5       *is amended by inserting after the item relating to section*  
6       *2366c the following new item:*

*“2366d. Major weapon systems: life-cycle sustainment plans.”.*

7       **SEC. 804. CONTRACTOR BUSINESS SYSTEMS.**

8       *Section 893 of the Ike Skelton National Defense Au-*  
9       *thorization Act for Fiscal Year 2011 (Public Law 111–383;*  
10      *10 U.S.C. 2302 note) is amended—*

11           *(1) in subsection (b)—*

12                   *(A) in paragraph (2), by striking “signifi-*  
13                   *cant deficiencies” and inserting “deficiencies and*  
14                   *material weaknesses”;*

15                   *(B) in paragraph (4), by striking “signifi-*  
16                   *cant deficiency” and inserting “material weak-*  
17                   *ness”; and*

18                   *(C) in paragraph (5)(A), by striking “sig-*  
19                   *nificant deficiency” and inserting “material*  
20                   *weakness”;*

21           *(2) in subsection (d)(1), by striking “significant*  
22           *deficiencies” and inserting “material weaknesses”;*

23           *(3) in subsection (g)—*

1           (A) in paragraph (3), by striking “signifi-  
2           cant deficiency” and inserting “material weak-  
3           ness”;

4           (B) by striking paragraph (4);

5           (C) by redesignating paragraph (5) as  
6           paragraph (4); and

7           (D) by adding at the end the following new  
8           paragraph:

9           “(5) The term ‘material weakness’ means a defi-  
10          ciency or combination of deficiencies in the internal  
11          control of a contractor business system used to comply  
12          with contracting requirements of the Department of  
13          Defense, or other shortcomings in such system, such  
14          that there is a reasonable possibility that a material  
15          noncompliance with contracting requirements will not  
16          be prevented, or detected and corrected, on a timely  
17          basis.”.

18 **SEC. 805. ACQUISITION AUTHORITY OF THE DIRECTOR OF**  
19                   **THE JOINT ARTIFICIAL INTELLIGENCE CEN-**  
20                   **TER.**

21           (a) *AUTHORITY.*—

22           (1) *IN GENERAL.*—The Director of the Joint Ar-  
23          tificial Intelligence Center shall be responsible for,  
24          and shall have the authority to conduct, the following  
25          covered activities:

1           (A) *Development and acquisition of artificial*  
2           *intelligence technologies, services, and capa-*  
3           *bilities.*

4           (B) *Sustainment of artificial intelligence*  
5           *technologies, services, and capabilities.*

6           (2) *ACQUISITION FUNCTIONS.—Subject to the au-*  
7           *thority, direction, and control of the Secretary of De-*  
8           *fense, the Director shall have authority to exercise the*  
9           *functions of a head of an agency (as defined in sec-*  
10           *tion 2302 of title 10, United States Code) with respect*  
11           *to a covered activity described in paragraph (1).*

12          (b) *JAIC ACQUISITION EXECUTIVE.—*

13           (1) *IN GENERAL.—The staff of the Director shall*  
14           *include an acquisition executive who shall be respon-*  
15           *sible for the supervision of covered activities under*  
16           *subsection (a). The acquisition executive shall have*  
17           *the authority—*

18           (A) *to negotiate memoranda of agreement*  
19           *with any element of the Department of Defense*  
20           *to carry out the acquisition of technologies, serv-*  
21           *ices, and capabilities described in subsection*  
22           *(a)(1) on behalf of the Center;*

23           (B) *to supervise the acquisition of tech-*  
24           *nologies, services, and capabilities described in*  
25           *subsection (a)(1);*



1           (C) to represent the Center in discussions  
2 with military departments regarding acquisition  
3 programs relating to covered activities for which  
4 the Center is involved; and

5           (D) to work with the military departments  
6 to ensure that the Center is appropriately rep-  
7 resented in any joint working group or inte-  
8 grated product team regarding acquisition pro-  
9 grams relating to covered activities for which the  
10 Center is involved.

11           (2) *DELIVERY OF ACQUISITION SOLUTIONS.*—The  
12 acquisition executive of the Center shall be—

13           (A) responsible to the Director for rapidly  
14 delivering acquisition solutions to meet validated  
15 artificial intelligence requirements;

16           (B) subordinate to the Under Secretary of  
17 Defense for Acquisition and Sustainment in  
18 matters of acquisition;

19           (C) subject to the same oversight as the serv-  
20 ice acquisition executives; and

21           (D) included on the distribution list for ac-  
22 quisition directives and instructions of the De-  
23 partment of Defense.

24           (c) *ACQUISITION PERSONNEL.*—

1           (1) *IN GENERAL.*—*The Secretary of Defense shall*  
2           *provide the Center with ten full-time employees to*  
3           *support the Director in carrying out the requirements*  
4           *of this section. Such employees shall have experience*  
5           *in—*

6                     (A) *program acquisition;*

7                     (B) *the Joint Capabilities Integration and*  
8           *Development System process;*

9                     (C) *program management;*

10                    (D) *system engineering; and*

11                    (E) *cost analysis.*

12           (2) *EXISTING PERSONNEL.*—*The personnel pro-*  
13           *vided under this subsection shall be provided from*  
14           *among the existing personnel of the Department of*  
15           *Defense.*

16           (d) *BUDGET.*—*Any budget proposal of the Center for*  
17           *funding for any covered activity described under subsection*  
18           *(a) shall be disaggregated by the amount requested for each*  
19           *covered activity.*

20           (e) *FUNDING.*—*In exercising the authority granted in*  
21           *subsection (a), the Director may not obligate or expend*  
22           *more than \$150,000,000 out of the funds made available*  
23           *in each of fiscal years 2021, 2022, 2023, 2024, and 2025*  
24           *to enter into new contracts to support covered activities car-*  
25           *ried out under this section.*

1           (f) *IMPLEMENTATION PLAN REQUIRED.*—

2                   (1) *IN GENERAL.*—*The Secretary of Defense may*  
3 *use the authority granted under subsection (a) 30*  
4 *days after the date on which the Secretary provides*  
5 *to the congressional defense committees a plan for im-*  
6 *plementation such authority. The plan shall include*  
7 *the following:*

8                           (A) *A Department of Defense-wide defini-*  
9 *tion of artificial intelligence technologies, serv-*  
10 *ices, and capabilities.*

11                           (B) *Summaries of the components to be ne-*  
12 *gotiated in any memoranda of agreement with*  
13 *an element of the Department of Defense to carry*  
14 *out covered activities described under subsection*  
15 *(a).*

16                           (C) *Timelines for the negotiation and ap-*  
17 *proval of any such memorandum of agreement.*

18                           (D) *Plan for oversight of the position of ac-*  
19 *quisition executive established in subsection (b).*

20                           (E) *Assessment of the acquisition workforce*  
21 *needs of the Center to support the authority in*  
22 *subsection (a) until September 30, 2025.*

23                           (F) *Other matters as appropriate.*

24                   (2) *RELATIONSHIP TO OTHER AUTHORITIES.*—

25           *The requirement to submit a plan under this sub-*

1        *section is in addition to the requirements under sec-*  
2        *tion 260 of the National Defense Authorization Act*  
3        *for Fiscal Year 2020 (Public Law 116–92; 133 Stat.*  
4        *1293).*

5        *(g) SUNSET.—Effective October 1, 2025, the Director*  
6        *may not exercise the authority under subsection (a) and*  
7        *may not enter into any new contracts under this section.*  
8        *The performance on any contract entered into before such*  
9        *date may continue according to the terms of such contract.*

10       *(h) DEFINITIONS.—In this section:*

11            *(1) CENTER.—The term “Center” means the*  
12            *Joint Artificial Intelligence Center of the Department*  
13            *of Defense established pursuant to the memorandum*  
14            *of the Secretary of Defense dated June 27, 2018, and*  
15            *titled “Establishment of the Joint Artificial Intel-*  
16            *ligence Center”, or any successor to such Center.*

17            *(2) COVERED ACTIVITY.—The term “covered ac-*  
18            *tivity”—*

19                    *(A) means an acquisition activity con-*  
20                    *ducted using the authority under this section;*  
21                    *and*

22                    *(B) does not include—*

23                            *(i) a major defense acquisition pro-*  
24                            *gram (as defined in section 2430 of title 10,*  
25                            *United States Code); or*

1                   (ii) a procurement of technologies re-  
2                   lated to artificial intelligence, if the dura-  
3                   tion of such procurement is expected to be  
4                   greater than five years.

5                   (3) *DIRECTOR*.—The term “Director” means the  
6                   Director of the Center.

7                   (4) *ELEMENT*.—The term “element” means an  
8                   element described under section 111(b) of title 10,  
9                   United States Code.

10                  (5) *MILITARY DEPARTMENTS*.—The term “mili-  
11                  tary departments” has the meaning given in section  
12                  101(8) of title 10, United States Code.

13                  (6) *SERVICE ACQUISITION EXECUTIVE*.—The  
14                  term “service acquisition executive” has the meaning  
15                  given in section 101(10) of title 10, United States  
16                  Code.

17 **SEC. 806. REFORMING THE DEPARTMENT OF DEFENSE.**

18                  (a) *IN GENERAL*.—The Secretary of Defense shall take  
19                  such action as necessary to reform the Department of De-  
20                  fense to provide more effective, efficient, and economical ad-  
21                  ministration and operation, and to eliminate duplication.

22                  (b) *NATIONAL DEFENSE STRATEGY*.—Each national  
23                  defense strategy required by section 113(g) of title 10,  
24                  United States Code, shall include a description of the re-  
25                  form efforts described under subsection (a).

1           (c) *DEFENSE PLANNING GUIDANCE.*—*The annual De-*  
2 *fense Planning Guidance (as described in section*  
3 *113(g)(2)(A) of title 10, United States Code) shall include*  
4 *an explanation of how the Department of Defense will carry*  
5 *out the reform efforts described under subsection (a).*

6           (d) *DEFENSE AUTHORIZATION REQUEST.*—*The Sec-*  
7 *retary of Defense shall include in the annual defense author-*  
8 *ization request (as defined in section 113a of title 10,*  
9 *United States Code) a description of the savings from im-*  
10 *plementing the reform efforts described under subsection (a).*

11 *Such description—*

12                   (1) *shall be set forth separately from requested*  
13 *amounts;*

14                   (2) *may not include savings relating to the*  
15 *deferral of requirements or taking of risk;*

16                   (3) *shall be identified across the future-years de-*  
17 *fense plan; and*

18                   (4) *shall provide a comparison with the savings*  
19 *in the annual defense authorization request from the*  
20 *prior year.*

21           (e) *POLICY.*—*The Secretary of Defense shall develop a*  
22 *policy and issue guidance to implement reform within the*  
23 *Department of Defense in order to provide more effective,*  
24 *efficient, and economical administration and operations,*  
25 *and to eliminate duplication.*

1       (f) *REPORT.*—*The Secretary of Defense shall report*  
2 *annually to Congress on the expenditures, work, and accom-*  
3 *plishments of the Department of Defense during the period*  
4 *covered by the report, together with a report on the reform*  
5 *efforts described under subsection (a).*

6       (g) *MILITARY DEPARTMENTS.*—*Each Secretary of a*  
7 *military department shall—*

8           (1) *take such action as necessary to reform the*  
9 *military department to provide more effective, effi-*  
10 *cient, and economical administration and operations,*  
11 *and to eliminate duplication; and*

12           (2) *develop a policy and issue guidance to imple-*  
13 *ment reform within the military department in order*  
14 *to provide more effective, efficient, and economical ad-*  
15 *ministration and operations, and to eliminate dupli-*  
16 *cation.*

17       (h) *COMBATANT COMMANDS.*—*Each commander of a*  
18 *combatant command shall provide the Secretary of Defense*  
19 *with recommendations to reform the combatant command*  
20 *of such commander to provide more effective, efficient, and*  
21 *economical administration and operations, and to elimi-*  
22 *nate duplication.*

1 **SEC. 807. ALTERNATIVE SPACE ACQUISITION SYSTEM FOR**  
2 **THE UNITED STATES SPACE FORCE.**

3 (a) *MILESTONE DECISION AUTHORITY FOR MAJOR*  
4 *DEFENSE ACQUISITION PROGRAMS AND MAJOR SYS-*  
5 *TEMS.—*

6 (1) *PROGRAM EXECUTIVE OFFICER.—The Sec-*  
7 *retary of the Air Force may assign an appropriate*  
8 *program executive officer as the milestone decision*  
9 *authority for major defense acquisition programs of*  
10 *the United States Space Force.*

11 (2) *PROGRAM MANAGER.—The program executive*  
12 *officer assigned under paragraph (1) may delegate*  
13 *authority over major systems to an appropriate pro-*  
14 *gram manager.*

15 (b) *ALTERNATIVE SPACE ACQUISITION SYSTEM.—*

16 (1) *IN GENERAL.—The Secretary of Defense shall*  
17 *take such actions necessary to develop an acquisition*  
18 *pathway within the Department of Defense to be*  
19 *known as the “Alternative Space Acquisition System”*  
20 *that is specifically tailored for space systems and pro-*  
21 *grams in order to achieve faster acquisition and more*  
22 *rapid fielding of critical systems (including by using*  
23 *new commercial capabilities and services), while*  
24 *maintaining accountability for effective programs*  
25 *that are delivered on time and on budget.*



1           (2) *GOAL.*—*The goal of the Alternative Space*  
2 *Acquisition System shall be to quickly and effectively*  
3 *acquire space warfighting capabilities needed to ad-*  
4 *dress the requirements of the national defense strategy*  
5 *(as defined under section 113(g) of title 10, United*  
6 *States Code).*

7           (3) *REPORT.*—*Not later than January 15, 2021,*  
8 *the Secretary of Defense shall submit to the congres-*  
9 *sional defense committees a report on the Alternative*  
10 *Space Acquisition System that includes the following:*

11                   (A) *Proposed United States Space Force*  
12 *budget line items for fiscal year 2022, includ-*  
13 *ing—*

14                           (i) *a comparison with budget line*  
15 *items for major defense acquisition pro-*  
16 *grams and major systems of the United*  
17 *States Space Force for three previous fiscal*  
18 *years; and*

19                           (ii) *measures to ensure sufficient trans-*  
20 *parency related to the performance of the*  
21 *Alternative Space Acquisition System and*  
22 *opportunities to oversee funding priorities*  
23 *for the Alternative Space Acquisition Sys-*  
24 *tem;*

1           (B) *Proposed revised, flexible, and stream-*  
2 *lined options for joint requirements validation in*  
3 *order to be more responsive and innovative,*  
4 *while ensuring the ability of the Joint Chiefs of*  
5 *Staff to ensure top-level system requirements are*  
6 *properly prioritized to address joint warfighting*  
7 *needs;*

8           (C) *A list of acquisition programs of the*  
9 *United States Space Force for which multiyear*  
10 *procurement authorities are recommended.*

11           (D) *A list of space acquisition programs*  
12 *that may be able to use existing alternative ac-*  
13 *quisition pathways.*

14           (E) *Policies for a new Alternative Space*  
15 *Acquisition System with specific acquisition key*  
16 *decision points and reporting requirements for*  
17 *development, fielding, and sustainment activities*  
18 *that meets the requirements of the adaptive ac-*  
19 *quisition framework (as described in Department*  
20 *of Defense Instruction 5000.02, “Operation of the*  
21 *Adaptive Acquisition Framework”);*

22           (F) *Updated determination authority for*  
23 *procurement of useable end items that are not*  
24 *weapon systems.*

1           (G) *Policies and a governance structure for*  
2           *a separate United States Space Force budget*  
3           *topline, corporate process, and portfolio manage-*  
4           *ment process.*

5           (H) *An analysis of the risks and benefits of*  
6           *the delegation of the authority of the head of con-*  
7           *tracting activity authority to the Chief of Space*  
8           *Operations in a manner that would not expand*  
9           *the operations of the United States Space Force.*

10       (c) *COMPTROLLER GENERAL REVIEW.—Not later than*  
11       *60 days after the submission of the report required under*  
12       *subsection (b)(3), the Comptroller General of the United*  
13       *States shall review such report and submit to the congress-*  
14       *sional defense committees an analysis and recommenda-*  
15       *tions based on such report .*

16       (d) *DEFINITIONS.—In this section:*

17           (1) *MAJOR DEFENSE ACQUISITION PROGRAM.—*  
18           *The term “major defense acquisition program” has*  
19           *the meaning given in section 2430 of title 10, United*  
20           *States Code.*

21           (2) *MAJOR SYSTEM.—The term “major system”*  
22           *has the meaning given in section 2302 of title 10,*  
23           *United States Code.*

1           (3) *MILESTONE DECISION AUTHORITY.*—The  
2 term “milestone decision authority” has the meaning  
3 given in section 2431a of title 10, United States Code.

4           (4) *PROGRAM EXECUTIVE OFFICER; PROGRAM*  
5 *MANAGER.*—The terms “program executive officer”  
6 and “program manager” have the meanings given  
7 those terms, respectively, in section 1737 of title 10,  
8 United States Code.

9 ***Subtitle B—Amendments to General***  
10 ***Contracting Authorities, Proce-***  
11 ***dures, and Limitations***

12 ***SEC. 811. SUSTAINMENT REFORM FOR THE DEPARTMENT***  
13 ***OF DEFENSE.***

14           (a) *SUSTAINMENT ACTIVITIES IN THE NATIONAL DE-*  
15 *FENSE STRATEGY.*—

16           (1) *IN GENERAL.*—Section 113(g)(1)(B) of title  
17 10, United States Code, is amended by adding at the  
18 end the following new subsection:

19                           “(vii) A strategic framework prescribed  
20 by the Secretary that guides how the De-  
21 partment will prioritize and integrate ac-  
22 tivities relating to sustainment of major de-  
23 fense acquisition programs, core logistics ca-  
24 pabilities (as described under section 2464  
25 of this title), and the national technology

1                   *and industrial base (as defined in section*  
2                   *2500 of this title).”.*

3                   (2) *DUTIES OF THE UNDER SECRETARY OF DE-*  
4                   *FENSE FOR ACQUISITION AND SUSTAINMENT.—Section*  
5                   *133b(b) of title 10, United States Code, is amended—*

6                   (A) *in paragraph (7), by striking “and” at*  
7                   *the end;*

8                   (B) *in paragraph (8), by striking the period*  
9                   *at the end and inserting “; and”; and*

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

12                  “(9) *advising the Secretary on all aspects of ac-*  
13                  *quisition and sustainment relating to—*

14                  “(A) *major defense acquisition programs;*

15                  “(B) *core logistics capabilities (as described*  
16                  *under section 2464 of this title);*

17                  “(C) *the national technology and industrial*  
18                  *base (as defined in section 2500 of this title);*  
19                  *and*

20                  “(D) *the development of the strategic frame-*  
21                  *work described in section 113(g)(1)(B)(vii) of*  
22                  *this title.”.*

23                  (3) *INTERIM GUIDANCE.—Not later than October*  
24                  *1, 2021, the Secretary of Defense shall publish interim*

1       *guidance to carry out the requirements of this sub-*  
2       *section.*

3       **(b) REPORT.**—*Not later than February 1, 2021, the*  
4       *Secretary of Defense shall submit to the congressional de-*  
5       *fense committees a report on the progress towards pub-*  
6       *lishing the interim guidance required under subsection*  
7       *(a)(3).*

8       **SEC. 812. MODIFICATIONS TO COMPTROLLER GENERAL AS-**  
9                               **SESSMENT OF ACQUISITION PROGRAMS AND**  
10                              **RELATED INITIATIVES.**

11       *Section 2229b(b)(2) of title 10, United States Code, is*  
12       *amended by striking “a summary of” and all that follows*  
13       *through “discussion of the” and inserting “a discussion of*  
14       *selected organizational, policy, and legislative changes, as*  
15       *determined appropriate by the Comptroller General, and*  
16       *the potential”.*

17       **SEC. 813. CONTRACTOR WHISTLEBLOWER PROTECTIONS**  
18                              **RELATING TO NONDISCLOSURE AGREE-**  
19                              **MENTS.**

20       **(a) DEPARTMENT OF DEFENSE CONTRACTORS.**—

21               **(1) IN GENERAL.**—*Section 2409(a) of title 10,*  
22       *United States Code, is amended by adding at the end*  
23       *the following new paragraph:*

24       *“(4) This section applies to any disclosure made by*  
25       *an employee of a contractor, subcontractor, grantee, or sub-*

1 *grantee or personal services contractor whether or not such*  
2 *employee has signed, or is subject to, a nondisclosure policy,*  
3 *form, or agreement with such contractor, subcontractor,*  
4 *grantee, or subgrantee or personal services contractor.”.*

5 (2) *NOTIFICATION OF EMPLOYEES.—Section*  
6 *2409(d) of title 10, United States Code, is amended—*

7 (A) *by striking “inform” and inserting*  
8 *“submit to the Secretary or Administrator (as*  
9 *applicable) a certification stating that such con-*  
10 *tractor or subcontractor has informed”;* and

11 (B) *by inserting “(including the applica-*  
12 *bility of such rights and remedies if such an em-*  
13 *ployee has signed, or is subject to, a nondisclo-*  
14 *sure policy, form, or agreement)” after “under*  
15 *this section”.*

16 (3) *APPLICATION.—With respect to a nondisclo-*  
17 *sure policy, form, or agreement between a covered*  
18 *contractor and a covered employee that was in effect*  
19 *before the effective date of this Act, paragraph (4) of*  
20 *section 2409(a) of title 10, United States Code, as*  
21 *added by paragraph (1), shall apply if a covered con-*  
22 *tractor has provided notice to a covered employee of*  
23 *the rights and remedies of the covered employee relat-*  
24 *ing to a nondisclosure policy, form, or agreement*

1        *under section 2409(d) of such title, as amended by*  
2        *paragraph (2).*

3            (4) *WEBSITE UPDATE.*—*The Inspector General of*  
4        *the Department of Defense and the Inspector General*  
5        *of the National Aeronautics and Space Administra-*  
6        *tion shall update any relevant websites to include in-*  
7        *formation about this subsection and the amendments*  
8        *made by this subsection.*

9            (5) *DEFINITIONS.*—*In this subsection:*

10            (A) *COVERED CONTRACTOR.*—*The term*  
11        *“covered contractor” means a contractor, grant-*  
12        *ee, or personal services contractor of the Depart-*  
13        *ment of Defense or the National Aeronautics and*  
14        *Space Administration.*

15            (B) *COVERED EMPLOYEE.*—*The term “cov-*  
16        *ered employee” means an employee of a covered*  
17        *contractor or a subcontractor or subgrantee of a*  
18        *covered contractor.*

19        (b) *OTHER GOVERNMENT CONTRACTORS.*—

20            (1) *IN GENERAL.*—*Section 4712(a) of title 41,*  
21        *United States Code, is amended by adding at the end*  
22        *the following new paragraph:*

23            “(4) *EFFECT OF A NONDISCLOSURE POLICY,*  
24        *FORM, OR AGREEMENT.*—*This section applies to any*  
25        *disclosure made by an employee of a contractor, sub-*



1 contractor, grantee, or subgrantee or personal services  
2 contractor whether or not such employee has signed,  
3 or is subject to, a nondisclosure policy, form, or agree-  
4 ment with such contractor, subcontractor, grantee, or  
5 subgrantee or personal services contractor.”.

6 (2) NOTIFICATION OF EMPLOYEES.—Section  
7 4712(d) of title 41, United States Code, is amended—

8 (A) by striking “inform” and inserting  
9 “submit to the applicable head of each executive  
10 agency a certification stating that such con-  
11 tractor or subcontractor has informed”; and

12 (B) by inserting “(including the applica-  
13 bility of such rights and remedies if such an em-  
14 ployee has signed, or is subject to, a nondisclo-  
15 sure policy, form, or agreement)” after “under  
16 this section”.

17 (3) APPLICATION.—With respect to a nondisclo-  
18 sure policy, form, or agreement between a covered  
19 contractor and a covered employee that was in effect  
20 before the effective date of this Act, paragraph (4) of  
21 section 4712(a) of title 41, United States Code, as  
22 added by paragraph (1), shall apply if a covered con-  
23 tractor has provided notice to a covered employee of  
24 the rights and remedies of the covered employee relat-  
25 ing to a nondisclosure policy, form, or agreement

1        *under section 4712(d) of such title, as amended by*  
2        *paragraph (2).*

3                (4) *WEBSITE UPDATE.—Each Inspector General*  
4        *(as defined in section 4712(g) of title 41, United*  
5        *States Code) shall update any relevant websites to in-*  
6        *clude information about this subsection and the*  
7        *amendments made by this subsection.*

8                (5) *DEFINITIONS.—In this subsection:*

9                        (A) *COVERED CONTRACTOR.—The term*  
10        *“covered contractor” means a contractor, grant-*  
11        *ee, or personal services contractor for a Federal*  
12        *contract or grant (as defined for purposes of di-*  
13        *vision C of title 41).*

14                      (B) *COVERED EMPLOYEE.—The term “cov-*  
15        *ered employee” means an employee of a covered*  
16        *contractor or a subcontractor or subgrantee of a*  
17        *covered contractor.*

18        (c) *NOTIFICATION AND REMEDIES.—*

19                      (1) *NOTIFICATION.—A covered contractor shall*  
20        *inform the contracting officer responsible for any con-*  
21        *tracts of such covered contractor—*

22                      (A) *if a person engaged in the performance*  
23        *of any such contract has been subjected to a re-*  
24        *prisal prohibited by section 2409(a) of title 10,*  
25        *United States Code, or section 4712(a) of title*

1           *41, United States Code, where such reprisal has*  
2           *been substantiated;*

3           *(B) any investigation of a complaint relat-*  
4           *ing to any such contract conducted by an Inspec-*  
5           *tor General pursuant to section 2409(b) of title*  
6           *10, United States Code, or section 4712(b) of*  
7           *title 41, United States Code; and*

8           *(C) any action taken by a covered con-*  
9           *tractor or a covered employee for any such con-*  
10          *tract to address a substantiated reprisal de-*  
11          *scribed in subparagraph (A).*

12          (2) *REMEDIES.—In addition to other remedies*  
13          *available, if a covered contractor fails to comply with*  
14          *the requirements of paragraph (1), the relevant head*  
15          *of a Federal agency may—*

16                *(A) require the covered contractor to pro-*  
17                *hibit a covered employee from performing a con-*  
18                *tract if such covered employee has violated sec-*  
19                *tion 2409(a) of title 10, United States Code, or*  
20                *section 4712(a) of title 41, United States Code;*

21                *(B) require the covered contractor to termi-*  
22                *nate a subcontract if the subcontractor for such*  
23                *subcontract has violated such sections;*

1           (C) *suspend payments to a covered con-*  
2 *tractor until such covered contractor has taken*  
3 *appropriate remedial action.*

4           (3) *DEFINITIONS.—In this subsection:*

5           (A) *COVERED CONTRACTOR.—The term*  
6 *“covered contractor” means—*

7                   (i) *with respect to a contract of the De-*  
8 *partment of Defense or the National Aero-*  
9 *navtics and Space Administration, a con-*  
10 *tractor, grantee, or personal services con-*  
11 *tractor; and*

12                   (ii) *with respect to a Federal contract*  
13 *or grant (as defined for purposes of division*  
14 *C of title 41), a contractor, grantee, or per-*  
15 *sonal services contractor for such a Federal*  
16 *contract or grant.*

17           (B) *COVERED EMPLOYEE.—The term “cov-*  
18 *ered employee” means an employee of a covered*  
19 *contractor or a subcontractor or subgrantee of a*  
20 *covered contractor.*

21           (d) *TRAINING.—The Administrator of the Office of*  
22 *Federal Procurement Policy shall update any required*  
23 *training for Federal employees responsible for contract over-*  
24 *sight relating to—*

25                   (1) *contracting certification requirements;*

1           (2) processes for receiving a complaint from a  
2           person alleging discrimination as a reprisal for dis-  
3           closing information under section 2409(a) of title 10,  
4           United States Code, or section 4712(a) of title 41,  
5           United States Code; and

6           (3) prohibitions on contracting with entities that  
7           require confidentiality agreements.

8   **SEC. 814. COMPETITION REQUIREMENTS FOR PURCHASES**  
9                                   **FROM FEDERAL PRISON INDUSTRIES.**

10          (a) *COMPETITION REQUIREMENTS FOR PURCHASES*  
11          *FROM FEDERAL PRISON INDUSTRIES.*—Subsections (a)  
12          and (b) of section 2410n of title 10, United States Code,  
13          are amended to read as follows:

14          “(a) *MARKET RESEARCH.*—Before purchasing a prod-  
15          uct listed in the latest edition of the Federal Prison Indus-  
16          tries catalog published under section 4124(d) of title 18, the  
17          Secretary of Defense shall conduct market research to deter-  
18          mine whether such product—

19                  “(1) is comparable to products available from the  
20                  private sector; and

21                  “(2) best meets the needs of the Department of  
22                  Defense in terms of price, quality, and time of deliv-  
23                  ery.

24          “(b) *COMPETITION REQUIREMENT.*—If the Secretary  
25          determines that a Federal Prison Industries product is not

1 *comparable to products available from the private sector*  
2 *and does not best meet the needs of the Department of De-*  
3 *fense in terms of price, quality, or time of delivery, the Sec-*  
4 *retary shall use competitive procedures or make an indi-*  
5 *vidual purchase under a multiple award contract for the*  
6 *procurement of the product. In conducting such a competi-*  
7 *tion or making such a purchase, the Secretary shall con-*  
8 *sider a timely offer from Federal Prison Industries.”.*

9       **(b) EFFECTIVE DATE.**—*The amendment made by sub-*  
10 *section (a) shall take effect 60 days after the date of the*  
11 *enactment of this Act.*

12 **SEC. 815. DISCLOSURE OF BENEFICIAL OWNERS IN DATA-**  
13 **BASE FOR FEDERAL AGENCY CONTRACT AND**  
14 **GRANT OFFICERS.**

15       *Section 2313(d)(3) of title 41, United States Code, is*  
16 *amended by inserting “, and an identification of any bene-*  
17 *ficial owner of such corporation,” after “to the corpora-*  
18 *tion”.*

19 **SEC. 816. INCLUSION OF OPTICAL TRANSMISSION COMPO-**  
20 **NENTS IN THE ANALYTICAL FRAMEWORK FOR**  
21 **SUPPLY CHAIN RISKS.**

22       *Section 2509(b)(2)(A)(ii) of title 10, United States*  
23 *Code, is amended by striking “(other than optical trans-*  
24 *mission components)”.*

1 **SEC. 817. AMENDMENT TO DEFINITION OF QUALIFIED AP-**  
2 **PRENTICE.**

3 *Section 2870(d) of title 10, United States Code, is*  
4 *amended—*

5 *(1) in paragraph (1), by inserting “or” at the*  
6 *end;*

7 *(2) in paragraph (2), by striking “; or” at the*  
8 *end and inserting a period; and*

9 *(3) by striking paragraph (3).*

10 **SEC. 818. CONTRACT CLOSEOUT AUTHORITY FOR SERVICES**  
11 **CONTRACTS.**

12 *Section 836 of the National Defense Authorization Act*  
13 *for Fiscal Year 2017 (10 U.S.C. 2302 note) is amended—*

14 *(1) by amending subsection (b)(1) to read as fol-*  
15 *lows:*

16 *“(1) was entered into—*

17 *“(A) with respect to a contract or group of*  
18 *contracts for services, on a date that is the later*  
19 *of—*

20 *“(i) at least 7 fiscal years before the*  
21 *current fiscal year; and*

22 *“(ii) the number of years applicable to*  
23 *the contract or group of contracts in sub-*  
24 *part 4.7 of the Federal Acquisition Regula-*  
25 *tion (as in effect on April 1, 2020);*

1           “(B) with respect to a contract or group of  
2           contracts not described in subparagraph (A), on  
3           a date that is at least 17 fiscal years before the  
4           current fiscal year;”;

5           (2) by redesignating subsections (f) and (g) as  
6           subsections (g) and (h), respectively; and

7           (3) by inserting after subsection (e) the following  
8           new subsection:

9           “(f) *OVERSIGHT.*—The Secretary of Defense, acting  
10          through the Director of the Defense Contract Management  
11          Agency, shall establish and maintain a centralized capa-  
12          bility with necessary expertise and resources to provide  
13          oversight of the closeout of a contract or group of contracts  
14          covered by this section.”.

15   **SEC. 819. PLAN TO IMPROVE DEPARTMENT-WIDE MANAGE-**  
16                   **MENT OF INVESTMENTS IN WEAPON SYS-**  
17                   **TEMS.**

18          (a) *PORTFOLIO MANAGEMENT PLAN.*—The Secretary  
19          of Defense shall direct the Under Secretary of Defense for  
20          Acquisition and Sustainment, in coordination with the  
21          Chairman of the Joint Chiefs of Staff, and the Director of  
22          Cost Assessment and Program Evaluation, to develop a  
23          plan to identify, develop, and acquire databases, analytical  
24          and financial tools, and workforce skills to improve the De-  
25          partment of Defense-wide assessment, management, and op-



1 *timization of the investments in weapon systems of the De-*  
2 *partment, including through consolidation of duplicate or*  
3 *similar weapon system programs.*

4 (b) *PLAN CONTENTS.*—*The plan developed under sub-*  
5 *section (a) shall—*

6 (1) *describe the databases and analytical and fi-*  
7 *nancial tools in use by the Department of Defense*  
8 *that may be used to support the Department-wide as-*  
9 *essment, management, and optimization of the in-*  
10 *vestments in weapon systems of the Department;*

11 (2) *determine the database and analytical and*  
12 *financial tool requirements that must be met, and the*  
13 *workforce skills necessary, for more effective Depart-*  
14 *ment-wide reviews, analyses, and management by the*  
15 *Secretary of the investments in weapon systems of the*  
16 *Department;*

17 (3) *identify the skills described in paragraph (2)*  
18 *that are possessed by the workforce of the Department;*

19 (4) *identify the databases and analytical and fi-*  
20 *nancial tools to be modified, developed, or acquired to*  
21 *improve the Department-wide reviews, analyses, and*  
22 *management of the investments in weapon systems of*  
23 *the Department; and*

24 (5) *set forth a timeline for implementing the*  
25 *plan, including a timeline for the modification, devel-*

1        *opment, and acquisition of each database and analyt-*  
2        *ical and financial tool identified under paragraph*  
3        *(4).*

4        *(c) SUBMISSION TO CONGRESS.—*

5                *(1) IN GENERAL.—Not later than 180 days after*  
6        *the date of the enactment of this Act, the Secretary of*  
7        *Defense shall submit to Congress the plan developed*  
8        *under subsection (a).*

9                *(2) FORM.—The plan submitted under para-*  
10        *graph (1) shall be in an unclassified form but may*  
11        *contain a classified annex.*

12        ***Subtitle C—Industrial Base Matters***

13        ***SEC. 821. QUARTERLY NATIONAL TECHNOLOGY AND INDUS-***  
14                ***TRIAL BASE BRIEFINGS.***

15        *(a) IN GENERAL.—Section 2504 of title 10, United*  
16        *States Code, is amended—*

17                *(1) by striking “The Secretary” and inserting*  
18        *the following:*

19                *“(a) ANNUAL REPORT.—The Secretary”; and*

20                *(2) by adding at the end the following new sub-*  
21        *section:*

22                *“(b) QUARTERLY BRIEFINGS.—(1) The Secretary of*  
23        *Defense shall ensure that the congressional defense commit-*  
24        *tees receive quarterly briefings on the progress of the De-*  
25        *partment of Defense to address the prioritized list of gaps*

1 *or vulnerabilities in the national technology and industrial*  
2 *base described in subsection (a)(3)(B) as follows:*

3           “(A) *One quarterly briefing per year shall be*  
4 *provided by the Secretary of the Army.*”

5           “(B) *One quarterly briefing per year shall be*  
6 *provided by the Secretary of the Navy.*”

7           “(C) *One quarterly briefing per year shall be*  
8 *provided by the Secretary of the Air Force.*”

9           “(D) *One quarterly briefing per year shall be*  
10 *provided by all appropriate heads of the Defense*  
11 *Agencies identified under subsection (a)(3)(B)(ii).*”

12           “(2) *Each briefing under paragraph (1) shall include*  
13 *an update of the progress of addressing such gaps or*  
14 *vulnerabilities by the Secretary concerned or the appro-*  
15 *priate head of a Defense Agency, including an update on—*

16           “(A) *actions taken to address such gaps or*  
17 *vulnerabilities;*

18           “(B) *the mitigation strategies necessary to ad-*  
19 *dress such gaps or vulnerabilities; and*

20           “(C) *the proposed timeline for action to address*  
21 *such gaps or vulnerabilities.*”

22 (b) *CONFORMING AND CLERICAL AMENDMENTS.—*

23           (1) *HEADING AMENDMENT.—The heading of sec-*  
24 *tion 2504 of such title is amended to read as follows:*

1 **“§2504. National technology and industrial base: an-**  
 2 **nual report and quarterly briefings”.**

3 (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
 4 *tions for subchapter II of chapter 148 of such title is*  
 5 *amended by striking the item relating to section 2504*  
 6 *and inserting the following new item:*

*“2504. National technology and industrial base: annual report and quarterly briefing.”.*

7 **SEC. 822. EXPANSION ON THE PROHIBITION ON ACQUIRING**  
 8 **CERTAIN METAL PRODUCTS.**

9 (a) *IN GENERAL.*—*Section 2533c of title 10, United*  
 10 *States Code, is amended—*

11 (1) *in subsection (a)(1), by striking “material*  
 12 *melted” and inserting “material mined, refined, sepa-*  
 13 *rated, melted,”; and*

14 (2) *in subsection (c)(3)(A)(i), by striking “tung-*  
 15 *sten” and inserting “covered material”.*

16 (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
 17 *section (a) shall take effect on the date that is three years*  
 18 *after the date of the enactment of this Act.*

19 **SEC. 823. REQUIREMENT THAT CERTAIN SHIP COMPO-**  
 20 **NENTS BE MANUFACTURED IN THE NA-**  
 21 **TIONAL TECHNOLOGY AND INDUSTRIAL**  
 22 **BASE.**

23 (a) *TECHNICAL AMENDMENT.*—*The second subsection*  
 24 *(k) of section 2534 of title 10, United States Code (relating*

1 *to Implementation of Auxiliary Ship Component Limita-*  
2 *tion), is redesignated as subsection (l).*

3 (b) *COMPONENTS FOR AUXILIARY SHIPS.*—Section  
4 *2534(a) of title 10, United States Code, is amended by add-*  
5 *ing at the end the following new paragraph:*

6 “(6) *COMPONENTS FOR AUXILIARY SHIPS.*—Sub-  
7 *ject to subsection (l), the following components:*

8 “(A) *Large medium-speed diesel engines.*

9 “(B) *Auxiliary equipment, including*  
10 *pumps, for all shipboard services.*

11 “(C) *Propulsion system components, includ-*  
12 *ing engines, reduction gears, and propellers.*

13 “(D) *Shipboard cranes.*

14 “(E) *Spreaders for shipboard cranes.*”.

15 (c) *IMPLEMENTATION.*—Subsection (l) of section 2534  
16 *of title 10, United States Code, as redesignated by sub-*  
17 *section (a), is amended—*

18 (1) *by redesignating the second sentence to ap-*  
19 *pear as flush text at the end;*

20 (2) *by striking “auxiliary ship after the date”*  
21 *and inserting the following: “auxiliary ship—*

22 *“(1) with respect to large medium-speed diesel*  
23 *engines described under subparagraph (A) of such*  
24 *subsection, after the date”;*

1           (3) in paragraph (1) (as so designated), by strik-  
2           ing “Navy.” and inserting “Navy; and”; and

3           (4) by inserting after paragraph (1) (as so des-  
4           ignated) the following new paragraph:

5           “(2) with respect to components listed in sub-  
6           paragraphs (B) through (E) of such subsection, after  
7           the date of the enactment of the National Defense Au-  
8           thorization Act for Fiscal Year 2021 using funds  
9           available for National Defense Sealift Fund programs  
10          or Shipbuilding and Conversion, Navy.”.

11 **SEC. 824. PREFERENCE FOR SOURCING RARE EARTH MATE-**  
12                                   **RIALS FROM THE NATIONAL TECHNOLOGY**  
13                                   **AND INDUSTRIAL BASE.**

14          *The Secretary of Defense shall, to the maximum extent*  
15 *practicable, acquire materials that are determined to be*  
16 *strategic and critical materials required to meet the defense,*  
17 *industrial, and essential civilian needs of the United States*  
18 *in the following order of preference:*

19           (1) *From sources located within the United*  
20           *States.*

21           (2) *From sources located within the national*  
22           *technology and industrial base (as defined in section*  
23           *2500 of title 10, United States Code).*

24           (3) *From other sources as appropriate.*

1 **SEC. 825. ENHANCED DOMESTIC CONTENT REQUIREMENT**  
2 **FOR MAJOR DEFENSE ACQUISITION PRO-**  
3 **GRAMS.**

4 (a) *ASSESSMENT REQUIRED.*—

5 (1) *IN GENERAL.*—*Not later than one year after*  
6 *the date of the enactment of this Act, the Secretary of*  
7 *Defense shall submit to the congressional defense com-*  
8 *mittees a report assessing the domestic source content*  
9 *of any procurement carried out in connection with*  
10 *major defense acquisition programs.*

11 (2) *INFORMATION REPOSITORY.*—*The Secretary*  
12 *of Defense shall establish an information repository*  
13 *for the collection and analysis of information related*  
14 *to domestic source content that can be used for contin-*  
15 *uous data analysis and program management activi-*  
16 *ties.*

17 (b) *ENHANCED DOMESTIC CONTENT REQUIREMENT.*—

18 (1) *IN GENERAL.*—*For purposes of chapter 83 of*  
19 *title 41, United States Code, manufactured articles,*  
20 *materials, or supplies procured in connection with a*  
21 *major defense acquisition program shall be deemed to*  
22 *be manufactured substantially all from articles, mate-*  
23 *rials, or supplies mined, produced, or manufactured*  
24 *in the United States, if such component articles, ma-*  
25 *terials, or supplies—*

1           (A) not later than October 1, 2021, com-  
2           prise 75 percent of the manufactured articles,  
3           materials, or supplies;

4           (B) not later than October 1, 2022, com-  
5           prise 80 percent of the manufactured articles,  
6           materials, or supplies;

7           (C) not later than October 1, 2023, comprise  
8           85 percent of the manufactured articles, mate-  
9           rials, or supplies;

10          (D) not later than October 1, 2024, com-  
11          prise 90 percent of the manufactured articles,  
12          materials, or supplies;

13          (E) not later than October 1, 2025, com-  
14          prise 95 percent of the manufactured articles,  
15          materials, or supplies; and

16          (F) not later than October 1, 2026, com-  
17          prise 100 percent of the manufactured articles,  
18          materials, or supplies.

19          (2) *WAIVER*.—Before Milestone A approval (as  
20          defined in section 2366a(d) of title 10, United States  
21          Code) is granted for a major defense acquisition pro-  
22          gram, the Secretary of Defense shall determine wheth-  
23          er or not to grant a waiver of the requirements of  
24          paragraph (1).



1           (3) *EFFECTIVE DATE.*—*The domestic content re-*  
2           *quirement under paragraph (1) applies to contracts*  
3           *entered into on or after October 1, 2021.*

4           (c) *MAJOR DEFENSE ACQUISITION PROGRAM DE-*  
5           *FINED.*—*In this section, the term “major defense acquisi-*  
6           *tion program” has the meaning given in section 2430 of*  
7           *title 10, United States Code.*

8           **SEC. 826. ADDITIONAL REQUIREMENTS PERTAINING TO**  
9                                   **PRINTED CIRCUIT BOARDS.**

10          (a) *PURCHASES.*—*Beginning in fiscal year 2023, the*  
11          *Secretary of Defense shall require that any contractor or*  
12          *subcontractor that provides covered printed circuit boards*  
13          *for use by the Department of Defense to certify that, of the*  
14          *total value of the covered printed circuit boards provided*  
15          *by such contractor or subcontractor pursuant to a contract*  
16          *with the Department of Defense, not less than the percent-*  
17          *ages set forth in subsection (b) were manufactured and as-*  
18          *sembled within a covered country.*

19          (b) *IMPLEMENTATION.*—*In making a certification*  
20          *under subsection (a), a contractor or subcontractor shall use*  
21          *the following percentages:*

22                           (1) *During fiscal years 2023 through 2027, the*  
23                           *greater of—*

24   (A) 50 percent; or

1           (B) 75 percent, if the Secretary of Defense  
2           has determined that suppliers in covered coun-  
3           tries are capable of supplying 75 percent of De-  
4           partment of Defense requirements for printed  
5           circuit boards.

6           (2) During fiscal years 2028 through 2032, the  
7           greater of—

8                   (A) 75 percent; or

9                   (B) 100 percent, if the Secretary of Defense  
10           has determined that suppliers in covered coun-  
11           tries are capable of supplying 100 percent of De-  
12           partment of Defense requirements for printed  
13           circuit boards.

14           (3) Beginning in fiscal year 2033, 100 percent.

15           (c) *REMEDIATION.*—

16           (1) *IN GENERAL.*—In the event that a contractor  
17           or subcontractor is unable to make the certification  
18           required under subsection (a), the Secretary may ac-  
19           cept covered printed circuit boards from such con-  
20           tractor or subcontractor for up to one year while re-  
21           quiring the contractor to complete a remediation  
22           plan. Such a plan shall be submitted to the congress-  
23           sional defense committees and shall require the con-  
24           tractor or subcontractor that failed to make the cer-  
25           tification required under subsection (a) to—

1           (A) audit its supply chain to identify any  
2           areas of security vulnerability and noncompli-  
3           ance with section 224 of the National Defense  
4           Authorization Act for Fiscal Year 2020 (Public  
5           Law 116–92); and

6           (B) meet the requirements of subsection (a)  
7           within one year after the initial missed certifi-  
8           cation deadline.

9           (2) *RESTRICTION.*—No contractor or subcon-  
10          tractor that has supplied covered printed circuit  
11          boards while under a remediation plan shall be eligi-  
12          ble to enter into another remediation plan under sub-  
13          section (c) for a period of five years.

14          (d) *WAIVER.*—The Secretary of Defense may waive the  
15          requirement under subsection (a) with respect to a con-  
16          tractor or subcontractor if the Secretary determines that—

17               (1) there are no significant national security  
18               concerns regarding counterfeiting, quality, or unau-  
19               thorized access created by accepting covered printed  
20               circuit boards under such waiver; and

21               (2) the contractor is otherwise in compliance  
22               with all relevant cybersecurity provisions relating to  
23               members of the defense industrial base, including sec-  
24               tion 224 of the National Defense Authorization Act  
25               for Fiscal Year 2020 (Public Law 116–92).

1       (e) *AVAILABILITY EXCEPTION.*—Subsection (a) shall  
2 not apply to the extent that the Secretary of Defense or the  
3 Secretary of the military department concerned determines  
4 that covered printed circuit boards of satisfactory quality  
5 and sufficient quantity, in the required form, cannot be pro-  
6 cured as and when needed from covered countries.

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

8           (1) *COVERED COUNTRY.*—The term “covered  
9 country” means—

10                   (A) the United States; or

11                   (B) a foreign country whose government has  
12 a memorandum of understanding or agreement  
13 with the United States that—

14                           (i) where applicable, complies with the  
15 requirements of section 36 of the Arms Ex-  
16 port Control Act (22 U.S.C. 2776) and with  
17 section 2457 of title 10, United States Code;  
18 and

19                           (ii) either—

20                                   (I) requires the United States to  
21 purchase supplies from foreign sources  
22 for the purposes of offsetting sales made  
23 the by United States Government or  
24 United States firms under approved

1 *programs serving defense requirements;*

2 *or*

3 *(II) under which the United*  
4 *States and such government agree to*  
5 *remove barriers to purchase supplies*  
6 *produced in such foreign country or*  
7 *services performed by sources of such*  
8 *foreign country.*

9 *(2) COVERED PRINTED CIRCUIT BOARD.—*

10 *(A) IN GENERAL.—The term “covered print-*  
11 *ed circuit board” means any printed circuit*  
12 *board that is—*

13 *(i) a product that is not a commercial*  
14 *product (as defined in section 103 of title*  
15 *41, United States Code); or*

16 *(ii) a commercial product (as defined*  
17 *in section 103 of title 41, United States*  
18 *Code), other than a commercially available*  
19 *off-the-shelf item (as defined in section 104*  
20 *of title 41, United States Code) not de-*  
21 *scribed in subparagraph (B).*

22 *(B) COMMERCIALY AVAILABLE OFF-THE-*  
23 *SHELF ITEMS DESCRIBED.—The commercially*  
24 *available off-the-shelf items (as defined in section*  
25 *104 of title 41, United States Code) described in*

1            *this subparagraph are such items that are ac-*  
2            *quired under a contract with an award value*  
3            *that is greater than the micro-purchase threshold*  
4            *under section 2338 of title 10, United States*  
5            *Code, for use as an integral component in a sys-*  
6            *tem designed for—*

7                    *(i) telecommunications, including data*  
8                    *communications and fifth-generation cel-*  
9                    *lular communications;*

10                   *(ii) data storage;*

11                   *(iii) medical applications;*

12                   *(iv) networking;*

13                   *(v) computing;*

14                   *(vi) radar;*

15                   *(vii) munitions; or*

16                   *(viii) any other system that the Sec-*  
17                   *retary of Defense determines should be cov-*  
18                   *ered under this section.*

19            *(3) SUBCONTRACTOR.—The term “subcontractor”*  
20            *includes subcontractors at any tier.*

21    **SEC. 827. REPORT ON USE OF DOMESTIC NONAVAILABILITY**

22                    **DETERMINATIONS.**

23            *Not later than September 30, 2021, and annually*  
24            *thereafter, the Secretary of Defense shall submit a report*  
25            *to congressional defense committees—*

1           (1) *describing in detail the use of any waiver or*  
2 *exception by the Department of Defense to the require-*  
3 *ments of chapter 83 of title 41, United States Code,*  
4 *or section 2533a of title 10, United States Code, relat-*  
5 *ing to domestic nonavailability determinations;*

6           (2) *specifying the type of waiver or exception*  
7 *used; and*

8           (3) *providing an assessment of the impact on the*  
9 *use of such waivers or exceptions due to the COVID-*  
10 *19 pandemic and associated challenges with invest-*  
11 *ments in domestic sources.*

12 **SEC. 828. SENSE OF CONGRESS ON THE PROHIBITION ON**  
13 **CERTAIN TELECOMMUNICATIONS AND VIDEO**  
14 **SURVEILLANCE SERVICES OR EQUIPMENT.**

15 (a) *FINDINGS.—Congress finds the following:*

16           (1) *Prohibiting the use of telecommunications*  
17 *and video surveillance products or services from cer-*  
18 *tain Chinese entities within the Federal Government’s*  
19 *supply chain is essential to our national security.*

20           (2) *Section 889 of the John S. McCain National*  
21 *Defense Authorization Act for Fiscal Year 2019 (Pub-*  
22 *lic Law 115–232; 132 Stat. 1917; 41 U.S.C. note*  
23 *prec. 3901) restricts Federal agencies from procuring,*  
24 *contracting with entities that use, or funding the pur-*  
25 *chase of certain telecommunications products of Chi-*

1        *nese companies determined by Congress to pose a sub-*  
2        *stantial threat to the security of our communication*  
3        *infrastructure.*

4                *(3) Specifically, section 889(a)(1)(B) of such Act,*  
5        *effective August 13, 2020, will prohibit Federal agen-*  
6        *cies from entering into, extending, or renewing a con-*  
7        *tract with an entity that uses covered telecommuni-*  
8        *cations and video surveillance equipment or services*  
9        *from designated Chinese companies, including*  
10        *Huawei and ZTE, in their supply chains.*

11                *(4) As of July 1, 2020, the Federal Acquisition*  
12        *Regulatory Council has yet to release a draft rule for*  
13        *public comment on the implementation of the prohibi-*  
14        *tions described in section 889(a)(1)(B) of such Act,*  
15        *leaving Federal agencies and contractors that provide*  
16        *equipment and services to the Federal Government*  
17        *without implementation guidance necessary to ade-*  
18        *quately plan for or comply with the prohibitions.*

19                *(5) Belated, and then hurried, implementation of*  
20        *this critical prohibition puts at risk the Federal Gov-*  
21        *ernment's ability to acquire essential goods and serv-*  
22        *ices and increases vulnerability in the supply chain*  
23        *through inconsistent implementation.*

24                *(6) A senior Department of Defense leader testi-*  
25        *fied on June 10, 2020, that, "I am very concerned*



1       *about being able to implement [the prohibition] in*  
2       *August, as well as totally comply within two years*  
3       *. . . I believe we need more time”.*

4               (7) *Subsequent to the enactment of the John S.*  
5       *McCain National Defense Authorization Act for Fis-*  
6       *cal Year 2019 (Public Law 115–232), Congress estab-*  
7       *lished the Federal Acquisition Security Council*  
8       *(FASC)—comprised of senior officials from the Office*  
9       *of Management and Budget, General Services Admin-*  
10       *istration, Department of Defense, Department of*  
11       *Homeland Security and the intelligence community—*  
12       *to streamline the Federal Government’s supply chain*  
13       *risk management efforts and develop criteria and*  
14       *processes for supply chain information sharing*  
15       *among executive agencies.*

16       (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
17       *that—*

18               (1) *successful implementation of the prohibition*  
19       *on using or procuring certain telecommunications*  
20       *and video surveillance equipment under section 889 of*  
21       *the John S. McCain National Defense Authorization*  
22       *Act for Fiscal Year 2019 (Public Law 115–232; 132*  
23       *Stat. 1917; 41 U.S.C. note prec. 3901) is critical to*  
24       *protecting the supply chain of the Federal Govern-*  
25       *ment, and Federal agencies should draw upon the ex-*

1        *pert resources available (such as the Federal Acquisi-*  
2        *tion Security Council established under subchapter*  
3        *III of chapter 13 of title 41, United States Code) to*  
4        *ensure implementation of such prohibition is done in*  
5        *a comprehensive and deliberative manner; and*

6                *(2) the Federal Acquisition Regulatory Council*  
7        *shall ensure successful implementation of such prohi-*  
8        *bition by providing sufficient time for public com-*  
9        *ment and review of any related rulemaking.*

## 10    ***Subtitle D—Small Business Matters***

### 11    ***SEC. 831. TRANSFER OF VERIFICATION OF SMALL BUSINESS***

#### 12                ***CONCERNS OWNED AND CONTROLLED BY*** 13                ***VETERANS OR SERVICE-DISABLED VETERANS*** 14                ***TO THE SMALL BUSINESS ADMINISTRATION.***

15        *(a) TRANSFER DATE.—For purposes of this section,*  
16        *the term “transfer date” means the date that is 2 years after*  
17        *the date of enactment of this section, except that such date*  
18        *may be extended an unlimited number of times by a period*  
19        *of not more than 6 months if the Administrator of the Small*  
20        *Business Administration and the Secretary of Veterans Af-*  
21        *fairs jointly issue a notice to Congress and the Law Revi-*  
22        *sion Counsel of the House of Representatives containing—*

23                *(1) a certification that such extension is nec-*  
24        *essary;*

1           (2) *the rationale for and the length of such exten-*  
2           *sion; and*

3           (3) *a plan to comply with the requirements of*  
4           *this section within the timeframe of the extension.*

5           (b) *AMENDMENT TO AND TRANSFER OF VETERAN-*  
6 *OWNED AND SERVICE-DISABLED VETERAN-OWNED BUSI-*  
7 *NESS DATABASE.—*

8           (1) *AMENDMENT OF VETERAN-OWNED AND SERV-*  
9 *ICE-DISABLED VETERAN-OWNED BUSINESS DATA-*  
10 *BASE.—Effective on the transfer date, section 8127 of*  
11 *title 38, United States Code, is amended—*

12           (A) *in subsection (e)—*

13                 (i) *by striking “the Secretary” and in-*  
14                 *serting “the Administrator”; and*

15                 (ii) *by striking “subsection (f)” and*  
16                 *inserting “section 36 of the Small Business*  
17                 *Act”;*

18           (B) *in subsection (f)—*

19                 (i) *by striking “the Secretary” each*  
20                 *place such term appears, other than in the*  
21                 *last place such term appears under para-*  
22                 *graph (2)(A), and inserting “the Adminis-*  
23                 *trator”;*

24                 (ii) *in paragraph (1), by striking*  
25                 *“small business concerns owned and con-*

1           *trolled by veterans with service-connected*  
2           *disabilities” each place such term appears*  
3           *and inserting “small business concerns*  
4           *owned and controlled by service-disabled*  
5           *veterans”;*

6                     *(iii) in paragraph (2)—*

7                             *(I) in subparagraph (A), by strik-*  
8                             *ing “to access” and inserting “to ob-*  
9                             *tain from the Secretary of Veterans Af-*  
10                            *fairs”;* and

11                            *(II) by striking subparagraph (B)*

12                            *and inserting the following:*

13           *“(B) For purposes of this subsection—*

14                     *“(i) the Secretary of Veterans Affairs shall—*

15                             *“(I) verify an individual’s status as a vet-*  
16                             *eran or a service-disabled veteran; and*

17                             *“(II) establish a system to permit the Ad-*  
18                             *ministrator to access, but not alter, such*  
19                             *verification; and*

20                     *“(ii) the Administrator shall verify—*

21                             *“(I) the status of a business concern as a*  
22                             *small business concern; and*

23                             *“(II) the ownership and control of such*  
24                             *business concern.*

1       “(C) *The Administrator may not certify a concern*  
2 *under subsection (b) or section 36A if the Secretary of Vet-*  
3 *erans Affairs cannot provide the verification described*  
4 *under subparagraph (B)(i)(I).”;*

5               *(iv) by striking paragraphs (4) and*  
6               *(7);*

7               *(v) by redesignating paragraphs (5)*  
8 *and (6) as paragraphs (4) and (5), respec-*  
9 *tively, and redesignating paragraph (8) as*  
10 *paragraph (6);*

11              *(vi) in paragraph (4), as so redesign-*  
12 *ated, by striking “The Secretary” and in-*  
13 *serting “The Administrator”; and*

14              *(vii) in paragraph (6), as so redesign-*  
15 *ated—*

16                      *(I) in subparagraph (A)—*

17                              *(aa) by striking “verify the*  
18 *status of the concern as a small*  
19 *business concern or the ownership*  
20 *or control of the concern” and in-*  
21 *serting “certify the status of the*  
22 *concern as a small business con-*  
23 *cern owned and controlled by vet-*  
24 *erans (under section 36A) or a*  
25 *small business concern owned and*

1                   *controlled by service-disabled vet-*  
2                   *erans (under section 36(g))”; and*  
3                   *(bb) by striking*  
4                   *“verification” and inserting “cer-*  
5                   *tification”;*  
6                   *(II) in subparagraph (B)—*  
7                   *(aa) in clause (i), by striking*  
8                   *“small business concern owned*  
9                   *and controlled by veterans with*  
10                   *service-connected disabilities” and*  
11                   *inserting “small business concern*  
12                   *owned and controlled by service-*  
13                   *disabled veterans”; and*  
14                   *(bb) in clause (ii)—*  
15                   *(AA) by amending sub-*  
16                   *clause (I) to read as follows:*  
17                   *“(I) the Secretary of Veterans Affairs or the*  
18                   *Administrator; or”; and*  
19                   *(BB) in subclause (II),*  
20                   *by striking “the contracting*  
21                   *officer of the Department”*  
22                   *and inserting “the applicable*  
23                   *contracting officer”; and*  
24                   *(III) by striking subparagraph*  
25                   *(C);*

1                   (C) by redesignating subsection (k) (relating  
2                   to definitions) as subsection (l);

3                   (D) by inserting after subsection (j) (relat-  
4                   ing to annual reports) the following:

5           “(k) ANNUAL TRANSFER FOR CERTIFICATION  
6 COSTS.—For each fiscal year, the Secretary of Veterans Af-  
7 fairs shall reimburse the Administrator in an amount nec-  
8 essary to cover any cost incurred by the Administrator for  
9 certifying small business concerns owned and controlled by  
10 veterans that do not qualify as small business concerns  
11 owned and controlled by service-disabled veterans for the  
12 Secretary for purposes of this section and section 8128 of  
13 this title. The Administrator is authorized to accept such  
14 reimbursement. The amount of any such reimbursement  
15 shall be determined jointly by the Secretary and the Admin-  
16 istrator and shall be provided from fees collected by the Sec-  
17 retary under multiple-award schedule contracts. Any dis-  
18 agreement about the amount shall be resolved by the Direc-  
19 tor of the Office of Management and Budget.”; and

20                   (E) subsection (l) (relating to definitions),  
21                   as so redesignated, by adding at the end the fol-  
22                   lowing:

23                   “(4) The term Administrator means the Admin-  
24                   istrator of the Small Business Administration.”.

1           (2) *TRANSFER OF REQUIREMENTS RELATING TO*  
2           *DATABASE TO THE SMALL BUSINESS ACT.*—Effective  
3           on the transfer date, subsection (f) of section 8127 of  
4           title 38, United States Code (as amended by para-  
5           graph (1)), is transferred to section 36 of the Small  
6           Business Act (15 U.S.C. 657f), inserted so as to ap-  
7           pear after subsection (e).

8           (3) *CONFORMING AMENDMENTS.*—The following  
9           amendments shall take effect on the transfer date:

10           (A) *SMALL BUSINESS ACT.*—Section  
11           3(q)(2)(C)(i)(III) of the Small Business Act (15  
12           U.S.C. 632(q)(2)(C)(i)(III)) is amended by strik-  
13           ing “section 8127(f) of title 38, United States  
14           Code” and inserting “section 36”.

15           (B) *TITLE 38.*—Section 8128 of title 38,  
16           United States Code, is amended by striking “sec-  
17           tion 8127(f) of this title” and inserting “section  
18           36 of the Small Business Act”.

19           (c) *ADDITIONAL REQUIREMENTS FOR DATABASE.*—

20           (1) *ADMINISTRATION ACCESS TO DATABASE BE-*  
21           *FORE THE TRANSFER DATE.*—During the period be-  
22           tween the date of the enactment of this section and the  
23           transfer date, the Secretary of Veterans Affairs shall  
24           provide the Administrator of the Small Business Ad-  
25           ministration with access to the contents of the data-



1       *base described under section 8127(f) of title 38,*  
2       *United States Code.*

3               (2) *RULE OF CONSTRUCTION.—Nothing in this*  
4       *section or the amendments made by this section may*  
5       *be construed—*

6                       (A) *as prohibiting the Administrator of the*  
7       *Small Business Administration from combining*  
8       *the contents of the database described under sec-*  
9       *tion 8127(f) of title 38, United States Code, with*  
10       *other databases maintained by the Administra-*  
11       *tion; or*

12                      (B) *as requiring the Administrator to use*  
13       *any system or technology related to the database*  
14       *described under section 8127(f) of title 38,*  
15       *United States Code, on or after the transfer date*  
16       *to comply with the requirement to maintain a*  
17       *database under subsection (f) of section 36 of the*  
18       *Small Business Act (as transferred pursuant to*  
19       *subsection (b)(2) of this section).*

20               (3) *RECOGNITION OF THE ISSUANCE OF JOINT*  
21       *REGULATIONS.—The date specified under section*  
22       *1832(e) of the National Defense Authorization Act for*  
23       *Fiscal Year 2017 (15 U.S.C. 632 note) shall be*  
24       *deemed to be October 1, 2018.*

1           (d) *PROCUREMENT PROGRAM FOR SMALL BUSINESS*  
2 *CONCERNS OWNED AND CONTROLLED BY SERVICE-DIS-*  
3 *ABLED VETERANS.—*

4           (1) *PROCUREMENT PROGRAM FOR SMALL BUSI-*  
5 *NESS CONCERNS OWNED AND CONTROLLED BY SERV-*  
6 *ICE-DISABLED VETERANS.—Section 36 of the Small*  
7 *Business Act (15 U.S.C. 657f) is amended—*

8                   (A) *by striking subsections (d) and (e);*

9                   (B) *by redesignating subsections (a), (b),*  
10 *and (c) as subsections (c), (d), and (e) respec-*  
11 *tively;*

12                   (C) *by inserting before subsection (c), as so*  
13 *redesignated, the following:*

14           “(a) *CONTRACTING OFFICER DEFINED.—For purposes*  
15 *of this section, the term ‘contracting officer’ has the mean-*  
16 *ing given such term in section 2101 of title 41, United*  
17 *States Code.*

18           “(b) *CERTIFICATION OF SMALL BUSINESS CONCERNS*  
19 *OWNED AND CONTROLLED BY SERVICE-DISABLED VET-*  
20 *ERANS.—With respect to a procurement program or pref-*  
21 *erence established under this Act that applies to prime con-*  
22 *tractors, the Administrator shall—*

23                   “(1) *certify the status of the concern as a ‘small*  
24 *business concern owned and controlled by service-dis-*  
25 *abled veterans’; and*

1           “(2) require the periodic recertification of such  
2     status.”;

3           (D) in subsection (d), as so redesignated, by  
4     striking “and that the award can be made at a  
5     fair market price” and inserting “, that the  
6     award can be made at a fair market price, and  
7     if each concern is certified by the Administrator  
8     as a small business concern owned and controlled  
9     by service-disabled veterans”; and

10           (E) by adding at the end the following:

11           “(g)     CERTIFICATION     REQUIREMENT.—Notwith-  
12     standing subsection (c), a contracting officer may only  
13     award a sole source contract to a small business concern  
14     owned and controlled by service-disabled veterans or a con-  
15     tract on the basis of competition restricted to small business  
16     concerns owned and controlled by service-disabled veterans  
17     if such a concern is certified by the Administrator as a  
18     small business concern owned and controlled by service-dis-  
19     abled veterans.

20           “(h) ENFORCEMENT; PENALTIES.—

21           “(1) VERIFICATION OF ELIGIBILITY.—In car-  
22     rying out this section, the Administrator shall estab-  
23     lish procedures relating to—

24           “(A) the filing, investigation, and disposi-  
25     tion by the Administration of any challenge to

1           *the eligibility of a small business concern to re-*  
2           *ceive assistance under this section (including a*  
3           *challenge, filed by an interested party, relating*  
4           *to the veracity of a certification made or infor-*  
5           *mation provided to the Administration by a*  
6           *small business concern under subsection (b)); and*

7           *“(B) verification by the Administrator of*  
8           *the accuracy of any certification made or infor-*  
9           *mation provided to the Administration by a*  
10           *small business concern under subsection (b).*

11           “(2) *EXAMINATIONS.—*

12           *“(A) EXAMINATION OF APPLICANTS.—The*  
13           *procedures established under paragraph (1) shall*  
14           *provide for a program of examinations by the*  
15           *Administrator of any small business concern*  
16           *making a certification or providing information*  
17           *to the Administrator under subsection (b), to de-*  
18           *termine the veracity of any statements or infor-*  
19           *mation provided as part of such certification or*  
20           *otherwise provided under subsection (b).*

21           *“(B) EXAMINATION OF CERTIFIED CON-*  
22           *CERNS.—The procedures established under para-*  
23           *graph (1) shall provide for the examination of*  
24           *risk-based samples of small business concerns*  
25           *certified under subsection (b), or of any small*

1           *business concern that the Administrator believes*  
2           *poses a particular risk or with respect to which*  
3           *the Administrator receives specific and credible*  
4           *information alleging that the small business con-*  
5           *cern no longer meets eligibility requirements to*  
6           *be certified as a small business concern owned*  
7           *and controlled by service-disabled veterans.*

8           “(3) *PENALTIES.*—*In addition to the penalties*  
9           *described in section 16(d), any small business concern*  
10           *that is determined by the Administrator to have mis-*  
11           *represented the status of that concern as a small busi-*  
12           *ness concern owned and controlled by service-disabled*  
13           *veterans for purposes of subsection (b), shall be subject*  
14           *to—*

15                   “(A) *section 1001 of title 18, United States*  
16                   *Code;*

17                   “(B) *sections 3729 through 3733 of title 31,*  
18                   *United States Code; and*

19                   “(C) *section 8127(g) of title 38, United*  
20                   *States Code.*

21           “(i) *PROVISION OF DATA.*—*Upon the request of the Ad-*  
22           *ministrator, the head of any Federal department or agency*  
23           *shall promptly provide to the Administrator such informa-*  
24           *tion as the Administrator determines to be necessary to*  
25           *carry out subsection (b) or to be able to certify the status*

1 *of the concern as a small business concern owned and con-*  
2 *trolled by veterans under section 36A.”.*

3 (2) *PENALTIES FOR MISREPRESENTATION.*—*Sec-*  
4 *tion 16 of the Small Business Act (15 U.S.C. 645) is*  
5 *amended—*

6 (A) *in subsection (d)(1)—*

7 (i) *by striking “, a” and inserting “,*  
8 *a ‘small business concern owned and con-*  
9 *trolled by service-disabled veterans’, a ‘small*  
10 *business concern owned and controlled by*  
11 *veterans’, a”;* and

12 (ii) *in paragraph (A), by striking “9,*  
13 *15, or 31” and inserting “8, 9, 15, 31, 36,*  
14 *or 36A”;* and

15 (B) *in subsection (e), by striking “, a” and*  
16 *inserting “, a ‘small business concern owned and*  
17 *controlled by service-disabled veterans’, a ‘small*  
18 *business concern owned and controlled by vet-*  
19 *erans’, a”.*

20 (e) *CERTIFICATION FOR SMALL BUSINESS CONCERNS*  
21 *OWNED AND CONTROLLED BY VETERANS.*—*The Small*  
22 *Business Act (15 U.S.C. 631 et seq.) is amended by insert-*  
23 *ing after section 36 the following new section:*

1 **“SEC. 36A. CERTIFICATION OF SMALL BUSINESS CONCERNS**  
2 **OWNED AND CONTROLLED BY VETERANS.**

3 “(a) *IN GENERAL.*—With respect to the program estab-  
4 lished under section 8127 of title 38, United States Code,  
5 the Administrator shall—

6 “(1) *certify the status of the concern as a ‘small*  
7 *business concern owned and controlled by veterans’;*  
8 *and*

9 “(2) *require the periodic recertification of such*  
10 *status.*

11 “(b) *ENFORCEMENT; PENALTIES.*—

12 “(1) *VERIFICATION OF ELIGIBILITY.*—In car-  
13 rying out this section, the Administrator shall estab-  
14 lish procedures relating to—

15 “(A) *the filing, investigation, and disposi-*  
16 *tion by the Administration of any challenge to*  
17 *the eligibility of a small business concern to re-*  
18 *ceive assistance under this section (including a*  
19 *challenge, filed by an interested party, relating*  
20 *to the veracity of a certification made or infor-*  
21 *mation provided to the Administration by a*  
22 *small business concern under subsection (a));*  
23 *and*

24 “(B) *verification by the Administrator of*  
25 *the accuracy of any certification made or infor-*

1            *mation provided to the Administration by a*  
2            *small business concern under subsection (a).*

3            “(2) *EXAMINATION OF APPLICANTS.*—*The proce-*  
4            *dures established under paragraph (1) shall provide*  
5            *for a program of examinations by the Administrator*  
6            *of any small business concern making a certification*  
7            *or providing information to the Administrator under*  
8            *subsection (a), to determine the veracity of any state-*  
9            *ments or information provided as part of such certifi-*  
10           *cation or otherwise provided under subsection (a).*

11           “(3) *PENALTIES.*—*In addition to the penalties*  
12           *described in section 16(d), any small business concern*  
13           *that is determined by the Administrator to have mis-*  
14           *represented the status of that concern as a small busi-*  
15           *ness concern owned and controlled by veterans for*  
16           *purposes of subsection (a), shall be subject to—*

17                    *“(A) section 1001 of title 18, United States*  
18                    *Code;*

19                    *“(B) sections 3729 through 3733 of title 31,*  
20                    *United States Code; and*

21                    *“(C) section 8127(g) of title 38, United*  
22                    *States Code.”.*

23            *(f) STATUS OF SELF-CERTIFIED SMALL BUSINESS*  
24            *CONCERNS OWNED AND CONTROLLED BY SERVICE-DIS-*  
25            *ABLED VETERANS.—*



1           (1) *IN GENERAL.*—Notwithstanding any other  
2           provision of law, any small business concern that self-  
3           certified as a small business concern owned and con-  
4           trolled by service-disabled veterans shall—

5                   (A) *if the concern files a certification appli-*  
6                   *cation with the Administrator of the Small Busi-*  
7                   *ness Administration before the end of the 1-year*  
8                   *period beginning on the transfer date, maintain*  
9                   *such self-certification until the Administrator*  
10                  *makes a determination with respect to such cer-*  
11                  *tification; and*

12                  (B) *if the concern does not file such a cer-*  
13                  *tification application before the end of the 1-year*  
14                  *period beginning on the transfer date, lose, at the*  
15                  *end of such 1-year period, any self-certification*  
16                  *of the concern as a small business concern owned*  
17                  *and controlled by service-disabled veterans.*

18           (2) *NON-APPLICABILITY TO DEPARTMENT OF*  
19           *VETERANS AFFAIRS.*—Paragraph (1) shall not apply  
20           to participation in contracts (including subcontracts)  
21           with the Department of Veterans Affairs.

22           (3) *NOTICE.*—The Administrator shall notify  
23           any small business concern that self-certified as a  
24           small business concern owned and controlled by serv-  
25           ice-disabled veterans about the requirements of this

1 section, including the transfer date and any extension  
2 of such transfer date made pursuant to subsection (a),  
3 and make such notice publicly available, on—

4 (A) the date of the enactment of this section;

5 and

6 (B) the date on which an extension de-  
7 scribed under subsection (a) is approved.

8 (g) *TRANSFER OF THE CENTER FOR VERIFICATION*  
9 *AND EVALUATION OF THE DEPARTMENT OF VETERANS AF-*  
10 *FAIRS TO THE SMALL BUSINESS ADMINISTRATION.*—

11 (1) *ABOLISHMENT.*—*The Center for Verification*  
12 *and Evaluation of the Department of Veterans Affairs*  
13 *defined under section 74.1 of title 38, Code of Federal*  
14 *Regulations, is abolished effective on the transfer date.*

15 (2) *TRANSFER OF FUNCTIONS.*—*All functions*  
16 *that, immediately before the effective date of this sub-*  
17 *section, were functions of the Center for Verification*  
18 *and Evaluation shall—*

19 (A) *on the date of enactment of this section,*  
20 *be functions of both the Center for Verification*  
21 *and Evaluation and the Small Business Admin-*  
22 *istration, except that the Small Business Admin-*  
23 *istration shall not have any authority to carry*  
24 *out any verification functions of the Center for*  
25 *Verification and Evaluation; and*

1                   (B) on the transfer date, be functions of the  
2                   Small Business Administration.

3                   (3) *TRANSFER OF ASSETS*.—So much of the per-  
4                   sonnel, property, and records employed, used, held,  
5                   available, or to be made available in connection with  
6                   a function transferred under this subsection shall be  
7                   available to the Small Business Administration at  
8                   such time or times as the President directs for use in  
9                   connection with the functions transferred.

10                  (4) *REFERENCES*.—Any reference in any other  
11                  Federal law, Executive order, rule, regulation, or dele-  
12                  gation of authority, or any document of or pertaining  
13                  to a function of the Center for Verification and Eval-  
14                  uation that is transferred under this section is  
15                  deemed, after the transfer date, to refer to the Small  
16                  Business Administration.

17                  (h) *REPORT*.—Not later than the end of the 1-year pe-  
18                  riod beginning on the date of the enactment of this section  
19                  and every 6 months thereafter until the transfer date, the  
20                  Administrator of the Small Business Administration and  
21                  Secretary of Veterans Affairs shall jointly issue a report to  
22                  the Committees on Appropriations, Small Business, and  
23                  Veterans' Affairs of the House of Representatives and the  
24                  Committees on Appropriations, Small Business and Entre-  
25                  preneurship, and Veterans' Affairs of the Senate on the

1 *planning for the transfer of functions and property required*  
2 *under this section and the amendments made by this section*  
3 *on the transfer date. Such report shall include—*

4           (1) *whether and how the verification database*  
5 *and operations of the Center for Verification and*  
6 *Evaluation of the Department of Veterans Affairs will*  
7 *be incorporated into the existing certification data-*  
8 *base of the Small Business Administration;*

9           (2) *projections for the numbers and timing, in*  
10 *terms of fiscal year, of—*

11                   (A) *already verified concerns that will come*  
12 *up for recertification; and*

13                   (B) *self-certified concerns that are expected*  
14 *to apply for certification;*

15           (3) *an explanation of how outreach to veteran*  
16 *service organizations, the service-disabled veteran-*  
17 *owned and veteran-owned small business community,*  
18 *and other stakeholders will be conducted; and*

19           (4) *other pertinent information determined by*  
20 *the Administrator and the Secretary.*

21 **SEC. 832. EQUITABLE ADJUSTMENTS TO CERTAIN CON-**  
22 **STRUCTION CONTRACTS.**

23           (a) *IN GENERAL.*—*The Small Business Act (15 U.S.C.*  
24 *631 et seq.) is amended by inserting after section 15 the*  
25 *following new section:*

1 **“SEC. 15A. EQUITABLE ADJUSTMENTS TO CONSTRUCTION**  
2 **CONTRACTS.**

3 *“(a) REQUEST FOR AN EQUITABLE ADJUSTMENT.—A*  
4 *small business concern performing a construction contract*  
5 *that was awarded by an agency may submit a request for*  
6 *an equitable adjustment to the contracting officer of such*  
7 *agency if the contracting officer directs a change in the*  
8 *work within the general scope of the contract without the*  
9 *agreement of the small business concern. Such request*  
10 *shall—*

11 *“(1) be timely made pursuant to the terms of the*  
12 *contract; and*

13 *“(2) comply with Federal regulations regarding*  
14 *equitable adjustments, including specifying additional*  
15 *costs resulting from such change in the work within*  
16 *the general scope of the contract.*

17 *“(b) AMOUNT.—Upon receipt of a request for equitable*  
18 *adjustment under subsection (a), the agency shall provide*  
19 *to the small business concern an interim partial payment*  
20 *in an amount that is at least 50 percent of the costs identi-*  
21 *fied in the request for equitable adjustment under subsection*  
22 *(a)(2).*

23 *“(c) LIMITATION.—Any interim partial payment*  
24 *made under this section shall not be deemed to be an action*  
25 *to definitize the request for an equitable adjustment.*

1       “(d) *FLOW-DOWN OF INTERIM PARTIAL PAYMENT*  
 2 *AMOUNTS.*—A small business concern that requests an equi-  
 3 table adjustment under this section shall pay to a first tier  
 4 subcontractor or supplier the portion of the interim partial  
 5 payment received that is attributable to the increased costs  
 6 of performance incurred by the first tier subcontractor or  
 7 supplier due to the change in the work within the general  
 8 scope of the contract. A subcontractor or supplier at any  
 9 tier that receives a portion of an interim partial payment  
 10 under this section shall pay its subcontractor or supplier  
 11 the appropriate portion of such payment.”.

12       (b) *IMPLEMENTATION.*—The Administrator of the  
 13 Small Business Administration shall implement the re-  
 14 quirements of this section not later than the first day of  
 15 the first full fiscal year beginning after the date of the enact-  
 16 ment of this Act.

17 **SEC. 833. EXEMPTION OF CERTAIN CONTRACTS AWARDED**  
 18 **TO SMALL BUSINESS CONCERNS FROM CAT-**  
 19 **EGORY MANAGEMENT REQUIREMENTS.**

20       (a) *IN GENERAL.*—The Small Business Act is amend-  
 21 ed—

22               (1) by redesignating section 49 as section 50;

23               and

24               (2) by inserting after section 48 the following  
 25               new section:

1 **“SEC. 49. EXEMPTION OF CERTAIN CONTRACTS FROM CAT-**  
2 **EGORY MANAGEMENT REQUIREMENTS.**

3 *“(a) IN GENERAL.—A contract awarded under section*  
4 *8(a), 8(m), 31, or 32 that is classified as tier 0—*

5 *“(1) shall be exempt from the procedural require-*  
6 *ments of any Federal rule or guidance on category*  
7 *management or successor strategies for contract con-*  
8 *solidation; and*

9 *“(2) may not be included when measuring the*  
10 *attainment of any goal or benchmark established*  
11 *under any Federal rule or guidance on category man-*  
12 *agement or successor strategies for contract consolida-*  
13 *tion, unless the inclusion of such contract aids in the*  
14 *achievement of such a goal or benchmark.*

15 *“(b) DEFINITIONS.—In this section:*

16 *“(1) CATEGORY MANAGEMENT.—The term ‘cat-*  
17 *egory management’ has the meaning given such term*  
18 *by the Director of the Office of Management and*  
19 *Budget.*

20 *“(2) TIER 0.—The term ‘tier 0’ has the meaning*  
21 *given such term by the Director of the Office of Man-*  
22 *agement and Budget with respect to the Spend Under*  
23 *Management tiered maturity model, or any successor*  
24 *model.”.*

25 *(b) APPLICATION.—Section 49 of the Small Business*  
26 *Act, as added by subsection (a), shall apply with respect*

1 *to contracts entered into on or after the date of the enact-*  
2 *ment of this Act.*

3 *(c) PLAN AND REPORT.—*

4 *(1) IN GENERAL.—Not later than 120 days after*  
5 *the date of the enactment of this Act, the Director of*  
6 *the Office of Management and Budget shall submit to*  
7 *Congress a report including a plan to increase the*  
8 *participation of small business concerns in agency-*  
9 *wide or Government-wide contracts (including best in*  
10 *class designations as defined in section 15(h)(4)(B)).*

11 *Such plan shall include—*

12 *(A) strategies to increase the amount and*  
13 *frequency of opportunities for small business con-*  
14 *cerns to participate in agency-wide or Govern-*  
15 *ment-wide contracts;*

16 *(B) strategies to ease or eliminate require-*  
17 *ments that impede such participation of small*  
18 *business concerns; and*

19 *(C) a specific goal for the number of small*  
20 *business concerns participating in agency-wide*  
21 *or Government-wide contracts and a timeline to*  
22 *achieve such goal.*

23 *(2) IMPLEMENTATION.—Not later than 60 days*  
24 *after the submission of the report required under*  
25 *paragraph (1), the Director of the Office of Manage-*



1 *ment and Budget shall implement the plan contained*  
2 *in such report.*

3 *(d) RULEMAKING.—Not later than 90 days after the*  
4 *date of the enactment of this Act, the Federal Acquisition*  
5 *Regulation shall be revised to carry out this Act and the*  
6 *amendment made by this Act.*

7 **SEC. 834. REPORT ON ACCELERATED PAYMENTS TO CER-**  
8 **TAIN SMALL BUSINESS CONCERNS.**

9 *(a) REPORT.—Not later than 3 months after the date*  
10 *of the enactment of this section, the head of each Federal*  
11 *agency shall submit to Congress a report on the timeliness*  
12 *of payments made to a covered prime contractor. Such re-*  
13 *port shall include—*

14 *(1) the date on which the Federal agency began*  
15 *providing accelerated payments in accordance with*  
16 *section 2307(a)(2) of title 10, United States Code, or*  
17 *paragraphs (10) and (11) of section 3903(a) of title*  
18 *31, United States Code, as applicable, to a covered*  
19 *prime contractor;*

20 *(2) of contracts to which such sections apply, the*  
21 *amount and percentage of covered contracts with ac-*  
22 *celerated payment terms in accordance with such sec-*  
23 *tions; and*

24 *(3) whether and on what date the agency discon-*  
25 *tinued implementation of the Office of Management*

1 *and Budget Circular M-11-32 titled “Accelerating*  
2 *Payments to Small Businesses for Goods and Serv-*  
3 *ices” (issued September 14, 2011).*

4 *(b) DEFINITIONS.—In this section:*

5 *(1) COVERED PRIME CONTRACTOR.—The term*  
6 *“covered prime contractor” means—*

7 *(A) a prime contractor (as defined in sec-*  
8 *tion 8701 of title 41) that is a small business*  
9 *concern (as defined in section 3 of the Small*  
10 *Business Act (15 U.S.C. 632)); and*

11 *(B) a prime contractor that subcontracts*  
12 *with a small business concern.*

13 *(2) COVERED CONTRACT.—The term “covered*  
14 *contract” means a contract entered into by a covered*  
15 *prime contractor—*

16 *(A) on or after August 13, 2018, with re-*  
17 *spect to a contract entered into the head of an*  
18 *agency (as defined in section 2302 of title 10,*  
19 *United States Code); or*

20 *(B) on or after December 20, 2019, with re-*  
21 *spect to a contract entered into with the head of*  
22 *an agency (as defined in section 3901 of title 31,*  
23 *United States Code).*

1           (3) *FEDERAL AGENCY*.—*The term “Federal agen-*  
2           *cy” has the meaning given “agency” in section 551(a)*  
3           *of title 5, United States Code.*

## 4           ***Subtitle E—Other Matters***

### 5   ***SEC. 841. MODIFICATIONS TO SUPERVISION AND AWARD OF*** 6           ***CERTAIN CONTRACTS.***

7           (a) *SUPERVISION OF MILITARY CONSTRUCTION*  
8           *PROJECTS*.—*Section 2851 of title 10, United States Code,*  
9           *is amended—*

10           (1) *in subsection (c)(1)—*

11                   (A) *by inserting “or appropriated” after*  
12                   *“funds authorized” each place such term ap-*  
13                   *pears; and*

14                   (B) *in subparagraph (E), by inserting “,*  
15                   *Facilities Sustainment, Restoration, and Mod-*  
16                   *ernization (FSRM) project,” after “military con-*  
17                   *struction project”; and*

18           (2) *in subsection (c)(2)—*

19                   (A) *by inserting “, deadline for bid submis-*  
20                   *sions,” after “solicitation date”;*

21                   (B) *by inserting “(including the address of*  
22                   *such recipient)” after “contract recipient”; and*

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

1           “(H) Any subcontracting plan required under  
2           paragraph (4) or (5) of section 8(d) of the Small  
3           Business Act (15 U.S.C. 637(d)) for the project sub-  
4           mitted by the contract recipient to the Secretary of  
5           Defense.

6           “(I) A detailed written statement describing and  
7           justifying any exception applied or waiver granted  
8           under—

9                     “(i) chapter 83 of title 41;

10                    “(ii) section 2533a of this title; or

11                    “(iii) section 2533b of this title.”; and

12                   (3) by adding at the end the following new para-  
13           graph:

14                   “(4) The information required to be published on the  
15           Internet website under subsection (c) shall constitute a  
16           record for the purposes of Chapter 21, 29, 31, and 33 of  
17           title 44.”.

18           (b) *REQUIREMENTS RELATING TO THE AWARD OF*  
19           *COVERED MILITARY CONSTRUCTION CONTRACTS.—*

20                   (1) *REQUIREMENTS.—*Subchapter III of chapter  
21           169 of title 10, United States Code, is amended by in-  
22           serting after section 2851 the following new section:

1 **“§2851a. Requirements relating to the award of cov-**  
2 **ered military construction contracts**

3 *“(a) PUBLICATION OF CERTAIN INFORMATION RELAT-*  
4 *ING TO COVERED MILITARY CONSTRUCTION CONTRACTS.—*

5 *“(1) CONTRACTOR REQUIREMENTS.—A con-*  
6 *tractor that has been awarded a covered military con-*  
7 *struction contract shall—*

8 *“(A) make publicly available on a website*  
9 *of the General Services Administration or the*  
10 *Small Business Administration, as applicable,*  
11 *any solicitation under that covered military con-*  
12 *struction contract for a subcontract of an esti-*  
13 *imated value of \$250,000 or more; and*

14 *“(B) submit written notification of the*  
15 *award of the covered military construction con-*  
16 *tract, and of any subcontract awarded under the*  
17 *covered military construction contract, to the rel-*  
18 *evant agency of a covered State that enforces*  
19 *workers’ compensation or minimum wage laws*  
20 *in such covered State.*

21 *“(2) NOTICE.—Upon award of a covered mili-*  
22 *tary construction contract with an estimated value*  
23 *greater than or equal to \$2,000,000, the Secretary*  
24 *concerned shall notify any applicable Member of Con-*  
25 *gress representing the covered State in which that cov-*

1 *ered military construction contract is to be performed*  
2 *of such award in a timely manner.*

3 *“(3) FEDERAL PROCUREMENT DATA SYSTEM.—*

4 *The Secretary of Defense shall ensure that there is a*  
5 *clear and unique indication of any covered military*  
6 *construction contract with subcontracting work of an*  
7 *estimated value of \$250,000 or more in the Federal*  
8 *Procurement Data System established pursuant to*  
9 *section 1122(a)(4) of title 41 (or any successor sys-*  
10 *tem).*

11 *“(b) USE OF LOCAL FIRMS AND INDIVIDUALS.—*

12 *“(1) IN GENERAL.—To the extent practicable, in*  
13 *awarding a covered military construction contract,*  
14 *the Secretary concerned shall give preference to those*  
15 *firms and individuals residing or doing business pri-*  
16 *marily in the same State as, or within a 60-mile ra-*  
17 *dius of, the location of the work to be performed pur-*  
18 *suant to the contract.*

19 *“(2) JUSTIFICATION REQUIRED.—The Secretary*  
20 *concerned shall prepare a written justification, and*  
21 *make such justification available on the Internet site*  
22 *required under section 2851 of this title, for the*  
23 *award of any covered military construction contract*  
24 *to a firm or individual that is not described under*  
25 *paragraph (1).*

1       “(c) *LICENSING.*—A contractor and any subcontractors performing a covered military construction contract shall be licensed to perform the work under such contract in the State in which the work will be performed.

5       “(d) *MONTHLY REPORT.*—Not later than 10 days after the end of each month, the Secretary of Defense shall submit to the congressional defense committees a report identifying for that month the following:

9               “(1) *Each covered military construction contract and each subcontract of a covered military construction contract described in subsection (a)(1)(A) awarded during that month.*

13              “(2) *The location of the work to be performed pursuant to each covered military construction contract and subcontract identified pursuant to paragraph (1).*

17              “(3) *The prime contractor and any subcontractor performing each covered military construction contract and subcontract identified pursuant to paragraph (1).*

21              “(4) *The estimated value of each covered military construction contract and subcontract identified pursuant to paragraph (1).*

1       “(e) *EXCLUSION OF CLASSIFIED PROJECTS.*—*This sec-*  
2 *tion does not apply to a classified covered military con-*  
3 *struction project.*

4       “(f) *DEFINITIONS.*—*In this section:*

5               “(1) *COVERED MILITARY CONSTRUCTION CON-*  
6 *TRACT.*—*The term ‘covered military construction con-*  
7 *tract’ means a contract for work on a military con-*  
8 *struction project, military family housing project, or*  
9 *Facilities Sustainment, Restoration, and Moderniza-*  
10 *tion (FSRM) project carried out in a covered State.*

11              “(2) *COVERED STATE.*—*The term ‘covered State’*  
12 *means any of the several States, the District of Co-*  
13 *lumbia, the Commonwealth of Puerto Rico, Guam,*  
14 *American Samoa, the United States Virgin Islands,*  
15 *or the Commonwealth of the Northern Mariana Is-*  
16 *lands.*

17              “(3) *MEMBER OF CONGRESS.*—*The term ‘Member*  
18 *of Congress’ has the meaning given the term in sec-*  
19 *tion 2106 of title 5.”.*

20              “(2) *CLERICAL AMENDMENT.*—*The table of sec-*  
21 *tions at the beginning of subchapter III of chapter*  
22 *169 of title 10, United States Code, is amended by in-*  
23 *serting after the item relating to section 2851 the fol-*  
24 *lowing new item:*

“2851a. *Requirements relating to the award of covered military construction con-*  
*tracts.”.*



1           (3) *APPLICABILITY.*—Section 2851a of title 10,  
2           *United States Code, as added by paragraph (1), shall*  
3           *apply with respect to a covered military construction*  
4           *contract, as defined in such section, entered into on*  
5           *or after the date of the enactment of this Act.*

6           (c) *SMALL BUSINESS CREDIT FOR LOCAL BUSI-*  
7           *NESSES.*—Section 15 of the *Small Business Act (15 U.S.C.*  
8           *644)* is amended by adding at the end the following new  
9           *subsection—*

10          “(y) *SMALL BUSINESS CREDIT FOR LOCAL BUSI-*  
11          *NESSES.*—

12                 “(1) *CREDIT FOR MEETING SUBCONTRACTING*  
13                 *GOALS.*—If a prime contractor awards a subcontract  
14                 *(at any tier) to a small business concern that has its*  
15                 *principal office located in the same State as, or with-*  
16                 *in a 60-mile radius of, the location of the work to be*  
17                 *performed pursuant to the contract of the prime con-*  
18                 *tractor, the value of the subcontract shall be doubled*  
19                 *for purposes of determining compliance with the goals*  
20                 *for procurement contracts under subsection (g)(1)(A)*  
21                 *during such period.*

22                 “(2) *REPORT.*—Along with the report required  
23                 *under subsection (h)(1), the head of each Federal*  
24                 *agency shall submit to the Administrator, and make*  
25                 *publicly available on the scorecard described in sec-*

1        *tion 868(b) of the National Defense Authorization Act*  
2        *for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
3        *933; 15 U.S.C. 644 note), an analysis of the number*  
4        *and dollar amount of subcontracts awarded pursuant*  
5        *to paragraph (1) for each fiscal year of the period de-*  
6        *scribed in such paragraph.”.*

7        **SEC. 842. AMENDMENTS TO SUBMISSIONS TO CONGRESS**  
8                                **RELATING TO CERTAIN FOREIGN MILITARY**  
9                                **SALES.**

10        *Section 887(b) of the National Defense Authorization*  
11        *Act for Fiscal Year 2018 (Public Law 115–91; 22 U.S.C.*  
12        *2761 note) is amended—*

13                *(1) by striking “the Secretary shall” each place*  
14        *it appears and inserting “the Secretary, in consulta-*  
15        *tion with the Secretary of State, shall”;*

16                *(2) in paragraph (1)—*

17                                *(A) by striking “December 31, 2021” and*  
18        *inserting “December 31, 2024”; and*

19                                *(B) by striking “with a value” and all that*  
20        *follows through the “subsection (a)”;* and

21                *(3) in paragraph (2), by striking “December 31,*  
22        *2021” and inserting “December 31, 2024”.*

1 **SEC. 843. REVISIONS TO REQUIREMENT TO USE FIRM**  
2 **FIXED-PRICE CONTRACTS FOR FOREIGN MILI-**  
3 **TARY SALES.**

4 (a) *IN GENERAL.*—Section 830 of the National Defense  
5 Authorization Act for Fiscal Year 2017 (22 U.S.C. 2762  
6 note) is amended—

7 (1) in subsection (a), by inserting “and subject  
8 to subsection (e)” after “enactment of this Act”; and

9 (2) by adding at the end the following new sub-  
10 section:

11 “(e) *APPLICABILITY.*—The regulations prescribed pur-  
12 suant to subsection (a) shall not apply to a foreign military  
13 sale for which the foreign country that is the counterparty  
14 to such foreign military sale has requested a modification  
15 to the defense service or defense article that is the subject  
16 of such foreign military sale that would require significant  
17 development work.”; and

18 (3) in subsection (c), by adding at the end the  
19 following new sentence: “The Secretary may not dele-  
20 gate the authority to exercise such a waiver below the  
21 level of the service acquisition executive (as defined in  
22 section 101(a)(10) of title 10, United States Code).”.

23 (b) *IMPLEMENTATION.*—The Secretary of Defense  
24 shall—

1           (1) *not later than 120 days after the date of the*  
2           *enactment of this Act, issue guidance to carry out the*  
3           *amendments made by this section; and*

4           (2) *not later than February 1, 2021, revise the*  
5           *Department of Defense Supplement to the Federal Ac-*  
6           *quisition Regulation to carry out the amendments*  
7           *made by this section.*

8   **SEC. 844. SMALL BUSINESS INDUSTRIAL BASE RESILIENCY**  
9                                   **PROGRAM.**

10          (a) *ESTABLISHMENT.*—*The Assistant Secretary of De-*  
11          *fense for Industrial Base Policy (established under section*  
12          *902 of this Act) shall establish a program to be known as*  
13          *the “Small Business Industrial Base Resiliency Program”*  
14          *under which the Assistant Secretary shall enter into trans-*  
15          *actions to purchase or to make a commitment to purchase*  
16          *goods or services from small business concerns as described*  
17          *in subsection (b) to respond to the COVID–19 pandemic.*

18          (b) *USES OF TRANSACTIONS.*—*A transaction entered*  
19          *into pursuant to the authority under this section shall—*

20                 (1) *support the monitoring and assessment of*  
21                 *small business concerns that enter into such a trans-*  
22                 *action;*

23                 (2) *address critical issues in the industrial base*  
24                 *relating to urgent operational needs in response to the*  
25                 *COVID–19 pandemic;*

1           (3) *support efforts to create, maintain, protect,*  
2           *expand, or restore the industrial base in response to*  
3           *the COVID–19 pandemic; and*

4           (4) *as applicable, address supply chain*  
5           *vulnerabilities related to the COVID–19 pandemic for*  
6           *small business concerns that enter into such a trans-*  
7           *action.*

8           (c) *DURATION.*—*The term of a transaction entered into*  
9           *pursuant to the authority under this section shall be two*  
10          *years.*

11          (d) *LIABILITIES.*—*With respect to any transaction en-*  
12          *tered into pursuant to the authority under this section on*  
13          *or after the date of enactment of this Act, if such transaction*  
14          *imposes any contingent liability upon the United States,*  
15          *such liability shall be recorded as an obligation against*  
16          *amounts made available from the Research and Develop-*  
17          *ment, Defense-Wide, Pandemic Preparedness and Resilience*  
18          *National Security Fund under section 1003 in an amount*  
19          *equal to the maximum amount of the contingency at the*  
20          *time such transaction is entered into.*

21          (e) *REPORT.*—*Not later than March 1, 2021, the As-*  
22          *stant Secretary of Defense for Industrial Base Policy shall*  
23          *submit to the appropriate committees a report that includes*  
24          *the following:*

1           (1) *A description of any guidance or policy*  
2           *issued to carry out this section.*

3           (2) *A description of any relevant assessments*  
4           *prepared to address critical issues in the industrial*  
5           *base relating to urgent operational needs related to*  
6           *the COVID–19 pandemic.*

7           (3) *A description of any transaction entered into*  
8           *pursuant to the authority under this section, and the*  
9           *impact such transaction has had on the response of*  
10          *the Department of Defense to the COVID–19 pan-*  
11          *demic.*

12          (4) *A prioritized list of gaps or vulnerabilities in*  
13          *the transactions of the industrial base in which small*  
14          *business concerns participate that are related the*  
15          *COVID–19 pandemic, including—*

16                (A) *a description of mitigation strategies*  
17                *necessary to address such gaps or vulnerabilities;*

18                (B) *the identification of the Secretary con-*  
19                *cerned or the head of the Defense Agency respon-*  
20                *sible for addressing such gaps or vulnerabilities;*  
21                *and*

22                (C) *a proposed timeline for action to ad-*  
23                *dress such gaps or vulnerabilities.*

24          (5) *Identification of each transaction designed to*  
25          *sustain specific essential technological and industrial*

1        *capabilities and processes of the industrial base in*  
2        *which small business concerns participate that are re-*  
3        *lated to the COVID–19 pandemic.*

4            (6) *Any other steps necessary to foster and safe-*  
5        *guard the industrial base in which small business*  
6        *concerns participate due to the impact of the COVID–*  
7        *19 pandemic.*

8            (f) *FUNDING.—The Assistant Secretary of Defense for*  
9        *Industrial Base Policy shall use amounts authorized to be*  
10       *appropriated for Research and Development, Defense-Wide,*  
11       *Pandemic Preparedness and Resilience National Security*  
12       *Fund under section 1003 to carry out the requirements of*  
13       *this section.*

14           (g) *DEFINITIONS.—In this Act:*

15            (1) *APPROPRIATE COMMITTEES.—The term “cov-*  
16        *ered committees” means—*

17            (A) *the Committees on Armed Services of*  
18        *the Senate and the House of Representatives; and*

19            (B) *the Committee on Small Business and*  
20        *Entrepreneurship of the Senate and the Com-*  
21        *mittee on Small Business of the House of Rep-*  
22        *resentatives.*

23            (2) *COVID–19 PANDEMIC.—The term “COVID–*  
24        *19 pandemic” means the national emergency declared*

1 *by the President under the National Emergencies Act*  
2 *(50 U.S.C. 1601 et seq.).*

3 (3) *DEFENSE AGENCY.*—*The term “Defense*  
4 *Agency” has the meaning given in section 101 of title*  
5 *10, United States Code.*

6 (4) *SECRETARY CONCERNED.*—*The term “Sec-*  
7 *retary concerned” has the meaning given in section*  
8 *101 of title 10, United States Code.*

9 (5) *SMALL BUSINESS CONCERN.*—*The term*  
10 *“small business concern” has the meaning given*  
11 *under section 3 of the Small Business Act (15 U.S.C.*  
12 *632)).*

13 **SEC. 845. REQUIREMENTS RELATING TO REPORTS AND LIM-**  
14 **ITATIONS ON THE AVAILABILITY OF FUNDS.**

15 (a) *LIMITATION ON THE AVAILABILITY OF FUNDS RE-*  
16 *LATING TO THE DEFENSE CIVILIAN TRAINING CORPS PRO-*  
17 *GRAM.*—

18 (1) *INITIAL PLAN AND SCHEDULE.*—*Beginning*  
19 *on October 1, 2020, if the Secretary of Defense has*  
20 *not submitted the plan and schedule to implement the*  
21 *Defense Civilian Training Corps program required*  
22 *under section 860(b)(1) of the National Defense Au-*  
23 *thorization Act for Fiscal Year 2020 (Public Law*  
24 *116–92; 133 Stat. 1514; 10 U.S.C. 2200g note), not*  
25 *more than 25 percent of the funds specified in para-*



1 *graph (3) may be obligated or expended until the date*  
2 *on which such plan and schedule has been submitted.*

3 (2) *EXPANSION PLAN AND SCHEDULE.—Beginning*  
4 *on January 1, 2021, if the Secretary of Defense*  
5 *has not submitted the expansion plan and schedule*  
6 *relating to the Defense Civilian Training Corps pro-*  
7 *gram required under section 860(b)(2) of the National*  
8 *Defense Authorization Act for Fiscal Year 2020 (Pub-*  
9 *lic Law 116–92; 133 Stat. 1514; 10 U.S.C. 2200g*  
10 *note), not more than 50 percent of the funds specified*  
11 *in paragraph (3) may be obligated or expended until*  
12 *the date on which such expansion plan and schedule*  
13 *has been submitted.*

14 (3) *FUNDS SPECIFIED.—The funds specified in*  
15 *this paragraph are the funds authorized to be appro-*  
16 *priated by this Act or otherwise made available for*  
17 *fiscal year 2021 for the Department of Defense for the*  
18 *following:*

19 (A) *The immediate office of the Secretary of*  
20 *Defense.*

21 (B) *The Office of the Under Secretary of*  
22 *Defense for Personnel and Readiness.*

23 (C) *The Office of the Under Secretary of De-*  
24 *fense for Research and Engineering.*

1                   (D) *The Office of the Under Secretary of*  
2                   *Defense for Acquisition and Sustainment.*

3           (b) *REPORT AND LIMITATION ON THE AVAILABILITY*  
4 *OF FUNDS RELATING TO THE EXTRAMURAL ACQUISITION*  
5 *INNOVATION AND RESEARCH ACTIVITIES.*—

6           (1) *REPORT.*—*Not later than October 1, 2020,*  
7 *the Under Secretary of Defense for Acquisition and*  
8 *Sustainment shall submit to the congressional defense*  
9 *committees a report—*

10                   (A) *on the establishment of the extramural*  
11 *acquisition innovation and research activities re-*  
12 *quired under section 2361a of title 10, United*  
13 *States Code (as added by section 835(a)(1) of the*  
14 *National Defense Authorization Act for Fiscal*  
15 *Year 2020 (Public Law 116–92; 133 Stat.*  
16 *1494)); and*

17                   (B) *that includes the name of the Director*  
18 *appointed under section 2361a(c) of such title*  
19 *(as added by section 835(a)(1) of the National*  
20 *Defense Authorization Act for Fiscal Year 2020*  
21 *(Public Law 116–92; 133 Stat. 1494)).*

22           (2) *LIMITATION.*—

23                   (A) *IN GENERAL.*—*Beginning on October 1,*  
24 *2020, if the Under Secretary of Defense for Ac-*  
25 *quisition and Sustainment has not submitted the*

1           *report required under paragraph (1), not more*  
2           *than 25 percent of the funds specified in sub-*  
3           *paragraph (B) may be obligated or expended*  
4           *until the date on which such report has been sub-*  
5           *mitted.*

6                   *(B) FUNDS SPECIFIED.—The funds specified*  
7           *in this subparagraph are the funds authorized to*  
8           *be appropriated by this Act or otherwise made*  
9           *available for fiscal year 2021 for the Department*  
10           *of Defense for the following:*

11                           *(i) The immediate office of the Sec-*  
12                           *retary of Defense.*

13                           *(ii) The Office of the Under Secretary*  
14                           *of Defense for Research and Engineering.*

15                           *(iii) The Office of the Under Secretary*  
16                           *of Defense for Acquisition and Sustainment.*

17           *(c) REPORT AND LIMITATION ON THE AVAILABILITY OF*  
18           *FUNDS RELATING TO THE ELIMINATING THE GAPS AND*  
19           *VULNERABILITIES IN THE NATIONAL TECHNOLOGY AND IN-*  
20           *DUSTRIAL BASE.—*

21                   *(1) REPORT.—Not later than October 1, 2020,*  
22           *the Secretary of Defense shall submit to the congres-*  
23           *sional defense committees the national security strat-*  
24           *egy for national technology and industrial base re-*

1        *quired by section 2501(a) of title 10, United States*  
2        *Code.*

3            (2) *LIMITATION.—*

4            (A) *IN GENERAL.—Beginning on October 1,*  
5            *2020, if the Secretary of Defense has not sub-*  
6            *mitted the report required under paragraph (1),*  
7            *not more than 25 percent of the funds specified*  
8            *in subparagraph (B) may be obligated or ex-*  
9            *pended until the date on which such report has*  
10           *been submitted.*

11           (B) *FUNDS SPECIFIED.—The funds specified*  
12           *in this subparagraph are the funds authorized to*  
13           *be appropriated by this Act or otherwise made*  
14           *available for fiscal year 2021 for the Department*  
15           *of Defense for the following:*

16           (i) *The immediate office of the Sec-*  
17           *retary of Defense.*

18           (ii) *The Office of the Under Secretary*  
19           *of Defense for Acquisition and Sustainment.*

20        **SEC. 846. ASSESSMENT OF THE REQUIREMENTS PROC-**  
21           **ESSES OF THE MILITARY DEPARTMENTS.**

22           (a) *ASSESSMENT.—The Secretary of the military de-*  
23           *partment concerned shall assess the requirements process of*  
24           *the military department and make recommendations to im-*

1 *prove the agility and timeliness of such requirements proc-*  
2 *ess for acquisition programs of the military department.*

3 *(b) REPORT.—*

4 *(1) IN GENERAL.—Not later than March 31,*  
5 *2021, each Secretary of a military department shall*  
6 *submit to the congressional defense committees a re-*  
7 *port on the assessment conducted pursuant to sub-*  
8 *section (a) and specific plans to update the require-*  
9 *ments processes of the military department concerned*  
10 *based on such assessment.*

11 *(2) ELEMENTS.—Each report shall include an*  
12 *analysis of and recommended improvements for the*  
13 *following elements:*

14 *(A) If appropriate, information from the re-*  
15 *port required in section 800(f) of the National*  
16 *Defense Authorization Act for Fiscal Year 2020*  
17 *(Public Law 116–92).*

18 *(B) The alignment of the requirements proc-*  
19 *esses, acquisition system, and budget process of*  
20 *the military department concerned.*

21 *(C) The requirements process for each ac-*  
22 *quisition pathway of the adaptive acquisition*  
23 *framework (as described in Department of De-*  
24 *fense Instruction 5000.02, “Operation of the*  
25 *Adaptive Acquisition Framework”), including*

1           *the time it takes to complete requirements devel-*  
2           *opment and approval process for each pathway.*

3           *(D) For each acquisition pathway described*  
4           *in subparagraph (C), the processes for and the*  
5           *extent to which detailed systems engineering and*  
6           *requirements trade-off analyses are done before*  
7           *the development of requirements begins for a spe-*  
8           *cific acquisition program to ensure that risks are*  
9           *understood and accounted for and that both top-*  
10          *level and derived requirements (development as*  
11          *well as reliability and maintainability) are*  
12          *achievable within cost, schedule, and technology*  
13          *constraints.*

14          *(E) Organizational roles and responsibil-*  
15          *ities of individuals with responsibilities relating*  
16          *to the requirements process for the military de-*  
17          *partment concerned, including the role, composi-*  
18          *tion, and metrics used to assess the effectiveness*  
19          *of any requirements oversight council of the mili-*  
20          *tary department concerned.*

21          *(F) The composition and sufficiency of in-*  
22          *dividuals who develop requirements for the mili-*  
23          *tary department concerned, including any acqui-*  
24          *sition workforce planning and personnel short-*

1       *falls and resources needed to address any such*  
2       *shortfalls.*

3               *(G) The ability of the requirements process*  
4       *to address the urgent needs of the military de-*  
5       *partment concerned.*

6               *(H) The capacity to review changes in re-*  
7       *quirements for programs of record.*

8               *(I) The validation of decisions made from*  
9       *the requirements process and the alignment of*  
10       *each such decision to the national defense strat-*  
11       *egy required under section 113(g) of title 10,*  
12       *United States Code.*

13               *(J) The use of portfolio management in the*  
14       *requirements process to coordinate decisions and*  
15       *avoid any duplication of requirements across ac-*  
16       *quisition programs.*

17               *(K) The implementation of recommenda-*  
18       *tions on the process from the Comptroller Gen-*  
19       *eral of the United States by each military de-*  
20       *partment.*

21               *(L) Identification and comparison of best*  
22       *practices in the private sector and the public sec-*  
23       *tor for the requirements development and ap-*  
24       *proval process.*

1                   (M) *Other recommendations to improve the*  
2                   *process of establishing requirements, including*  
3                   *lessons learned from responding to the COVID–*  
4                   *19 pandemic.*

5                   (N) *Any additional matters that the Secre-*  
6                   *taries determine appropriate.*

7   **SEC. 847. REPORT ON TRANSFER AND CONSOLIDATION OF**  
8                   **CERTAIN DEFENSE ACQUISITION STATUTES.**

9                   *Not later than February 21, 2021, the Secretary of De-*  
10                  *fense shall submit to the congressional defense committees*  
11                  *a report containing a comprehensive legislative proposal for*  
12                  *the transfer and consolidation of statutes within the frame-*  
13                  *work for part V of subtitle A of title 10, United States Code*  
14                  *(as enacted by section 801 of the National Defense Author-*  
15                  *ization Act for Fiscal Year 2019 (Public Law 115-232)),*  
16                  *along with conforming amendments to law required by such*  
17                  *transfer and consolidation. Such report shall include an as-*  
18                  *essment of the effect of such transfer and consolidation on*  
19                  *related Department of Defense activities, guidance, and*  
20                  *interagency coordination.*



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. REPEAL OF POSITION OF CHIEF MANAGEMENT**

7 **OFFICER.**

8 *(a) REPEAL OF POSITION OF CHIEF MANAGEMENT OF-*  
9 *FICER.—*

10 *(1) IN GENERAL.—Section 132a of title 10,*  
11 *United States Code is repealed.*

12 *(2) CONFORMING AMENDMENTS AND REPEALS.—*

13 *(A) Paragraph (2) of section 131(b) of title*  
14 *10, United States Code, is repealed.*

15 *(B) The table of sections at the beginning of*  
16 *chapter 4 of title 10, United States Code, is*  
17 *amended by striking the item relating to section*  
18 *132a.*

19 *(C) Section 910 of the National Defense Au-*  
20 *thorization Act for Fiscal Year 2018 (Public*  
21 *Law 115–91; 131 Stat. 1516) is repealed.*

22 *(3) EFFECTIVE DATE.—The amendments and re-*  
23 *peals made by paragraphs (1) and (2) shall take effect*  
24 *30 days after the date of the enactment of this Act.*

1       (b) *IMPLEMENTATION.*—*On the effective date of the*  
2 *amendments and repeals under subsection (a)—*

3           (1) *any duties and responsibilities that remain*  
4 *assigned to the Chief Management Officer of the De-*  
5 *partment of Defense shall be transferred to a single of-*  
6 *ficial selected by the Secretary of Defense, except that*  
7 *such official may not be an individual who served as*  
8 *the Chief Management Officer before such effective*  
9 *date;*

10          (2) *the personnel, functions, and assets of the Of-*  
11 *fice of the Chief Management Officer shall be trans-*  
12 *ferred to such other organizations and elements of the*  
13 *Department as the Secretary determines appropriate;*  
14 *and*

15          (3) *any reference in Federal law, regulations,*  
16 *guidance, instructions, or other documents of the Fed-*  
17 *eral Government to the Chief Management Officer of*  
18 *the Department of Defense shall be deemed to be a ref-*  
19 *erence to the official selected by the Secretary under*  
20 *paragraph (1)).*

21       (c) *LEGISLATIVE PROPOSAL.*—*Not later than 180 days*  
22 *after the date of the enactment of this Act, the Secretary*  
23 *of Defense shall submit to the congressional defense commit-*  
24 *tees a report that includes a comprehensive legislative pro-*

1 *posal for additional conforming amendments to law re-*  
2 *quired by the amendments and repeals made by this section.*

3 **SEC. 902. ASSISTANT SECRETARY OF DEFENSE FOR INDUS-**  
4 **TRIAL BASE POLICY.**

5 *(a) IN GENERAL.—*

6 *(1) ASSISTANT SECRETARIES OF DEFENSE.—Sec-*  
7 *tion 138 of title 10, United States Code, is amend-*  
8 *ed—*

9 *(A) in subsection (a)(1), by striking “13”*  
10 *and inserting “14”; and*

11 *(B) in subsection (b), by adding at the end*  
12 *the following new paragraph:*

13 *“(6) One of the Assistant Secretaries is the As-*  
14 *stant Secretary of Defense for Industrial Base Pol-*  
15 *icy. In addition to any duties and powers prescribed*  
16 *under paragraph (1), the Assistant Secretary of De-*  
17 *fense for Industrial Base Policy shall have the duties*  
18 *described in section 139c of this title.”.*

19 *(2) ASSISTANT SECRETARY OF DEFENSE FOR IN-*  
20 *DUSTRIAL BASE POLICY.—Chapter 4 of subtitle A of*  
21 *title 10, United States Code, is amended by inserting*  
22 *after section 139b the following new section:*

1 **“§ 139c. Assistant Secretary of Defense for Industrial**  
2 **Base Policy**

3 “(a) *IN GENERAL.*—*The Assistant Secretary of Defense*  
4 *for Industrial Base Policy shall report to the Under Sec-*  
5 *retary of Defense for Acquisition and Sustainment.*

6 “(b) *RESPONSIBILITIES.*—*The Assistant Secretary of*  
7 *Defense for Industrial Base Policy shall be the head of the*  
8 *Office of Defense Industrial Base Policy and shall serve as*  
9 *the principal advisor to the Under Secretary of Defense for*  
10 *Acquisition and Sustainment in the performance of the*  
11 *Under Secretary’s duties relating to the following:*

12 “(1) *Providing input to strategy reviews on mat-*  
13 *ters related to—*

14 “(A) *the defense industrial base; and*

15 “(B) *materials critical to national security*  
16 *(as defined in section 187(e)(1) of this title).*

17 “(2) *Establishing policies of the Department of*  
18 *Defense for developing and maintaining the defense*  
19 *industrial base of the United States and ensuring a*  
20 *secure supply of materials critical to national secu-*  
21 *rity.*

22 “(3) *Providing recommendations on budget mat-*  
23 *ters pertaining to the defense industrial base, the sup-*  
24 *ply chain, and the development and retention of skills*  
25 *necessary to support the defense industrial base.*

1           “(4) *Providing recommendations and acquisition*  
2           *policy guidance on defense supply chain management*  
3           *and supply chain vulnerability throughout the entire*  
4           *defense supply chain, from suppliers of raw materials*  
5           *to producers of major end items.*

6           “(5) *Establishing the national security objectives*  
7           *concerning the national technology and industrial*  
8           *base required under section 2501 of this title.*

9           “(6) *Executing the national defense program for*  
10           *analysis of the national technology and industrial*  
11           *base required under section 2503 of this title.*

12           “(7) *Performing the national technology and in-*  
13           *dustrial base periodic defense capability assessments*  
14           *required under section 2505 of this title.*

15           “(8) *Establishing the technology and industrial*  
16           *base policy guidance required under section 2506 of*  
17           *this title.*

18           “(9) *Providing policy and oversight of matters*  
19           *related to materials critical to national security to*  
20           *ensure a secure supply of such materials to the De-*  
21           *partment of Defense.*

22           “(10) *Carrying out the activities of the Depart-*  
23           *ment of Defense relating to the Defense Production*  
24           *Act Committee established under section 722 of the*

1     *Defense Production Act of 1950 (50 U.S.C. App.*  
2     *2171).*

3             *“(11) Consistent with section 2(b) of the Defense*  
4     *Production Act of 1950 (50 U.S.C. App. 2062(b)),*  
5     *executing other applicable authorities provided under*  
6     *the Defense Production Act of 1950 (50 U.S.C. App.*  
7     *2061 et seq.), including authorities under titles I and*  
8     *III of such Act.*

9             *“(12) Establishing Department of Defense poli-*  
10    *cies related to international defense technology secu-*  
11    *rity and export control issues.*

12            *“(13) Establishing policies related to industrial*  
13    *independent research and development programs*  
14    *under section 2372 of this title.*

15            *“(14) Coordinating with the Director of Small*  
16    *Business Programs on all matters related to indus-*  
17    *trial base policy of the Department of Defense.*

18            *“(15) Ensuring reliable sources of materials crit-*  
19    *ical to national security, such as specialty metals,*  
20    *armor plate, and rare earth elements.*

21            *“(16) Establishing policies of the Department of*  
22    *Defense for continued reliable resource availability*  
23    *from secure sources for the defense industrial base of*  
24    *the United States.*

1           “(17) *Establishing policies related to a procure-*  
2           *ment technical assistance program funded under this*  
3           *chapter 142 of this title.*

4           “(18) *Such other duties as are assigned by the*  
5           *Under Secretary.*

6           “(c) *RULES OF CONSTRUCTION RELATING TO DE-*  
7           *FENSE PRODUCTION ACT.—Nothing in this section shall be*  
8           *construed to modify the authorities or responsibilities of*  
9           *any officer or employee of the United States under the De-*  
10           *fense Production Act of 1950 (50 U.S.C. 4501 et seq.), in-*  
11           *cluding those authorities and responsibilities specified in*  
12           *Department of Defense Directive 4400.01E (or any suc-*  
13           *cessor directive). In addition, nothing in subsection (b)(9)*  
14           *shall be construed to limit the authority or modify the poli-*  
15           *cies of the Committee on Foreign Investment in the United*  
16           *States established under section 721(k) of such Act (50*  
17           *U.S.C. 4565(k)).”.*

18           (3) *CLERICAL AMENDMENT.—The table of con-*  
19           *tents for chapter 4 of subtitle A of title 10, United*  
20           *States Code, is amended by inserting after the item*  
21           *relating to section 139b the following new item:*

          “139c. *Assistant Secretary of Defense for Industrial Base Policy.*”.

22           (b) *CONTINUATION OF SERVICE.—The Deputy Assist-*  
23           *ant Secretary of Defense for Industrial Policy shall be the*  
24           *individual serving as the Assistant Secretary of Defense for*  
25           *Industrial Base Policy (as established under section 139c(a)*

1 *of title 10, United States Code, as added by subsection (a))*  
2 *until the President has appointed an individual to serve*  
3 *as Assistant Secretary of Defense for Industrial Base Policy*  
4 *pursuant to section 138 of title 10, United States Code.*

5 *(c) TRANSFER OF OFFICE OF INDUSTRIAL POLICY TO*  
6 *OFFICE OF DEFENSE INDUSTRIAL BASE POLICY.—*

7 *(1) TRANSFER OF FUNCTIONS.—Not later than*  
8 *180 days after the date of the enactment of this Act,*  
9 *all functions that, immediately before such date of en-*  
10 *actment, were functions of the Office of Industrial*  
11 *Policy of the Department of Defense shall be trans-*  
12 *ferred to the Office of Defense Industrial Base Policy.*

13 *(2) TRANSFER OF ASSETS.—So much of the per-*  
14 *sonnel, property, records, and unexpended balances of*  
15 *appropriations, allocations, and other funds em-*  
16 *ployed, used, held, available, or to be made available*  
17 *in connection with a function transferred under para-*  
18 *graph (1) shall be available to the Office of Defense*  
19 *Industrial Base Policy at such time or times as the*  
20 *President directs for use in connection with the func-*  
21 *tions transferred.*

22 *(3) TERMINATION.—The Office of Industrial Pol-*  
23 *icy of the Department of Defense shall terminate on*  
24 *the earlier of—*



1                   (A) the effective date of the transfers under  
2                   paragraph (1); or

3                   (B) 180 days after the date of the enactment  
4                   of this Act.

5   **Subtitle B—Other Department of**  
6   **Defense Organization and Man-**  
7   **agement Matters**

8   **SEC. 911. LIMITATION ON REDUCTION OF CIVILIAN WORK-**  
9                   **FORCE.**

10           Section 129a(b) of title 10, United States Code, is  
11   amended by adding at the end the following: “The Secretary  
12   may not reduce the civilian workforce programmed full-  
13   time equivalent levels unless the Secretary conducts an ap-  
14   propriate analysis of the impacts of such reductions on  
15   workload, military force structure, lethality, readiness,  
16   operational effectiveness, stress on the military force, and  
17   fully burdened costs.”

18   **SEC. 912. CHIEF DIVERSITY OFFICERS.**

19           (a) DEPARTMENT OF DEFENSE.—

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

23   **“§ 146. Chief Diversity Officer**

24           “(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief  
25   Diversity Officer of the Department of Defense, appointed

1 *from civilian life by the President, by and with the advice*  
2 *and consent of the Senate.*

3       “(2) *The Chief Diversity Officer shall be appointed*  
4 *from among persons who have an extensive management or*  
5 *business background and experience with diversity and in-*  
6 *clusion. A person may not be appointed as Chief Diversity*  
7 *Officer within seven years after relief from active duty as*  
8 *a commissioned officer of a regular component of an armed*  
9 *force.*

10       “(b) *POWERS AND DUTIES.—The Chief Diversity Offi-*  
11 *cer—*

12               “(1) *is responsible for policy, oversight, guid-*  
13 *ance, and coordination for all matters of the Depart-*  
14 *ment of Defense related to diversity and inclusion;*

15               “(2) *exercises authority to direct the Secretaries*  
16 *of the military departments and the heads of all other*  
17 *elements of the Department with regard to matters for*  
18 *which the Chief Diversity Officer has responsibility*  
19 *under this section;*

20               “(3) *exercises authority, direction, and control*  
21 *over the Office of People Analytics, or any successor*  
22 *organization;*

23               “(4) *shall establish and maintain a Department*  
24 *of Defense strategic plan that publicly states a diver-*

1 *sity definition, vision, and goals for the Department*  
2 *of Defense;*

3 “(5) shall define a set of strategic metrics that  
4 are directly linked to key organizational priorities  
5 and goals, actionable, and actively used to implement  
6 the strategic plan;

7 “(6) shall establish training in diversity dynam-  
8 ics and training in practices for leading diverse  
9 groups effectively;

10 “(7) shall establish and maintain a strategic  
11 plan for outreach to, and recruiting from, untapped  
12 locations and underrepresented demographic groups;

13 “(8) shall conduct regular, rigorous evaluations  
14 and assessments of diversity within the Department of  
15 Defense; and

16 “(9) shall perform such additional duties and ex-  
17 ercise such powers as the Secretary of Defense may  
18 prescribe.

19 “(c) PRECEDENCE IN THE DEPARTMENT OF DE-  
20 FENSE.—(1) The Chief Diversity Officer shall report di-  
21 rectly to the Secretary of Defense in the performance of du-  
22 ties under this section.

23 “(2) The Chief Diversity Officer takes precedence in  
24 the Department of Defense after the Chief Management Offi-  
25 cer.”

1           (2) *TECHNICAL AND CONFORMING AMEND-*  
2           *MENTS.—*

3                   (A) *The table of sections at the beginning of*  
4                   *such chapter is amended by adding at the end*  
5                   *the following new item:*

*“146. Chief Diversity Officer.”.*

6                   (B) *Section 136(b) of such title is amended*  
7                   *by inserting “the Chief Diversity Officer and”*  
8                   *after “control of the Secretary of Defense,”.*

9           (b) *DEPARTMENT OF THE ARMY.—*

10                   (1) *IN GENERAL.—Chapter 703 of title 10,*  
11                   *United States Code, is amended by adding at the end*  
12                   *the following new section:*

13           **“§ 7025. Chief Diversity Officer**

14                   *“(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief*  
15                   *Diversity Officer of the Department of the Army, appointed*  
16                   *from civilian life by the President, by and with the advice*  
17                   *and consent of the Senate.*

18                   *“(2) The Chief Diversity Officer shall be appointed*  
19                   *from among persons who have an extensive management or*  
20                   *business background and experience with diversity and in-*  
21                   *clusion.*

22                   *“(b) POWERS AND DUTIES.—The Chief Diversity Offi-*  
23                   *cer—*

1           “(1) is responsible for policy, oversight, guid-  
2           ance, and coordination for all matters of the Depart-  
3           ment of the Army related to diversity and inclusion;

4           “(2) exercises authority to direct the heads of all  
5           other elements of the Department with regard to mat-  
6           ters for which the Chief Diversity Officer has respon-  
7           sibility under this section;

8           “(3) shall establish training in diversity dynam-  
9           ics and training in practices for leading diverse  
10          groups effectively;

11          “(4) shall conduct regular, rigorous evaluations  
12          and assessments of diversity within the Department of  
13          the Army; and

14          “(5) shall perform such additional duties and ex-  
15          ercise such powers as the Secretary of the Army may  
16          prescribe.”.

17          (2) *TECHNICAL AND CONFORMING AMEND-*  
18          *MENTS.—*

19                 (A) *The table of sections at the beginning of*  
20                 *such chapter is amended by adding at the end*  
21                 *the following new item:*

                  “7025. *Chief Diversity Officer.*”.

22                 (B) *Section 7014(b) of such title is amended*  
23                 *by—*

1                   (i) by redesignating paragraphs (2)  
2                   through (8) as paragraphs (3) through (9),  
3                   respectively; and

4                   (ii) by inserting after paragraph (1),  
5                   the following new paragraph (2):

6                   “(2) *The Chief Diversity Officer.*”.

7                   (C) Section 7014(c)(1) of such title is  
8                   amended by adding at the end the following new  
9                   subparagraph (H):

10                   “(H) *Diversity and inclusion.*”.

11                   (c) *DEPARTMENT OF THE NAVY.*—

12                   (1) *IN GENERAL.*—Chapter 803 of title 10,  
13                   *United States Code*, is amended by adding at the end  
14                   the following new section:

15                   **“§ 8029. Chief Diversity Officer**

16                   “(a) *CHIEF DIVERSITY OFFICER.*—(1) *There is a Chief*  
17                   *Diversity Officer of the Department of the Navy, appointed*  
18                   *from civilian life by the President, by and with the advice*  
19                   *and consent of the Senate.*

20                   “(2) *The Chief Diversity Officer shall be appointed*  
21                   *from among persons who have an extensive management or*  
22                   *business background and experience with diversity and in-*  
23                   *clusion.*

24                   “(b) *POWERS AND DUTIES.*—*The Chief Diversity Offi-*  
25                   *cer—*

1           “(1) is responsible for policy, oversight, guid-  
2           ance, and coordination for all matters of the Depart-  
3           ment of the Navy related to diversity and inclusion;

4           “(2) exercises authority to direct the heads of all  
5           other elements of the Department with regard to mat-  
6           ters for which the Chief Diversity Officer has respon-  
7           sibility under this section;

8           “(3) shall establish training in diversity dynam-  
9           ics and training in practices for leading diverse  
10          groups effectively;

11          “(4) shall conduct regular, rigorous evaluations  
12          and assessments of diversity within the Department of  
13          the Navy; and

14          “(5) shall perform such additional duties and ex-  
15          ercise such powers as the Secretary of the Navy may  
16          prescribe.”.

17          (2) *TECHNICAL AND CONFORMING AMEND-*  
18          *MENTS.*—

19                 (A) *The table of sections at the beginning of*  
20                 *chapter 803 of title 10, United States Code, is*  
21                 *amended by adding at the end the following new*  
22                 *item:*

                  “8029. *Chief Diversity Officer.*”.

23                 (B) *Section 8014(b) of such title is amended*  
24                 *by—*

1                   (i) by redesignating paragraphs (2)  
2                   through (8) as paragraphs (3) through (9),  
3                   respectively; and

4                   (ii) by inserting after paragraph (1),  
5                   the following new paragraph (2):

6                   “(2) *The Chief Diversity Officer.*”.

7                   (C) Section 8014(c)(1) of such title is  
8                   amended by adding at the end the following new  
9                   subparagraph (H):

10                   “(H) *Diversity and inclusion.*”.

11                   (d) *DEPARTMENT OF THE AIR FORCE.*—

12                   (1) *IN GENERAL.*—Chapter 903 of title 10,  
13                   *United States Code*, is amended by adding at the end  
14                   the following new section:

15                   **“§ 9025. Chief Diversity Officer**

16                   “(a) *CHIEF DIVERSITY OFFICER.*—(1) *There is a Chief*  
17                   *Diversity Officer of the Department of the Air Force, ap-*  
18                   *pointed from civilian life by the President, by and with*  
19                   *the advice and consent of the Senate.*

20                   “(2) *The Chief Diversity Officer shall be appointed*  
21                   *from among persons who have an extensive management or*  
22                   *business background and experience with diversity and in-*  
23                   *clusion.*

24                   “(b) *POWERS AND DUTIES.*—*The Chief Diversity Offi-*  
25                   *cer—*



1           “(1) is responsible for policy, oversight, guid-  
2           ance, and coordination for all matters of the Depart-  
3           ment of the Air Force related to diversity and inclu-  
4           sion;

5           “(2) exercises authority to direct the heads of all  
6           other elements of the Department with regard to mat-  
7           ters for which the Chief Diversity Officer has respon-  
8           sibility under this section;

9           “(3) shall establish training in diversity dynam-  
10          ics and training in practices for leading diverse  
11          groups effectively;

12          “(4) shall conduct regular, rigorous evaluations  
13          and assessments of diversity within the Department of  
14          the Air Force; and

15          “(5) shall perform such additional duties and ex-  
16          ercise such powers as the Secretary of the Air Force  
17          may prescribe.”.

18          (2) *TECHNICAL AND CONFORMING AMEND-*  
19          *MENTS.—*

20                 (A) *The table of sections at the beginning of*  
21                 *such chapter is amended by adding at the end*  
22                 *the following new item:*

                  “9025. Chief Diversity Officer.”.

23                 (B) *Section 9014(b) of such title is amended*  
24                 *by—*

1                   (i) by redesignating paragraphs (2)  
2                   through (8) as paragraphs (3) through (9),  
3                   respectively; and

4                   (ii) by inserting after paragraph (1),  
5                   the following new paragraph (2):

6                   “(2) *The Chief Diversity Officer.*”.

7                   (C) Section 9014(c)(1) of such title is  
8                   amended by adding at the end the following new  
9                   subparagraph (H):

10                   “(H) *Diversity and inclusion.*”.

11                   (e) *COAST GUARD.*—

12                   (1) *IN GENERAL.*—Chapter 3 of title 14, United  
13                   States Code, is amended by adding at the end the fol-  
14                   lowing new section:

15                   **“§ 321. Chief Diversity Officer**

16                   “(a) *ESTABLISHMENT.*—(1) *There is a Chief Diversity*  
17                   *Officer of the Coast Guard, appointed from civilian life by*  
18                   *the President, by and with the advice and consent of the*  
19                   *Senate.*

20                   “(2) *The Chief Diversity Officer shall be appointed*  
21                   *from among persons who have an extensive management or*  
22                   *business background and experience with diversity and in-*  
23                   *clusion.*

24                   “(b) *POWERS AND DUTIES.*—*The Chief Diversity Offi-*  
25                   *cer—*

1           “(1) is responsible for policy, oversight, guid-  
2           ance, and coordination for all matters of the Coast  
3           Guard related to diversity and inclusion;

4           “(2) exercises authority to direct the heads of all  
5           other elements of the Coast Guard with regard to mat-  
6           ters for which the Chief Diversity Officer has respon-  
7           sibility under this section;

8           “(3) shall establish training in diversity dynam-  
9           ics and training in practices for leading diverse  
10          groups effectively;

11          “(4) shall conduct regular, rigorous evaluations  
12          and assessments of diversity within the Coast Guard;  
13          and

14          “(5) shall perform such additional duties and ex-  
15          ercise such powers as the Commandant may prescribe.

16          “(c) *PRECEDENCE*.—The Chief Diversity Officer shall  
17          report directly to the Commandant in the performance of  
18          duties under this section.”.

19          (2) *TECHNICAL AND CONFORMING AMEND-*  
20          *MENTS*.—The table of sections at the beginning of  
21          such chapter is amended by adding at the end the fol-  
22          lowing new item:

“321. Chief Diversity Officer.”.

23          (f) *EFFECTIVE DATE*.—The amendments made by this  
24          section shall take effect on February 1, 2021.

1 **SEC. 913. ESTABLISHMENT OF DEPUTY ASSISTANT SECRE-**  
2 **TARIES FOR SUSTAINMENT.**

3 (a) *DEPARTMENT OF THE ARMY.*—

4 (1) *IN GENERAL.*—Chapter 703 of title 10,  
5 *United States Code, as amended by section 912(b) of*  
6 *this Act, is further amended by adding at the end the*  
7 *following new section:*

8 **“§ 7026. Deputy Assistant Secretary of the Army for**  
9 **Sustainment**

10 “(a) *APPOINTMENT.*—*There is a Deputy Assistant Sec-*  
11 *retary of the Army for Sustainment, who shall be appointed*  
12 *by the Secretary of the Army.*

13 “(b) *RESPONSIBILITIES.*—*The Deputy Assistant Sec-*  
14 *retary of the Army for Sustainment shall have the following*  
15 *responsibilities with respect to major weapon systems ac-*  
16 *quired for the Department of the Army:*

17 “(1) *Reviewing and providing oversight of the*  
18 *sustainment baseline cost estimates required by sec-*  
19 *tion 2366d of this title.*

20 “(2) *Participating in any review of a life-cycle*  
21 *sustainment plan conducted pursuant to section*  
22 *2366d of this title.*

23 “(3) *Ensuring that cost modeling, performance*  
24 *metrics, and data analytics are used—*

25 “(A) *to inform and update life-cycle*  
26 *sustainment plans;*

1           “(B) to develop, with respect to the major  
2           weapon system to which such plan relates, the  
3           budget of the President for the fiscal year as sub-  
4           mitted to Congress pursuant to section 1105 of  
5           title 31; and

6           “(C) to inform the Secretary of the Army  
7           when assumptions made in the development of a  
8           sustainment baseline cost estimate are no longer  
9           valid or when new opportunities arise to reduce  
10          costs or improve efficiency.

11          “(4) Making recommendations to the senior ac-  
12          quisition executive of the Army regarding the most  
13          cost-effective sustainment strategy to incorporate into  
14          each life-cycle sustainment plan.

15          “(5) Balancing the range of sustainment activi-  
16          ties for each major weapon system to achieve the opti-  
17          mal balance of affordability, viable military depots  
18          and shipyards, and contracted product support ar-  
19          rangements.

20          “(6) Advise the Secretary of the Army regarding  
21          the overall alignment of the sustainment activities,  
22          the operations of the sustainment supply chain, and  
23          strategic readiness.

24          “(c) DEFINITIONS.—The terms ‘life-cycle sustainment  
25          plan’, ‘major weapon system’, and ‘sustainment baseline

1 *cost estimate' have the meanings given in section 2366d of*  
2 *this title.”.*

3           (2) *CLERICAL AMENDMENT.—The table of sec-*  
4 *tions at the beginning of chapter 703 of title 10,*  
5 *United States Code, is amended by adding at the end*  
6 *the following new item:*

*“7026. Deputy Assistant Secretary of the Army for Sustainment.”.*

7           (b) *DEPARTMENT OF THE NAVY.—*

8           (1) *IN GENERAL.—Chapter 803 of title 10,*  
9 *United States Code, as amended by section 912(c) of*  
10 *this Act, is further amended by adding at the end the*  
11 *following new section:*

12 **“§ 8029a. Deputy Assistant Secretary of the Navy for**  
13 **Sustainment**

14           “(a) *APPOINTMENT.—There is a Deputy Assistant Sec-*  
15 *retary of the Navy for Sustainment, who shall be appointed*  
16 *by the Secretary of the Navy.*

17           “(b) *RESPONSIBILITIES.—The Deputy Assistant Sec-*  
18 *retary of the Navy for Sustainment shall have the following*  
19 *responsibilities with respect to major weapon systems ac-*  
20 *quired for the Department of the Navy:*

21           “(1) *Reviewing and providing oversight of the*  
22 *sustainment baseline cost estimates required by sec-*  
23 *tion 2366d of this title.*

1           “(2) *Participating in any review of a life-cycle*  
2           *sustainment plan conducted pursuant to section*  
3           *2366d of this title.*

4           “(3) *Ensuring that cost modeling, performance*  
5           *metrics, and data analytics are used—*

6                   “(A) *to inform and update life-cycle*  
7                   *sustainment plans;*

8                   “(B) *to develop, with respect to the major*  
9                   *weapon system to which such plan relates, the*  
10                  *budget of the President for the fiscal year as sub-*  
11                  *mitted to Congress pursuant to section 1105 of*  
12                  *title 31; and*

13                  “(C) *to inform the Secretary of the Navy*  
14                  *when assumptions made in the development of a*  
15                  *sustainment baseline cost estimate are no longer*  
16                  *valid or when new opportunities arise to reduce*  
17                  *costs or improve efficiency.*

18           “(4) *Making recommendations to the senior ac-*  
19           *quisition executive of the Navy regarding the most*  
20           *cost-effective sustainment strategy to incorporate into*  
21           *each life-cycle sustainment plan.*

22           “(5) *Balancing the range of sustainment activi-*  
23           *ties for each major weapon system to achieve the opti-*  
24           *mal balance of affordability, viable military depots*

1       *and shipyards, and contracted product support ar-*  
2       *rangements.*

3               “(6) *Advise the Secretary of the Navy regarding*  
4       *the overall alignment of the sustainment activities,*  
5       *the operations of the sustainment supply chain, and*  
6       *strategic readiness.*

7               “(c) *DEFINITIONS.—The terms ‘life-cycle sustainment*  
8       *plan’, ‘major weapon system’, and ‘sustainment baseline*  
9       *cost estimate’ have the meanings given in section 2366d of*  
10       *this title.”.*

11               (2) *CLERICAL AMENDMENT.—The table of sec-*  
12       *tions at the beginning of chapter 803 of title 10,*  
13       *United States Code, is amended by adding at the end*  
14       *the following new item:*

      “8029a. *Deputy Assistant Secretary of the Navy for Sustainment.*”.

15               (c) *DEPARTMENT OF THE AIR FORCE.—*

16               (1) *IN GENERAL.—Chapter 903 of title 10,*  
17       *United States Code, as amended by section 912(d) of*  
18       *this Act, is further amended by adding at the end the*  
19       *following new section:*

20       **“§9026. Deputy Assistant Secretary of the Air Force**  
21               **for Sustainment**

22               “(a) *APPOINTMENT.—There is a Deputy Assistant Sec-*  
23       *retary of the Air Force for Sustainment, who shall be ap-*  
24       *pointed by the Secretary of the Air Force.*



1       “(b) *RESPONSIBILITIES.*—*The Deputy Assistant Sec-*  
2 *retary of the Air Force for Sustainment shall have the fol-*  
3 *lowing responsibilities with respect to major weapon sys-*  
4 *tems acquired for the Department of the Air Force:*

5               “(1) *Reviewing and providing oversight of the*  
6 *sustainment baseline cost estimates required by sec-*  
7 *tion 2366d of this title.*

8               “(2) *Participating in any review of a life-cycle*  
9 *sustainment plan conducted pursuant to section*  
10 *2366d of this title.*

11              “(3) *Ensuring that cost modeling, performance*  
12 *metrics, and data analytics are used—*

13                   “(A) *to inform and update life-cycle*  
14 *sustainment plans;*

15                   “(B) *to develop, with respect to the major*  
16 *weapon system to which such plan relates, the*  
17 *budget of the President for the fiscal year as sub-*  
18 *mitted to Congress pursuant to section 1105 of*  
19 *title 31; and*

20                   “(C) *to inform the Secretary of the Air*  
21 *Force when assumptions made in the develop-*  
22 *ment of a sustainment baseline cost estimate are*  
23 *no longer valid or when new opportunities arise*  
24 *to reduce costs or improve efficiency.*

1           “(4) *Making recommendations to the senior ac-*  
2           *quisition executive of the Air Force regarding the*  
3           *most cost-effective sustainment strategy to incorporate*  
4           *into each life-cycle sustainment plan.*

5           “(5) *Balancing the range of sustainment activi-*  
6           *ties for each major weapon system to achieve the opti-*  
7           *mal balance of affordability, viable military depots*  
8           *and shipyards, and contracted product support ar-*  
9           *rangements.*

10           “(6) *Advise the Secretary of the Air Force re-*  
11           *garding the overall alignment of the sustainment ac-*  
12           *tivities, the operations of the sustainment supply*  
13           *chain, and strategic readiness.*

14           “(c) *DEFINITIONS.—The terms ‘life-cycle sustainment*  
15           *plan’, ‘major weapon system’, and ‘sustainment baseline*  
16           *cost estimate’ have the meanings given in section 2366d of*  
17           *this title.”.*

18           “(2) *CLERICAL AMENDMENT.—The table of sec-*  
19           *tions at the beginning of chapter 903 of title 10,*  
20           *United States Code, is amended by adding at the end*  
21           *the following new item:*

          “9026. *Deputy Assistant Secretary of the Air Force for Sustainment.*”.

22           **SEC. 914. OFFICE OF DEFENSE COMMUNITY COOPERATION**  
23   **AND ECONOMIC ADJUSTMENT.**

24           “(a) *ESTABLISHMENT.—*

1           (1) *IN GENERAL.*—Chapter 141 of title 10,  
2           *United States Code, is amended by inserting after sec-*  
3           *tion 2391 the following new section:*

4           **“§2391a. Office of Defense Community Cooperation**  
5   **and Economic Adjustment**

6           “(a) *ESTABLISHMENT.*—*There is in the Office of the*  
7           *Secretary of Defense an Office of Defense Community Co-*  
8           *operation and Economic Adjustment (in this section re-*  
9           *ferred to as the ‘Office’).*

10          “(b) *HEAD OF OFFICE.*—*There is a Director of the Of-*  
11          *fice who shall be the head of the Office. The Director shall*  
12          *be appointed by the Secretary of Defense.*

13          “(c) *DUTIES.*—*The Office shall—*

14                  “(1) *serve as the office in the Department of De-*  
15                  *fense with primary responsibility for—*

16                                  “(A) *providing assistance to States, coun-*  
17                                  *ties, municipalities, regions, and other commu-*  
18                                  *nities to foster cooperation with military instal-*  
19                                  *lations to enhance the military mission, achieve*  
20                                  *facility and infrastructure savings and reduced*  
21                                  *operating costs, address encroachment and com-*  
22                                  *patible land use issues, support military fami-*  
23                                  *lies, and increase military, civilian, and indus-*  
24                                  *trial readiness and resiliency; and*

1           “(B) providing adjustment and diversifica-  
2           tion assistance to State and local governments  
3           under section 2391(b) to achieve the objectives  
4           described in subparagraph (A);

5           “(2) coordinate the provision of such assistance  
6           with other organizations and elements of the Depart-  
7           ment;

8           “(3) provide support to the Economic Adjust-  
9           ment Committee established under Executive Order  
10          12788 (57 Fed. Reg. 2213; 10 U.S.C. 2391 note) or  
11          any successor to such Committee; and

12          “(4) carry out such other activities as the Sec-  
13          retary of Defense determines appropriate.”.

14          (2) CLERICAL AMENDMENT.—The table of sec-  
15          tions at the beginning of such chapter is amended by  
16          inserting after the item relating to section 2391 the  
17          following new item:

          “2391a. Office of Defense Community Cooperation and Economic Adjustment.”.

18          (b) TRANSFERS.—Not later than 180 days after the  
19          date of the enactment of this Act, the Secretary of Defense  
20          shall transfer the functions, personnel, and assets of the Of-  
21          fice of Economic Adjustment of the Department of Defense  
22          to the Office of Defense Community Cooperation and Eco-  
23          nomic Adjustment established under section 2391a of title  
24          10, United States Code (as added by subsection (a)).

1           (c) *ADMINISTRATION OF CERTAIN PROGRAMS.*—*Begin-*  
2 *ning on the effective date of the transfers under subsection*  
3 *(b), any program, project, or other activity administered*  
4 *by the Office of Economic Adjustment of the Department*  
5 *of Defense as of the date of the enactment of this Act shall*  
6 *be administered by the Office of Defense Community Co-*  
7 *operation and Economic Adjustment established under sec-*  
8 *tion 2391a of title 10, United States Code (as added by*  
9 *subsection (a)).*

10 **SEC. 915. INPUT FROM CHIEF OF NATIONAL GUARD BU-**  
11 **BUREAU TO THE JOINT REQUIREMENTS OVER-**  
12 **SIGHT COUNCIL.**

13           Section 181(d) of title 10, United States Code, is  
14 amended by adding at the end the following new paragraph:

15           “(4) *INPUT FROM CHIEF OF NATIONAL GUARD*  
16 *BUREAU.*—*The Council shall seek, and strongly con-*  
17 *sider, the views of the Chief of National Guard Bu-*  
18 *reau regarding non-Federalized National Guard ca-*  
19 *pacilities in support of homeland defense and civil*  
20 *support missions.”.*

21 **SEC. 916. REDESIGNATION OF THE JOINT FORCES STAFF**  
22 **COLLEGE.**

23           (a) *IN GENERAL.*—*Title 10, United States Code, is*  
24 *amended by striking “Joint Forces Staff College” each place*  
25 *it appears and inserting “Joint Forces War College”.*

1           (b) *REFERENCES.*—Any reference in Federal law, reg-  
2   ulations, guidance, instructions, or other documents of the  
3   Federal Government to the Joint Forces Staff College shall  
4   be deemed to be a reference to the Joint Forces War College.

5                           ***Subtitle C—Space Matters***

6   ***SEC. 921. ASSISTANT SECRETARY OF DEFENSE FOR SPACE***  
7                           ***AND STRATEGIC DETERRENCE POLICY.***

8           (a) *ASSISTANT SECRETARIES OF DEFENSE.*—Para-  
9   graph (5) of section 138(b) of title 10, United States Code,  
10 is amended to read as follows:

11           “(5) *One of the Assistant Secretaries is the Assistant*  
12 *Secretary of Defense for Space and Strategic Deterrence*  
13 *Policy. The principal duty of the Assistant Secretary shall*  
14 *be the overall supervision of policy of the Department of*  
15 *Defense for space, nuclear deterrence, and missile defense.”.*

16           (b) *SPACE FORCE ACQUISITION COUNCIL.*—Section  
17 9021(b)(3) of title 10, United States Code, is amended by  
18 striking “Assistant Secretary of Defense for Space Policy”  
19 and inserting “Assistant Secretary of Defense for Space and  
20 Strategic Deterrence Policy”.

21           (c) *ELEMENTS OF OFFICE.*—Section 955(b) of the Na-  
22 tional Defense Authorization Act for Fiscal Year 2020 (Pub-  
23 lic Law 116–92; 133 Stat. 1565) is amended by striking  
24 “Assistant Secretary of Defense for Space Policy” and in-

1 *serting “Assistant Secretary of Defense for Space and Stra-*  
2 *tegic Deterrence Policy”.*

3 **SEC. 922. OFFICE OF THE CHIEF OF SPACE OPERATIONS.**

4 *(a) IN GENERAL.—Chapter 908 of title 10, United*  
5 *States Code, is amended by striking section 9083 and in-*  
6 *serting the following new sections:*

7 **“§9083. Office of the Chief of Space Operations: func-**  
8 **tion; composition**

9 *“(a) FUNCTION.—There is in the executive part of the*  
10 *Department of the Air Force an Office of the Chief of Space*  
11 *Operations to assist the Secretary of the Air Force in car-*  
12 *rying out the responsibilities of the Secretary.*

13 *“(b) COMPOSITION.—The Office of the Chief of Space*  
14 *Operations is composed of the following:*

15 *“(1) The Chief of Space Operations.*

16 *“(2) Other members of the Space Force and Air*  
17 *Force assigned or detailed to the Office of the Chief*  
18 *of Space Operations.*

19 *“(3) Civilian employees in the Department of the*  
20 *Air Force assigned or detailed to the Office of the*  
21 *Chief of Space Operations.*

22 *“(c) ORGANIZATION.—Except as otherwise specifically*  
23 *prescribed by law, the Office of the Chief of Space Oper-*  
24 *ations shall be organized in such manner, and the members*  
25 *of the Office of the Chief of Space Operations shall perform*

1 *such duties and have such titles, as the Secretary of the Air*  
2 *Force may prescribe.*

3 **“§9084. Office of the Chief of Space Operations: gen-**  
4 **eral duties**

5 *“(a) PROFESSIONAL ASSISTANCE.—The Office of the*  
6 *Chief of Space Operations shall furnish professional assist-*  
7 *ance to the Secretary, the Under Secretary, and the Assist-*  
8 *ant Secretaries of the Air Force and to the Chief of Space*  
9 *Operations.*

10 *“(b) AUTHORITIES.—Under the authority, direction,*  
11 *and control of the Secretary of the Air Force, the Office*  
12 *of the Chief of Space Operations shall—*

13 *“(1) subject to subsections (c) and (d) of section*  
14 *9014 of this title, prepare for such employment of the*  
15 *Space Force, and for such recruiting, organizing, sup-*  
16 *plying, equipping (including research and develop-*  
17 *ment), training, servicing, mobilizing, demobilizing,*  
18 *administering, and maintaining of the Space Force,*  
19 *as will assist in the execution of any power, duty, or*  
20 *function of the Secretary of the Air Force or the Chief*  
21 *of Space Operations;*

22 *“(2) investigate and report upon the efficiency of*  
23 *the Space Force and its preparation to support mili-*  
24 *tary operations by commanders of the combatant*  
25 *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 AMENDMENT.*—The table of  
11 sections at the beginning of chapter 908 of such title is  
12 amended by striking the item related to section 9083 and  
13 adding at the end the following new items:

“9083. Office of the Chief of Space Operations: function; composition  
“9084. Office of the Chief of Space Operations: general duties”.

14          (c) *EFFECTIVE DATE.*—The amendments made by this  
15 section shall take effect on the date on which the Secretary  
16 of the Air Force and the Chief of Space Operations jointly  
17 submit to the congressional defense committees a report de-  
18 tailing the functions that the headquarters staff of the De-  
19 partment of the Air Force will continue to perform in sup-  
20 port of the Space Force.

21          (d) *NO AUTHORIZATION OF ADDITIONAL MILITARY*  
22 *BILLETS.*—The Secretary shall establish the Office of the  
23 Chief of Space Operations under section 9083 of title 10,  
24 United States Code, as added by subsection (a), using mili-

1 tary personnel otherwise authorized. Nothing in this section  
 2 or the amendments made by this section shall be construed  
 3 to authorize additional military billets for the purposes of,  
 4 or in connection with, the establishment of the Office of the  
 5 Chief of Space Operations.

6 **SEC. 923. SPACE FORCE MEDAL.**

7 (a) *SPACE FORCE MEDAL.*—Chapter 937 of title 10,  
 8 United States Code, is amended by inserting after section  
 9 9280 the following new section:

10 **“§9280a. Space Force Medal: award; limitations**

11 “(a) The President may award a decoration called the  
 12 ‘Space Force Medal’, of appropriate design with accom-  
 13 panying ribbon, to any person who, while serving in any  
 14 capacity with the Space Force, distinguishes himself or her-  
 15 self by heroism not involving actual conflict with an enemy.

16 “(b) Not more than one Space Force Medal may be  
 17 awarded to a person. However, for each succeeding act that  
 18 would otherwise justify award of such a medal, the Presi-  
 19 dent may award a suitable bar or other device to be worn  
 20 as the President directs.”.

21 (b) *TABLE OF SECTIONS AMENDMENT.*—The table of  
 22 sections at the beginning of such chapter is amended by in-  
 23 serting after the item relating to section 9280 the following  
 24 new item:

“9280a. *Space Force Medal: award; limitations.*”.

1 **SEC. 924. CLARIFICATION OF PROCUREMENT OF COMMER-**  
2 **CIAL SATELLITE COMMUNICATIONS SERV-**  
3 **ICES.**

4 (a) *IN GENERAL.*—Chapter 963 of title 10, United  
5 States Code, is amended by inserting before section 9532  
6 the following new section:

7 **“§9531. Procurement of commercial satellite commu-**  
8 **nications services**

9 “The Chief of Space Operations shall be responsible for  
10 the procurement of commercial satellite communications  
11 services for the Department of Defense.”.

12 (b) *TABLE OF SECTIONS AMENDMENT.*—The table of  
13 sections at the beginning of chapter 963 of such title is  
14 amended by inserting before the item relating to section  
15 9532 the following new item:

“9531. Procurement of commercial satellite communications services.”.

16 **SEC. 925. TEMPORARY EXEMPTION FROM AUTHORIZED**  
17 **DAILY AVERAGE OF MEMBERS IN PAY GRADES**  
18 **E-8 AND E-9.**

19 Section 517 of title 10, United States Code, shall not  
20 apply to the Space Force until October 1, 2023.

21 **SEC. 926. ONE-TIME UNIFORM ALLOWANCE FOR MEMBERS**  
22 **TRANSFERRED TO THE SPACE FORCE.**

23 (a) *IN GENERAL.*—The Secretary of the Air Force may  
24 provide an officer or enlisted member who transfers from  
25 the Army, Navy, Air Force, or Marine Corps to the Space

1 *Force an allowance of not more than \$400 as reimburse-*  
2 *ment for the purchase of required uniforms and equipment.*

3 (b) *RELATIONSHIP TO OTHER ALLOWANCES.*—*The al-*  
4 *lowance under this section is in addition to any allowance*  
5 *available under any other provision of law.*

6 (c) *SOURCE OF FUNDS.*—*Funds for allowances pro-*  
7 *vided under subsection (a) in a fiscal year may be derived*  
8 *only from amounts authorized to be appropriated for mili-*  
9 *tary personnel for such fiscal year.*

10 (d) *APPLICABILITY.*—*The authority for an allowance*  
11 *under this section shall apply with respect to any member*  
12 *of the Army, Navy, Air Force, or Marine Corps who trans-*  
13 *fers to the Space Force on or after December 20, 2019, and*  
14 *on or before September 30, 2023.*

## 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       (d) *NOTICE TO CONGRESS.*—*The Secretary shall*  
2 *promptly notify Congress of each transfer made under sub-*  
3 *section (a).*

4       (e) *CERTIFICATION REQUIREMENT.*—*The authority to*  
5 *transfer any authorization under this section may not be*  
6 *used until the Secretary of Defense and the head of each*  
7 *entity affected by such transfer submits to the congressional*  
8 *defense committees certification in writing that—*

9           (1) *the amount transferred will be used for high-*  
10 *er priority items, based on unforeseen military re-*  
11 *quirements, than the items from which authority is*  
12 *transferred; and*

13           (2) *the amount transferred will not be used for*  
14 *any item for which funds have been denied authoriza-*  
15 *tion by Congress.*

16 **SEC. 1002. DETERMINATION OF BUDGETARY EFFECTS.**

17       *The budgetary effects of this Act, for the purpose of*  
18 *complying with the Statutory Pay-As-You-Go Act of 2010,*  
19 *shall be determined by reference to the latest statement titled*  
20 *“Budgetary Effects of PAYGO Legislation” for this Act,*  
21 *submitted for printing in the Congressional Record by the*  
22 *Chairman of the House Budget Committee, provided that*  
23 *such statement has been submitted prior to the vote on pas-*  
24 *sage.*

1 **SEC. 1003. PANDEMIC PREPAREDNESS AND RESILIENCE NA-**  
2 **TIONAL SECURITY FUND.**

3 (a) *FUND PURPOSES.*—Amounts authorized to be ap-  
4 propriated for Research and Development, Defense-Wide,  
5 Pandemic Preparedness and Resilience National Security  
6 Fund shall be available for obligation and expenditure only  
7 for the purposes of pandemic preparedness. Such amounts  
8 may not be used for a purpose or program unless the pur-  
9 pose or program is authorized by law.

10 (b) *TRANSFERS.*—

11 (1) *IN GENERAL.*—Amounts referred to in sub-  
12 section (a) may be transferred as follows:

13 (A) *To Procurement, Defense-wide and Re-*  
14 *search, Development, Test, and Evaluation, De-*  
15 *fense-wide, not more than an aggregate of*  
16 *\$200,000,000 to carry out the Small Business*  
17 *Industrial Base Resilience Program established*  
18 *by section 844 of this Act.*

19 (B) *To Research, Development, Test, and*  
20 *Evaluation, Defense-wide, line 9, Biomedical*  
21 *Technology, not more than \$50,000,000 for re-*  
22 *search that aims to rapidly produce medical*  
23 *countermeasures against novel threats, at popu-*  
24 *lation scale and approved for use in people.*

25 (C) *To the following, not more than an ag-*  
26 *gregate of \$750,000,000 to support research and*

1           *development efforts directly related to bio-*  
2           *preparedness and pandemic preparedness and*  
3           *resilience:*

4                     *(i) Research, Development, Test, and*  
5                     *Evaluation, Army.*

6                     *(ii) Research, Development, Test, and*  
7                     *Evaluation, Navy.*

8                     *(iii) Research, Development, Test, and*  
9                     *Evaluation, Air Force.*

10                    *(iv) Research, Development, Test, and*  
11                    *Evaluation, Defense-wide.*

12                    *(v) Defense Health Program.*

13                    *(D) To Research, development, test, and*  
14                    *evaluation, Defense-wide, Line 16, Chemical and*  
15                    *Biological Defense Program, not more than*  
16                    *\$27,000,000 for research and development to de-*  
17                    *tect and model treatments for nuclear, chemical,*  
18                    *and biological exposure.*

19                    *(E) To research, development, test, and*  
20                    *evaluation, Defense-wide, line 44, Chemical and*  
21                    *Biological Defense Program – Advanced Develop-*  
22                    *ment, not more than \$30,000,000 for the develop-*  
23                    *ment of decontamination technologies for civilian*  
24                    *pandemic preparedness.*



1           (F) *To research, development, test, and eval-*  
2           *uation, Defense-wide, line 49, Manufacturing*  
3           *Science and Technology Program, not more than*  
4           *\$35,000,000 for support for the development of*  
5           *advanced manufacturing techniques and tech-*  
6           *nologies that enable the United States defense in-*  
7           *dustrial base to rapidly produce needed mate-*  
8           *rials for novel biological threats.*

9           (2) *LIMITATION.—Amounts referred to in sub-*  
10          *section (a) may not be transferred for—*

11           (A) *Drug Interdiction and Counter-Drug*  
12          *Activities; or*

13           (B) *military construction (as defined in sec-*  
14          *tion 2801(a) of title 10, United States Code), in-*  
15          *cluding the purposes described in section 2802(b)*  
16          *of such title, or military family housing, includ-*  
17          *ing the purposes described in section 2821(a) of*  
18          *such title.*

19           (3) *NOTICE REQUIREMENT.—Not later than 30*  
20          *days before transferring any amount described in sub-*  
21          *section (a), the Secretary of Defense shall submit to*  
22          *the congressional defense committees notice of the*  
23          *transfer.*

24           (4) *EXCEPTION FROM GENERAL TRANSFER AU-*  
25          *THORITY.—A transfer under this subsection shall not*

1       *be counted toward the dollar amount limitation under*  
2       *section 1001.*

3   **SEC. 1004. BUDGET MATERIALS FOR SPECIAL OPERATIONS**  
4                   **FORCES.**

5       *Section 226 of title 10, United States Code, is amend-*  
6   *ed—*

7               *(1) in subsection (a)—*

8                   *(A) by inserting “of Defense and the Sec-*  
9                   *retary of each of the military departments” after*  
10                  *“Secretary”;*

11                  *(B) by striking “2021” and inserting*  
12                  *“2022”;*

13                  *(C) by striking “a consolidated budget jus-*  
14                  *tification display” and inserting “a budget jus-*  
15                  *tification display for each applicable appropria-*  
16                  *tion”;*

17                  *(D) in the second sentence, by striking “dis-*  
18                  *play” and all that follows and inserting “dis-*  
19                  *plays shall include each of the following:” and*

20                  *(E) by adding at the end the following new*  
21                  *paragraphs:*

22                    *“(1) Details at the appropriation and line item*  
23                    *level, including any amount for service-common sup-*  
24                    *port, acquisition support, training, operations, pay*

1       *and allowances, base operations sustainment, and*  
2       *any other common services and support.*

3               “(2) *An identification of any change in the level*  
4       *or type of service-common support and enabling capa-*  
5       *bilities provided by each of the military services or*  
6       *Defense Agencies to special operations forces for the*  
7       *fiscal year covered by the budget justification display*  
8       *when compared to the preceding fiscal year, including*  
9       *the rationale for any such change and any mitigating*  
10       *actions.*

11               “(3) *An assessment of the specific effects that the*  
12       *budget justification display for the fiscal year covered*  
13       *by the display and any anticipated future manpower*  
14       *and force structure changes are likely to have on the*  
15       *ability of each of the military services to provide serv-*  
16       *ice-common support and enabling capabilities to spe-*  
17       *cial operations forces.*

18               “(4) *Any other matters the Secretary of Defense*  
19       *or the Secretary of a military department determines*  
20       *are relevant.”;*

21               (2) *by redesignating subsection (b) as subsection*  
22       *(c); and*

23               (3) *by inserting after subsection (a) the following*  
24       *new subsection (b):*

1       “(b) *CONSOLIDATED BUDGET JUSTIFICATION DIS-*  
2 *PLAY.—The Secretary of Defense shall include, in the budget*  
3 *materials submitted to Congress under section 1105 of title*  
4 *31, for fiscal year 2022 and any subsequent fiscal year, a*  
5 *consolidated budget justification display containing the*  
6 *same information as is required in the budget justification*  
7 *displays required under subsection (a). Such consolidated*  
8 *budget justification display may be provided as a summary*  
9 *by appropriation for each military department and a sum-*  
10 *mary by appropriation for all Defense Agencies.”.*

11       ***Subtitle B—Counterdrug Activities***

12       ***SEC. 1011. SUPPORT FOR COUNTERDRUG ACTIVITIES AND***  
13                               ***ACTIVITIES TO COUNTER TRANSNATIONAL***  
14                               ***ORGANIZED CRIME AFFECTING FLOW OF***  
15                               ***DRUGS INTO THE UNITED STATES.***

16       *Section 284(c) of title 10, United States Code, is*  
17 *amended—*

18                       (1) *by striking paragraph (2), and inserting the*  
19 *following new paragraph (2):*

20                       “(2) *SECRETARY OF STATE CONCURRENCE.—The*  
21 *Secretary may only provide support for a purpose de-*  
22 *scribed in this subsection with the concurrence of the*  
23 *Secretary of State.”; and*

24                       (2) *by adding at the end the following new para-*  
25 *graph:*

1           “(3) *PRIORITY.*—*In providing support for a pur-*  
2           *pose described in this subsection, the Secretary shall*  
3           *give priority to support requested for the purpose of*  
4           *affecting the flow of drugs into the United States.*”.

5   **SEC. 1012. CONGRESSIONAL NOTIFICATION WITH RESPECT**  
6                   **TO DEPARTMENT OF DEFENSE SUPPORT PRO-**  
7                   **VIDED TO OTHER UNITED STATES AGENCIES**  
8                   **FOR COUNTERDRUG ACTIVITIES AND ACTIVI-**  
9                   **TIES TO COUNTER TRANSNATIONAL ORGA-**  
10                  **NIZED CRIME.**

11           *Section 284(h) of title 10, United States Code, is*  
12   *amended—*

13           (1) *in paragraph (1)—*

14                   (A) *by redesignating subparagraphs (A)*  
15                   *and (B) as subparagraphs (B) and (C), respec-*  
16                   *tively; and*

17                   (B) *by inserting before subparagraph (B),*  
18                   *as so redesignated, the following new subpara-*  
19                   *graph (A):*

20                           “(A) *In case of support for a purpose de-*  
21                           *scribed in subsection (b)—*

22                                   “(i) *an identification of the recipient*  
23                                   *of the support;*

24                                   “(ii) *a description of the support pro-*  
25                                   *vided;*

1                   “(iii) a description of the sources and  
2                   amounts of funds used to provide such sup-  
3                   port; and

4                   “(iv) a description of the amount of  
5                   funds obligated to provide such support.”;  
6                   and

7                   (2) by adding at the end the following new para-  
8                   graph:

9                   “(3) *APPROPRIATE COMMITTEES OF CON-*  
10                   *GRESS.—For purposes of any notice submitted under*  
11                   *this subsection with respect to support described in*  
12                   *paragraph (1)(A), the appropriate committees of Con-*  
13                   *gress are—*

14                   “(A) *the Committees on Armed Services of*  
15                   *the Senate and House of Representatives; and*

16                   “(B) *any committee with jurisdiction over*  
17                   *the department or agency that receives the sup-*  
18                   *port covered by the notice.”.*

19                   ***Subtitle C—Naval Vessels***

20                   ***SEC. 1021. LIMITATION ON AVAILABILITY OF CERTAIN***  
21                   ***FUNDS WITHOUT NAVAL VESSELS PLAN AND***  
22                   ***CERTIFICATION.***

23                   *Section 231(e) of title 10, United States Code, is*  
24                   *amended—*

25                   (1) *in paragraph (1)—*

1 (A) by striking “Secretary of the Navy” and  
2 inserting “Secretary of Defense”; and

3 (B) by striking “50 percent” and inserting  
4 “25 percent”; and

5 (2) in paragraph (2)—

6 (A) by striking “Secretary of the Navy” and  
7 inserting “Secretary of Defense”; and

8 (B) by striking “operation and mainte-  
9 nance, Navy” and inserting “operation and  
10 maintenance, Defense-wide”.

11 **SEC. 1022. LIMITATIONS ON USE OF FUNDS IN THE NA-**  
12 **TIONAL DEFENSE SEALIFT FUND FOR PUR-**  
13 **CHASE OF FOREIGN CONSTRUCTED VESSELS.**

14 Section 2218(f)(3) of title 10, United States Code, is  
15 amended—

16 (1) in subparagraph (C), by striking “seven”  
17 and inserting “nine”; and

18 (2) in subparagraph (E), by striking “two” and  
19 inserting “four”.

20 **SEC. 1023. USE OF NATIONAL SEA-BASED DETERRENCE**  
21 **FUND FOR INCREMENTALLY FUNDED CON-**  
22 **TRACTS TO PROVIDE FULL FUNDING FOR CO-**  
23 **LUMBIA CLASS SUBMARINES.**

24 Section 2218a(h)(1) of title 10, United States Code,  
25 is amended by striking “and properly phased installment

1 *payments” and inserting “, properly phased installment*  
2 *payments, and full funding for the first two Columbia class*  
3 *submarines”.*

4 **SEC. 1024. PREFERENCE FOR UNITED STATES VESSELS IN**  
5 **TRANSPORTING SUPPLIES BY SEA.**

6 *(a) PREFERENCE FOR UNITED STATES VESSELS IN*  
7 *TRANSPORTING SUPPLIES BY SEA.—*

8 *(1) IN GENERAL.—Section 2631 of title 10,*  
9 *United States Code, is amended to read as follows:*

10 **“§2631. Preference for United States vessels in trans-**  
11 **porting supplies by sea**

12 *“(a) IN GENERAL.—Supplies bought for the Army,*  
13 *Navy, Air Force, or Marine Corps, or for a Defense Agency,*  
14 *or otherwise transported by the Department of Defense, may*  
15 *only be transported by sea in—*

16 *“(1) a vessel belonging to the United States; or*

17 *“(2) a vessel of the United States (as such term*  
18 *is defined in section 116 of title 46).*

19 *“(b) WAIVER AND NOTIFICATION.—(1) The Secretary*  
20 *of Defense may waive the requirement under subsection (a)*  
21 *if such a vessel is—*

22 *“(A) not available at a fair and reasonable rate*  
23 *for commercial vessels of the United States; or*

24 *“(B) otherwise not available.*



1       “(2) *At least once each fiscal year, the Secretary of*  
2 *Defense shall submit, in writing, to the appropriate con-*  
3 *gressional committees a notice of any waiver granted under*  
4 *this subsection and the reasons for such waiver.*

5       “(c) *REQUIREMENTS FOR REFLAGGING OR REPAIR*  
6 *WORK.—(1) In each request for proposals to enter into a*  
7 *time-charter contract for the use of a vessel for the transpor-*  
8 *tation of supplies under this section, the Secretary of De-*  
9 *fense shall require that—*

10           “(A) *any reflagging or repair work on a vessel*  
11 *for which a proposal is submitted in response to the*  
12 *request for proposals be performed in the United*  
13 *States (including any territory of the United States);*  
14 *and*

15           “(B) *any corrective and preventive maintenance*  
16 *or repair work on a vessel under contract pursuant*  
17 *to this section relevant to the purpose of such contract*  
18 *be performed in the United States (including any ter-*  
19 *ritory of the United States) for the duration of the*  
20 *contract, to the greatest extent practicable.*

21       “(2) *The Secretary of Defense may waive a require-*  
22 *ment under paragraph (1) if the Secretary determines that*  
23 *such waiver is critical to the national security of the United*  
24 *States. The Secretary shall immediately submit, in writing,*  
25 *to the appropriate congressional committees a notice of any*

1 *waiver granted under this paragraph and the reasons for*  
2 *such waiver.*

3 “(3) *In this subsection:*

4 “(A) *The term ‘reflagging or repair work’ means*  
5 *work performed on a vessel—*

6 “(i) *to enable the vessel to meet applicable*  
7 *standards to become a vessel of the United*  
8 *States; or*

9 “(ii) *to convert the vessel to a more useful*  
10 *military configuration.*

11 “(B) *The term ‘corrective and preventive mainte-*  
12 *nance or repair’ means—*

13 “(i) *maintenance or repair actions per-*  
14 *formed as a result of a failure in order to return*  
15 *or restore equipment to acceptable performance*  
16 *levels; and*

17 “(ii) *scheduled maintenance or repair ac-*  
18 *tions to prevent or discover functional failures.*

19 “(d) *COMPLIANCE.—The Secretary of Defense shall en-*  
20 *sure that contracting officers of the Department of Defense*  
21 *award contracts under this section to responsible offerors*  
22 *and monitor and ensure compliance with the requirements*  
23 *of this section. The Secretary shall—*

24 “(1) *ensure that timely, accurate, and complete*  
25 *information on contractor performance under this sec-*

1        *tion is included in any contractor past performance*  
 2        *database used by an executive agency; and*

3            *“(2) exercise appropriate contractual rights and*  
 4        *remedies against contractors who fail to comply with*  
 5        *this section, or subchapter I of chapter 553 of title 46*  
 6        *as determined by the Secretary of Transportation*  
 7        *under such subchapter, including by—*

8            *“(A) determining that a contractor is ineli-*  
 9        *gible for an award of such a contract; or*

10           *“(B) terminating such a contract or suspen-*  
 11        *sion or debarment of the contractor for such con-*  
 12        *tract.*

13        *“(e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
 14        *FINED.—In this section, the term ‘appropriate congres-*  
 15        *sional committees’ means—*

16           *“(1) the Committees on Armed Services of the*  
 17        *Senate and the House of Representatives;*

18           *“(2) the Committee on Transportation and In-*  
 19        *frastructure of the House of Representatives; and*

20           *“(3) the Committee on Commerce, Science, and*  
 21        *Transportation of the Senate.”.*

22           *(2) CLERICAL AMENDMENT.—The table of con-*  
 23        *tents for chapter 157 of title 10, United States Code,*  
 24        *is amended by amending the item relating to section*  
 25        *2361 to read as follows:*

*“2361. Preference for United States vessels in transporting supplies by sea.”.*

1       (b) *AMENDMENTS TO TITLE 46, UNITED STATES*  
2 *CODE.—*

3           (1) *TRANSFER OF PROVISION RELATING TO PRI-*  
4 *ORITY LOADING FOR COAL.—*

5           (A) *IN GENERAL.—Section 55301 of title*  
6 *46, United States Code, is redesignated as sec-*  
7 *tion 55123 of such title, transferred to appear*  
8 *after section 55122 of such title, and amended so*  
9 *that the enumerator, section heading, typeface,*  
10 *and typestyle conform to those appearing in*  
11 *other sections in such title.*

12           (B) *CONFORMING AMENDMENTS.—*

13           (i) *The analysis for subchapter I of*  
14 *chapter 553 of title 46, United States Code,*  
15 *is amended by striking the item relating to*  
16 *section 55301.*

17           (ii) *The analysis for chapter 551 of*  
18 *title 46, United States Code, is amended by*  
19 *inserting after the item relating to section*  
20 *55122 the following new item:*

*“55123. Priority loading for coal.”.*

21           (2) *AMENDMENT TO SUBCHAPTER HEADING.—*  
22 *The heading of subchapter I of chapter 553 of title 46,*  
23 *United States Code, is amended to read as follows:*

1 **SEC. 1025. RESTRICTIONS ON OVERHAUL, REPAIR, ETC. OF**  
2 **NAVAL VESSELS IN FOREIGN SHIPYARDS.**

3 (a) *EXCEPTION FOR DAMAGE REPAIR DUE TO HOSTILE*  
4 *ACTIONS OR INTERVENTIONS.*—Section 8680(a) of  
5 *title 10, United States Code, is amended—*

6 (1) *in paragraph (1), by striking “, other than*  
7 *in the case of voyage repairs”;* and

8 (2) *by adding at the end the following new para-*  
9 *graph:*

10 “(3) *Notwithstanding paragraph (1), a naval vessel de-*  
11 *scribed in paragraph (1) may be repaired in a shipyard*  
12 *outside the United States or Guam if the repairs are—*

13 “(A) *voyage repairs; or*

14 “(B) *necessary to correct damage sustained due*  
15 *to hostile actions or interventions.”.*

16 (b) *LIMITED AUTHORITY TO USE FOREIGN WORK-*  
17 *ERS.*—Section 8680(a)(2)(B)(i) of title 10, United States  
18 *Code, is amended—*

19 (1) *by inserting “(I)” after “(i)”;* and

20 (2) *by adding at the end the following new sub-*  
21 *clauses:*

22 “(II) *Notwithstanding subclause (I), foreign workers*  
23 *may be used to perform corrective and preventive mainte-*  
24 *nance or repair on a vessel as described in subparagraph*  
25 *(A) only if the Secretary of the Navy determines that travel*

1 *by United States Government personnel or United States*  
2 *contractor personnel to perform the corrective or preventive*  
3 *maintenance or repair is not advisable for health or safety*  
4 *reasons. The Secretary of the Navy may not delegate the*  
5 *authority to make a determination under this subclause.*

6       “(III) Not later than 30 days after making a deter-  
7 mination under subclause (II), the Secretary of the Navy  
8 shall submit to the congressional defense committees written  
9 notification of the determination. The notification shall in-  
10 clude the reasons why travel by United States personnel is  
11 not advisable for health or safety reasons, the location where  
12 the corrective and preventive maintenance or repair will  
13 be performed, and the approximate duration of the correc-  
14 tive and preventive maintenance or repair.”.

15       (c)           **TECHNICAL           CORRECTION.**—Section  
16 8680(a)(2)(C)(ii) of title 10, United States Code, is amend-  
17 ed by striking the period after “means—”.

18 **SEC. 1026. BIENNIAL REPORT ON SHIPBUILDER TRAINING**

19                   **AND THE DEFENSE INDUSTRIAL BASE.**

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

1 **“§ 8692. Biannual report on shipbuilder training and**  
2 **the defense industrial base**

3 “ Not later than February 1 of each even-numbered  
4 year until 2026, the Secretary of Defense, in coordination  
5 with the Secretary of Labor, shall submit to the Committee  
6 on Armed Services and the Committee on Health, Edu-  
7 cation, Labor, and Pensions of the Senate and the Com-  
8 mittee on Armed Services and the Committee on Education  
9 and Labor of the House of Representatives a report on ship-  
10 builder training and hiring requirements necessary to  
11 achieve the Navy’s 30-year shipbuilding plan and to main-  
12 tain the shipbuilding readiness of the defense industrial  
13 base. Each such report shall include each of the following:

14 “(1) An analysis and estimate of the time and  
15 investment required for new shipbuilders to gain pro-  
16 ficiency in particular shipbuilding occupational spe-  
17 cialties, including detailed information about the oc-  
18 cupational specialty requirements necessary for con-  
19 struction of naval surface ship and submarine classes  
20 to be included in the Navy’s 30-year shipbuilding  
21 plan.

22 “(2) An analysis of the age demographics and  
23 occupational experience level (measured in years of  
24 experience) of the shipbuilding defense industrial  
25 workforce.

1           “(3) *An analysis of the potential time and in-*  
2           *vestment challenges associated with developing and*  
3           *retaining shipbuilding skills in organizations that*  
4           *lack intermediate levels of shipbuilding experience.*

5           “(4) *Recommendations concerning how to ad-*  
6           *dress shipbuilder training during periods of demo-*  
7           *graphic transition and evolving naval fleet architec-*  
8           *ture consistent with the Navy’s 2020 Integrated Force*  
9           *Structure Assessment.*

10           “(5) *An analysis of whether emerging tech-*  
11           *nologies, such as augmented reality, may aid in new*  
12           *shipbuilder training.*

13           “(6) *Recommendations concerning how to en-*  
14           *courage young adults to enter the defense shipbuilding*  
15           *industry and to develop the skills necessary to support*  
16           *the shipbuilding defense industrial base.”.*

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

          “8692. *Biannual report on shipbuilder training and the defense industrial base.”.*

20           **SEC. 1027. PROHIBITION ON USE OF FUNDS FOR RETIRE-**  
21           **MENT OF CERTAIN LITTORAL COMBAT SHIPS.**

22           (a) *PROHIBITION.—None of the funds authorized to be*  
23           *appropriated by this Act or otherwise made available for*  
24           *fiscal year 2021 for the Navy may be obligated or expended*  
25           *to retire or prepare for the retirement, transfer, or place-*



1 *ment in storage any ships designated as LCS-3 or LCS-*  
2 *4 until the date on which the Secretary of the Navy submits*  
3 *the certification required under subsection (b).*

4       **(b) CERTIFICATION.**—*Upon the completion of all oper-*  
5 *ational tests on each of the mission modules designed for*  
6 *the Littoral Combat Ship, the Secretary of the Navy shall*  
7 *submit to the congressional defense committees certification*  
8 *of such completion.*

9 **SEC. 1028. REPORT ON IMPLEMENTATION OF COM-**  
10 **MANDANT'S PLANNING GUIDANCE.**

11       **(a) IN GENERAL.**—*Not later than 180 days after the*  
12 *date of the enactment of this Act, the Secretary of Defense*  
13 *shall submit to the congressional defense committees a re-*  
14 *port on the implementation of the Commandant's Planning*  
15 *Guidance. Such report shall include a detailed description*  
16 *of each of the following:*

17               **(1)** *The specific number and type of manned lit-*  
18 *toral ships required to execute such Guidance.*

19               **(2)** *The role of long-range unmanned surface ves-*  
20 *sels in the execution of such Guidance.*

21               **(3)** *How platforms referred to in paragraphs (1)*  
22 *and (2) account for and interact with ground-based*  
23 *missiles fielded by teams of Marines deployed*  
24 *throughout the Indo-Pacific region.*

1           (4) *The integrated naval command and control*  
2           *architecture required to support the platforms referred*  
3           *to in paragraphs (1) and (2);*

4           (5) *The projected cost and any additional re-*  
5           *sources required to deliver the platforms referred to in*  
6           *paragraph (1) and (2) by not later than five years*  
7           *after the date of the enactment of this Act.*

8           (b) *FORM OF REPORT.*—*The report required under this*  
9           *section shall be submitted in unclassified form, but may*  
10           *contain a classified annex. The unclassified report shall be*  
11           *made publicly available.*

12   **SEC. 1029. LIMITATION ON NAVAL FORCE STRUCTURE**  
13                           **CHANGES.**

14           *None of the funds authorized to be appropriated by this*  
15           *Act or otherwise made available for fiscal year 2021 for the*  
16           *Navy may be obligated or expended to retire, or to prepare*  
17           *for the retirement, transfer, or placement in storage of, any*  
18           *Department of the Navy ship until the date that is 30 days*  
19           *after the date on which Secretary of Defense submits to the*  
20           *congressional defense committees the 2020 Naval Integrated*  
21           *Force Structure Assessment.*

1           **Subtitle D—Counterterrorism**

2   **SEC. 1031. PROHIBITION ON USE OF FUNDS FOR TRANSFER**  
3                   **OR RELEASE OF INDIVIDUALS DETAINED AT**  
4                   **UNITED STATES NAVAL STATION, GUANTA-**  
5                   **NAMO BAY, CUBA, TO CERTAIN COUNTRIES.**

6           *No amounts authorized to be appropriated or otherwise*  
7   *made available for the Department of Defense may be used*  
8   *during the period beginning on the date of the enactment*  
9   *of this Act and ending on December 31, 2021, to transfer,*  
10 *release, or assist in the transfer or release of any individual*  
11 *detained in the custody or under the control of the Depart-*  
12 *ment of Defense at United States Naval Station, Guanta-*  
13 *namo Bay, Cuba, to the custody or control of any country,*  
14 *or any entity within such country, as follows:*

15                   (1) *Libya.*

16                   (2) *Somalia.*

17                   (3) *Syria.*

18                   (4) *Yemen.*

19                   **Subtitle E—Miscellaneous**  
20                   **Authorities and Limitations**

21   **SEC. 1041. SUPPORT OF SPECIAL OPERATIONS TO COMBAT**  
22                   **TERRORISM.**

23           *Section 127e of title 10, United States Code, is amend-*  
24 *ed—*

1           (1) *by striking subsection (c) and inserting the*  
2 *following new subsection (c):*

3           “(c) *PROCEDURES.—*

4           “(1) *IN GENERAL.—The authority in this section*  
5 *shall be exercised in accordance with such procedures*  
6 *as the Secretary shall establish for purposes of this*  
7 *section. The Secretary shall notify the congressional*  
8 *defense committees of any material change to such*  
9 *procedures.*

10           “(2) *ELEMENTS.—The procedures required under*  
11 *paragraph (1) shall establish, at a minimum, each of*  
12 *the following:*

13           “(A) *Policy, strategy, or other guidance for*  
14 *the execution of, and constraints within, activi-*  
15 *ties conducted under this section.*

16           “(B) *The processes through which activities*  
17 *conducted under this section are to be developed,*  
18 *validated, and coordinated, as appropriate, with*  
19 *relevant Federal entities.*

20           “(C) *The processes through which legal re-*  
21 *views and determinations are made to comply*  
22 *with this section and ensure that the exercise of*  
23 *authority under this section is consistent with*  
24 *the national security of the United States.*

1           “(3) *NOTICE TO CONGRESS.*—*The Secretary shall*  
2           *provide to the congressional defense committees a no-*  
3           *tice of the procedures established pursuant to this sec-*  
4           *tion before any exercise of the authority in this sec-*  
5           *tion, and shall notify such committees of any mate-*  
6           *rial change of the procedures.”;*

7           (2) *in subsection (d)*—

8                   (A) *in the subsection heading, by inserting*  
9                   “*OF INITIATION OF SUPPORT OF AN APPROVED*  
10                   *MILITARY OPERATION*” *after “NOTIFICATION”;*  
11                   *and*

12                   (B) *in paragraph (1), by striking “15” and*  
13                   *inserting “30”;*

14           (3) *by redesignating subsections (e) through (h)*  
15           *as subsections (f) through (i), respectively;*

16           (4) *by inserting after subsection (d) the following*  
17           *new subsection (e):*

18           “(e) *NOTIFICATION OF MODIFICATION OR TERMI-*  
19           *NATION OF SUPPORT OF AN APPROVED MILITARY OPER-*  
20           *ATION.*—

21                   “(1) *IN GENERAL.*—*Except as provided in para-*  
22                   *graph (2), the Secretary shall provide to the congress-*  
23                   *sional defense committees notice in writing by not*  
24                   *later than—*

1           “(A) 15 days before exercising the authority  
2           under this section to modify the support of an  
3           approved military operation;

4           “(B) 30 days before exercising the authority  
5           under this section to terminate the support of an  
6           approved military operation; or

7           “(C) as applicable, 30 days before exercising  
8           any other authority under which the Secretary  
9           engages or plans to engage with foreign forces,  
10          irregular forces, groups, or individuals.

11          “(2) *EXTRAORDINARY CIRCUMSTANCES.*—If the  
12          Secretary finds the existence of extraordinary cir-  
13          cumstances affecting the national security of the  
14          United States, the Secretary shall provide the notice  
15          required under paragraph (1) not later than 48 hours  
16          before exercising authority referred to in subpara-  
17          graph (A) or (B) of such paragraph.

18          “(3) *ELEMENTS.*—Notice provided under para-  
19          graph (1) with respect to the modification or termi-  
20          nation of support shall include each of the following  
21          elements:

22                 “(A) A description of the reasons for the  
23                 modification or termination.

1           “(B) A description of the potential effects of  
2           the modification or termination of support on  
3           the forces providing the support.

4           “(C) A plan for the modification or termi-  
5           nation of the support, including the consider-  
6           ation of the transition of such support from one  
7           fiscal authority to another.

8           “(D) A list of any relevant entities of the  
9           United States Government that are or will be in-  
10          volved in the modification or termination of such  
11          support, including any planned transition of  
12          such support from one Government entity to an-  
13          other.”;

14          (5) in subsection (i)(3), as redesignated by para-  
15          graph (3)—

16                 (A) by redesignating subparagraphs (G)  
17                 and (H) as subparagraphs (H) and (I), respec-  
18                 tively; and

19                 (B) by inserting after subparagraph (F) the  
20                 following new subparagraph (G):

21                         “(G) If there is a plan to modify or termi-  
22                         nate the support to military operations to com-  
23                         bat terrorism in any way, a detailed description  
24                         of the plan, including—

1                   “(i) a description of the reasons for the  
2                   modification or termination;

3                   “(ii) the potential effects of the modi-  
4                   fication or termination of support on the  
5                   forces providing the support;

6                   “(iii) a detailed plan for the modifica-  
7                   tion or termination of the support; and

8                   “(iv) a list of any relevant Government  
9                   entities that are or will be involved in the  
10                  modification or termination of such sup-  
11                  port, including any planned transition of  
12                  such support from one Government entity to  
13                  another.”; and

14                  (6) by adding at the end the following new sub-  
15                  section:

16                  “(j) *MODIFICATION DEFINED.*—In this section, the  
17                  term ‘modification’, with respect to support provided for  
18                  an approved military operation, means—

19                         “(1) an increase or decrease in funding of more  
20                         than \$750,000 or change greater than 40 percent of  
21                         the material resources provided;

22                         “(2) an increase or decrease in the amount or  
23                         type of equipment that significantly alters the use of  
24                         or risk to foreign forces, irregular forces, groups, or  
25                         United States special operations forces; or



1           “(3) a change in the legal or operational au-  
2           thorities.”.

3 **SEC. 1042. PROHIBITION ON RETIREMENT OF NUCLEAR**  
4           **POWERED AIRCRAFT CARRIERS BEFORE**  
5           **FIRST REFUELING.**

6           Section 8062 of title 10, United States Code, is amend-  
7           ed by adding at the end the following new subsection:

8           “(f) A nuclear powered aircraft carrier may not be re-  
9           tired before its first refueling.”.

10 **SEC. 1043. REQUIRED MINIMUM INVENTORY OF TACTICAL**  
11           **AIRLIFT AIRCRAFT.**

12           Section 9062 of title 10, United States Code, is amend-  
13           ed by adding at the end the following new subsection:

14           “(k) The Secretary of the Air Force shall maintain a  
15           total inventory of tactical airlift aircraft of not less than  
16           292 aircraft.”.

17 **SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION**  
18           **TO DEPARTMENT OF DEFENSE AUTHORITY**  
19           **TO PROVIDE ASSISTANCE ALONG THE SOUTH-**  
20           **ERN LAND BORDER OF THE UNITED STATES.**

21           (a) *AUTHORITY.*—Subsection (a) of section 1059 of the  
22           National Defense Authorization Act for Fiscal Year 2016  
23           (Public Law 114–92; 129 Stat. 986; 10 U.S.C. 271 note  
24           *prec.*) is amended to read as follows:

25           “(a) *AUTHORITY.*—

1           “(1) *PROVISION OF ASSISTANCE.*—

2                   “(A) *IN GENERAL.*—*The Secretary of De-*  
3                   *fense may provide assistance to United States*  
4                   *Customs and Border Protection for purposes of*  
5                   *increasing ongoing efforts to secure the southern*  
6                   *land border of the United States in accordance*  
7                   *with the requirements of this section.*

8                   “(B) *REQUIREMENTS.*—*If the Secretary*  
9                   *provides assistance under subparagraph (A), the*  
10                   *Secretary shall ensure that—*

11                           “(i) *the provision of the assistance will*  
12                           *not negatively affect military training, op-*  
13                           *erations, readiness, or other military re-*  
14                           *quirements; and*

15                           “(ii) *the tasks associated with the sup-*  
16                           *port provided align with the mission or oc-*  
17                           *cupational specialty of any members of the*  
18                           *Armed Forces, including members of the re-*  
19                           *serve components, or units of the Armed*  
20                           *Forces, including the reserve components,*  
21                           *that are deployed.*

22                   “(2) *NOTIFICATION REQUIREMENT.*—*Not later*  
23                   *than 5 days after the date on which the Secretary de-*  
24                   *cides to provide assistance under paragraph (1), the*  
25                   *Secretary shall submit to the Committee on Armed*

1 *Services of the Senate and the Committee on Armed*  
2 *Services and the Committee on Homeland Security of*  
3 *the House of Representatives notice of such decision.”.*

4 *(b) REPORTING REQUIREMENTS.—Subsection (f) of*  
5 *such section is amended to read as follows:*

6 *“(f) REPORTS.—*

7 *“(1) REPORT REQUIRED.—Any time assistance*  
8 *is provided under subsection (a), not later than 30*  
9 *days after the date on which such assistance is first*  
10 *provided, and every three months thereafter during*  
11 *the period while such assistance is provided, the Sec-*  
12 *retary of Defense, in coordination with the Secretary*  
13 *of Homeland Security, shall submit to the Committee*  
14 *on Armed Services and the Committee on Homeland*  
15 *Security and Governmental Affairs of the Senate and*  
16 *the Committee on Armed Services and the Committee*  
17 *on Homeland Security of the House of Representa-*  
18 *tives a report that includes, for both the period cov-*  
19 *ered by the report and the total period of the deploy-*  
20 *ment, each of the following:*

21 *“(A) A description of the assistance pro-*  
22 *vided.*

23 *“(B) A description of the Armed Forces, in-*  
24 *cluding the reserve components, deployed as part*

1           *of such assistance, including an identification*  
2           *of—*

3                     *“(i) the members of the Armed Forces,*  
4                     *including members of the reserve compo-*  
5                     *nents, deployed, including specific informa-*  
6                     *tion about unit designation, size of unit,*  
7                     *and whether any personnel in the unit de-*  
8                     *ployed under section 12302 of title 10,*  
9                     *United States Code;*

10                    *“(ii) the readiness rating for each of*  
11                    *the units deployed, including specific infor-*  
12                    *mation about any impacts to planned*  
13                    *training exercises for any such unit;*

14                    *“(iii) the projected length of the de-*  
15                    *ployment and any special pay and incen-*  
16                    *tives for which deployed personnel may*  
17                    *qualify during the deployment;*

18                    *“(iv) any specific pre-deployment*  
19                    *training provided for such members of the*  
20                    *Armed Forces, including members of the re-*  
21                    *serve components;*

22                    *“(v) the specific missions and tasks, by*  
23                    *location, that are assigned to the members*  
24                    *of the Armed Forces, including members of*

1           *the reserve components, who are so de-*  
2           *ployed;*

3           “(vi) *the life support conditions and*  
4           *associated costs;*

5           “(vii) *the locations where units so de-*  
6           *ployed are conducting their assigned mis-*  
7           *sion, together with a map showing such lo-*  
8           *cations;*

9           “(viii) *a description of the rules and*  
10           *additional guidance applicable to the de-*  
11           *ployment, including the standing rules for*  
12           *the use of force for deployed personnel and*  
13           *the issuance of any weapons and ammuni-*  
14           *tion; and*

15           “(ix) *the plan to transition the func-*  
16           *tions performed by the members of the*  
17           *Armed Forces, including members of the re-*  
18           *serve components, to the Department of*  
19           *Homeland Security and Customs Border*  
20           *Protection.*

21           “(C) *The sources and amounts of funds ex-*  
22           *pende—*

23           “(i) *during the period covered by the*  
24           *report; and*

1                   “(ii) during the total period for which  
2                   such support has been provided.

3                   “(D) The amount of funds obligated—

4                   “(i) during the period covered by the  
5                   report; and

6                   “(ii) during the total period for which  
7                   such support has been provided.

8                   “(E) An assessment of the efficacy and cost-  
9                   effectiveness of such assistance in support of the  
10                  objectives and strategy of the Secretary of Home-  
11                  land Security to address the challenges on the  
12                  southern land border of the United States and  
13                  recommendations, if any, to enhance the effec-  
14                  tiveness of such assistance.

15                  “(2) FORM OF REPORT.—Each report submitted  
16                  under this subsection shall be submitted in unclassi-  
17                  fied form and without any designation relating to  
18                  dissemination control, but may include a classified  
19                  annex.”.

20                  (c) CLASSIFICATION.—The Law Revision Counsel is  
21                  directed to place this section in a note following section 284  
22                  of title 10, United States Code.

1 **SEC. 1045. BATTLEFIELD AIRBORNE COMMUNICATIONS**

2 **NODE CERTIFICATION REQUIREMENT.**

3 (a) *LIMITATION.*—*The Secretary of the Air Force may*  
4 *take no action that would prevent the Air Force from main-*  
5 *taining or operating the fleets of EQ-4 aircraft in the con-*  
6 *figurations and capabilities in effect on the date of the en-*  
7 *actment of this Act, or in improved configurations and ca-*  
8 *pabilities, before the date on which each of the three indi-*  
9 *vidual certifications described in subsection (b) have been*  
10 *submitted to the congressional defense committees.*

11 (b) *CERTIFICATIONS REQUIRED.*—*The certifications*  
12 *described in this subsection are the following;*

13 (1) *The written certification of the Chairman of*  
14 *the Joint Requirements Oversight Council that the re-*  
15 *placement capability for the EQ-4 aircraft will—*

16 (A) *be fielded at the same time or before the*  
17 *divestment of the EQ-4 aircraft;*

18 (B) *result in equal or greater capability*  
19 *available to the commanders of the combatant*  
20 *commanders; and*

21 (C) *not result in less airborne capacity or*  
22 *on-station time available to the commanders of*  
23 *the combatant commands.*

24 (2) *The written certification of the Commander*  
25 *of United States Central Command that the replace-*  
26 *ment capability for the EQ-4 aircraft will not result*

1        *in less airborne capacity or on-station time available*  
2        *for mission taskings that the EQ-4 provides, as of the*  
3        *date of the enactment of this Act, in the United States*  
4        *Central Command area of responsibility.*

5            *(3) The written certification of the Under Sec-*  
6        *retary of Defense for Acquisition and Sustainment*  
7        *that the validated operating and sustainment costs of*  
8        *the capability developed or fielded to replace an*  
9        *equivalent capacity the EQ-4 aircraft provides is less*  
10       *than the validated operating and sustainment costs*  
11       *for the EQ-4 aircraft on a comparable flight-hour cost*  
12       *basis.*

13        *(c) CALCULATION OF FLIGHT-HOUR COST BASIS.—For*  
14       *purposes of calculating the flight-hour cost basis under sub-*  
15       *section (b)(3), the Under Secretary shall include all costs*  
16       *for—*

- 17            *(1) Unit level manpower;*  
18            *(2) Unit operations;*  
19            *(3) maintenance;*  
20            *(4) sustaining support; and*  
21            *(5) system improvements.*

22        **SEC. 1046. REQUIREMENTS RELATING TO NEWEST GENERA-**  
23                            **TIONS OF PERSONAL PROTECTIVE EQUIP-**  
24                            **MENT.**

25        *(a) REPORTS.—*



1           (1) *REPORTS REQUIRED.*—Not later than Janu-  
2           ary 31, 2021, each Secretary of a military depart-  
3           ment shall submit to the congressional defense com-  
4           mittees a report on the development and fielding of  
5           the newest generations of personal protective equip-  
6           ment to the Armed Forces under the jurisdiction of  
7           such Secretary.

8           (2) *ELEMENTS.*—Each report under paragraph  
9           (1) shall include, for each Armed Force covered by  
10          such report, the following:

11           (A) A description and assessment of the de-  
12          velopment and fielding of the newest generations  
13          of personal protective equipment and auxiliary  
14          personal protective equipment to members of  
15          such Armed Force, including the following:

16           (i) The number (aggregated by total  
17          number and by sex) of members of such  
18          Armed Force issued the Army Soldiers Pro-  
19          tective System and the Modular Scalable  
20          Vest Generation II body armor as of Decem-  
21          ber 31, 2020.

22           (ii) The number (aggregated by total  
23          number and by sex) of members of such  
24          Armed Force issued Marine Corps Plate

1                   *Carrier Generation III (PC Gen III) body*  
2                   *armor as of that date.*

3                   (iii) *The number (aggregated by total*  
4                   *number and by sex) of members of such*  
5                   *Armed Force fitted with legacy personal*  
6                   *protective equipment as of that date.*

7                   (B) *A description and assessment of the*  
8                   *barriers, if any, to the development and fielding*  
9                   *of such generations of equipment to such mem-*  
10                   *bers.*

11                   (C) *A description and assessment of chal-*  
12                   *lenges in the development and fielding of such*  
13                   *generations of equipment to such members, in-*  
14                   *cluding cost overruns, contractor delays, and*  
15                   *other challenges.*

16                   (b) *SYSTEM FOR TRACKING DATA ON INJURIES.—*

17                   (1) *SYSTEM REQUIRED.—*

18                   (A) *IN GENERAL.—The Director of the De-*  
19                   *fense Health Agency (DHA) shall develop and*  
20                   *maintain a system for tracking data on injuries*  
21                   *among members of the Armed Forces in and dur-*  
22                   *ing the use of newest generation personal protec-*  
23                   *tive equipment.*

24                   (B) *SCOPE OF SYSTEM.—The system re-*  
25                   *quired by this subsection may, at the election of*

1           *the Director, be new for purposes of this sub-*  
2           *section or within or a modification of an appro-*  
3           *propriate existing system (such as the Defense Occu-*  
4           *pational And Environmental Health Readiness*  
5           *System (DOEHRS)).*

6           (2) *REPORT.*—*Not later than January 31, 2025,*  
7           *the Director shall submit to Congress a report on the*  
8           *prevalence among members of the Armed Forces of*  
9           *preventable injuries attributable to ill-fitting or mal-*  
10          *functioning personal protective equipment.*

11          (c) *INCLUSION IN ANNUAL PERIODIC HEALTH ASSESS-*  
12          *MENTS.*—*The annual Periodic Health Assessment (PHA) of*  
13          *members of the Armed Forces undertaken after the date of*  
14          *the enactment of this Act shall include one or more ques-*  
15          *tions on whether members incurred an injury in connection*  
16          *with ill-fitting or malfunctioning personal protective equip-*  
17          *ment during the period covered by such assessment, includ-*  
18          *ing the nature of such injury.*

19          ***SEC. 1047. PROHIBITION ON USE OF FUNDS FOR RETIRE-***  
20                                    ***MENT OF A-10 AIRCRAFT.***

21          (a) *PROHIBITION.*—*Notwithstanding sections 134 and*  
22          *135 of the National Defense Authorization Act for Fiscal*  
23          *Year 2017 (Public Law 114–328), except as provided in*  
24          *subsection (b), none of the funds authorized to be appro-*  
25          *priated by this Act or otherwise made available for fiscal*

1 *year 2021 for the Air Force may be obligated or expended*  
2 *to retire, prepare to retire, or place in storage or on backup*  
3 *aircraft inventory status any A-10 aircraft.*

4 *(b) EXCEPTION.—The limitation under subsection (a)*  
5 *shall not apply to any individual A-10 aircraft that the*  
6 *Secretary of the Air Force determines, on a case-by-case*  
7 *basis, to be no longer mission capable because of a mishap*  
8 *or other damage or because the aircraft is uneconomical to*  
9 *repair.*

10 **SEC. 1048. MANDATORY CRITERIA FOR STRATEGIC BASING**  
11 **DECISIONS.**

12 *(a) IN GENERAL.—The Secretary of the Air Force shall*  
13 *modify Air Force Instruction 10–503 (pertaining to the*  
14 *strategic basing process) to ensure that the process for the*  
15 *selection of a location in the United States for the strategic*  
16 *basing of an aircraft includes the following:*

17 *(1) A comparative analysis of the overall com-*  
18 *munity support for the mission among the candidate*  
19 *locations, as indicated by the formal comments re-*  
20 *ceived during the public comment period for the envi-*  
21 *ronmental impact statement relating to the basing de-*  
22 *cision and, in a case in which the Secretary selects*  
23 *a final location with less community support com-*  
24 *pared to other locations as indicated by such analysis,*

1        *an explanation of the operational considerations that*  
2        *formed the basis for such selection.*

3                *(2) An analysis of joint and all-domain training*  
4        *capabilities at each candidate location, separate from*  
5        *and in addition to the mission criteria developed for*  
6        *the basing action.*

7                *(3) A comparative analysis of the airspace and*  
8        *training areas available at each candidate location,*  
9        *separate from and in addition to the mission criteria*  
10       *developed for the basing action.*

11        *(b) REPORT REQUIRED.—Not later than 14 days after*  
12       *the date on which the Secretary of Defense publicly an-*  
13       *nounces the preferred and reasonable alternative locations*  
14       *for the basing of an aircraft as described in subsection (a),*  
15       *the Secretary shall submit to the congressional defense com-*  
16       *mittees a report that includes—*

17                *(1) an assessment of each candidate location that*  
18        *was considered as part of the basing process, includ-*  
19        *ing, with respect to each such location, an analysis of*  
20        *each of the factors specified in paragraphs (1) through*  
21        *(3) of such subsection; and*

22                *(2) an explanation of how each candidate loca-*  
23        *tion was scored against such factors, including the*  
24        *weight assigned to each factor.*

1 **SEC. 1049. LIMITATION ON USE OF FUNDS PENDING PUBLIC**  
2 **AVAILABILITY OF TOP-LINE NUMBERS OF DE-**  
3 **PLOYED MEMBERS OF THE ARMED FORCES.**

4 (a) *LIMITATION.*—Of the amounts authorized to be ap-  
5 propriated by this Act or otherwise made available for fiscal  
6 year 2020 for Operation and Maintenance, Defense-wide,  
7 Office of the Secretary of Defense, for Travel of Persons,  
8 not more than 75 percent may be obligated or expended  
9 until the date on which the Secretary of Defense makes pub-  
10 licly available the top-line numbers of deployed members  
11 of the Armed Forces described in subsection (b).

12 (b) *TOP-LINE NUMBERS DESCRIBED.*— The top-line  
13 numbers of deployed members of the Armed Forces referred  
14 to in subsection (a)—

15 (1) are the numbers required to be made publicly  
16 available under section 595 of the John S. McCain  
17 National Defense Authorization Act for Fiscal Year  
18 2019 (Public Law 115–232; 10 U.S.C. 122a note);

19 (2) shall include all such numbers for fiscal year  
20 2017 and each subsequent fiscal year; and

21 (3) shall include the number of personnel on tem-  
22 porary duty and the number of personnel deployed in  
23 support of contingency operations.

24 (c) *SENSITIVE MILITARY OPERATION.*—The require-  
25 ment under subsection (a) to make the top-line numbers of  
26 deployed members of the Armed Forces publicly available

1 *is not satisfied if the Secretary, in exercising the waiver*  
2 *authority under subsection (b) of section 595 of the John*  
3 *S. McCain National Defense Authorization Act for Fiscal*  
4 *Year 2019 (Public Law 115–232; 10 U.S.C. 122a note) does*  
5 *not submit the notice and reasons for the waiver determina-*  
6 *tion to Committees of Armed Services of the House of Rep-*  
7 *resentatives and the Senate as required under paragraph*  
8 *(2) of such subsection.*

9 **SEC. 1050. LIMITATION ON PHYSICAL MOVE, INTEGRATION,**  
10 **REASSIGNMENT, OR SHIFT IN RESPONSI-**  
11 **BILITY OF MARINE FORCES NORTHERN COM-**  
12 **MAND.**

13 (a) *LIMITATION.*—*The Secretary of Defense may not*  
14 *take any action to execute the physical move, integration,*  
15 *reassignment, or shift in responsibility of the Marine Forces*  
16 *Northern Command before the date that is 60 days after*  
17 *the date on which the Secretary submits the report described*  
18 *in subsection (b).*

19 (b) *REPORT.*—*If the Secretary of Defense plans to take*  
20 *any action to physically move, integrate, reassign, or shift*  
21 *the responsibility of Marine Forces Northern Command, the*  
22 *Secretary shall submit to the congressional defense commit-*  
23 *tees a report on such proposed action that includes each*  
24 *of the following:*

1           (1) *An analysis of how the proposed action*  
2           *would be beneficial to military readiness.*

3           (2) *A description of how the proposed action*  
4           *would align with the national defense strategy and*  
5           *the supporting strategies for each of the military de-*  
6           *partments.*

7           (3) *A description of the proposed organizational*  
8           *structure change associated with the action and how*  
9           *will it affect the relationship between Marine Forces*  
10          *Northern Command and administrative control re-*  
11          *sponsibilities, operational control responsibilities, and*  
12          *tactical control responsibilities.*

13          (4) *The projected cost associated with the pro-*  
14          *posed action and any projected long-term cost sav-*  
15          *ings.*

16          (5) *A detailed description of any requirements*  
17          *for new infrastructure or relocation of equipment and*  
18          *assets associated with the proposed action.*

19          (6) *A description of how the proposed action*  
20          *would facilitate total force integration and Marine*  
21          *Corps general officer progression, including with re-*  
22          *spect to the reserve components.*

23          (c) *WAIVER.—The Secretary may waive the limitation*  
24          *under subsection (a) if the Secretary determines such a*



1 *waiver is necessary by reason of hostilities or the imminent*  
2 *threat of hostilities.*

3       (d) *APPLICABILITY.*—*This section shall apply with re-*  
4 *spect to any action to execute the physical move, integra-*  
5 *tion, reassignment, or shift in responsibility of the Marine*  
6 *Forces Northern Command that is initiated on or after the*  
7 *date of the enactment of this Act. In the case of such an*  
8 *action that was initiated but not completed before the date*  
9 *of the enactment of this Act, no additional effort may be*  
10 *made to complete such action before the date that is 60 days*  
11 *after the date on which the Secretary submits the report*  
12 *described in subsection (b).*

13 **SEC. 1051. CONDITIONS FOR PERMANENTLY BASING**  
14 **UNITED STATES EQUIPMENT OR ADDITIONAL**  
15 **FORCES IN HOST COUNTRIES WITH AT-RISK**  
16 **VENDORS IN 5G OR 6G NETWORKS.**

17       (a) *IN GENERAL.*—*Prior to basing a major weapon*  
18 *system or additional permanently assigned forces com-*  
19 *parable to or larger than a battalion, squadron, or naval*  
20 *combatant for permanent basing to a host country with at-*  
21 *risk 5th generation (5G) or sixth generation (6G) wireless*  
22 *network equipment, software, and services, including sup-*  
23 *ply chain vulnerabilities identified by the Federal Acquisi-*  
24 *tion Security Council, where United States military per-*  
25 *sonnel and their families will be directly connected or sub-*

1 *scribers to networks that include such at-risk equipment,*  
2 *software, and services in their official duties or in the con-*  
3 *duct of personal affairs, the Secretary of Defense shall pro-*  
4 *vide a notification to the congressional defense committees*  
5 *that includes a description of—*

6           (1) *steps being taken by the host country to miti-*  
7 *gate any potential risks to the weapon systems, mili-*  
8 *tary units, or personnel, and the Department of De-*  
9 *fense’s assessment of those efforts;*

10           (2) *steps being taken by the United States Gov-*  
11 *ernment, separately or in collaboration with the host*  
12 *country, to mitigate any potential risks to the weapon*  
13 *systems, permanently deployed forces, or personnel;*

14           (3) *any defense mutual agreements between the*  
15 *host country and the United States intended to allay*  
16 *the costs of risk mitigation posed by the at-risk infra-*  
17 *structure; and*

18           (4) *any other matters the Secretary determines*  
19 *to be relevant.*

20           (b) *APPLICABILITY.—The conditions in subsection (a)*  
21 *apply to the permanent long-term stationing of equipment*  
22 *and permanently assigned forces, and do not apply to short-*  
23 *term deployments or rotational presence to military instal-*  
24 *lations outside the United States in connection with exer-*

1 *cises, dynamic force employment, contingency operations,*  
2 *or combat operations.*

3 (c) *REPORT.*—*Not later than one year after the date*  
4 *of the enactment of this Act, the Secretary of Defense shall*  
5 *submit to the congressional defense committees a report that*  
6 *contains an assessment of—*

7 (1) *the risk to personnel, equipment, and oper-*  
8 *ations of the Department of Defense in host countries*  
9 *posed by the current or intended use by such countries*  
10 *of 5G or 6G telecommunications architecture provided*  
11 *by at-risk vendors; and*

12 (2) *measures required to mitigate the risk de-*  
13 *scribed in paragraph (1), including the merit and*  
14 *feasibility of the relocation of certain personnel or*  
15 *equipment of the Department to another location*  
16 *without the presence of 5G or 6G telecommunications*  
17 *architecture provided by at-risk vendors.*

18 (d) *FORM.*—*The report required by subsection (c) shall*  
19 *be submitted in a classified form with an unclassified sum-*  
20 *mary.*

21 (e) *MAJOR WEAPON SYSTEM DEFINED.*—*In this sec-*  
22 *tion, the term “major weapon system” has the meaning*  
23 *given that term in section 2379(f) of title 10, United States*  
24 *Code.*

1 **TITLE XI—CIVILIAN PERSONNEL**  
2 **MATTERS**

3 **Subtitle A—General Provisions**

4 **SEC. 1101. FAMILY AND MEDICAL LEAVE AMENDMENTS.**

5 (a) *IN GENERAL.*—

6 (1) *PAID PARENTAL LEAVE FOR EMPLOYEES OF*  
7 *DISTRICT OF COLUMBIA COURTS AND DISTRICT OF CO-*  
8 *LUMBIA PUBLIC DEFENDER SERVICE.*—

9 (A) *DISTRICT OF COLUMBIA COURTS.*—*Sec-*  
10 *tion 11–1726, District of Columbia Official*  
11 *Code, is amended by adding at the end the fol-*  
12 *lowing new subsection:*

13 “(d) *In carrying out the Family and Medical Leave*  
14 *Act of 1993 (29 U.S.C. 2601 et seq.) with respect to non-*  
15 *judicial employees of the District of Columbia courts, the*  
16 *Joint Committee on Judicial Administration shall, not-*  
17 *withstanding any provision of such Act, establish a paid*  
18 *parental leave program for the leave described in subpara-*  
19 *graphs (A) and (B) of section 102(a)(1) of such Act (29*  
20 *U.S.C. 2612(a)(1)) (relating to leave provided in connection*  
21 *with the birth of a child or the placement of a child for*  
22 *adoption or foster care). In developing the terms and condi-*  
23 *tions for this program, the Joint Committee may be guided*  
24 *by the terms and conditions applicable to the provision of*  
25 *paid parental leave for employees of the Federal Govern-*

1 *ment under chapter 63 of title 5, United States Code, and*  
2 *any corresponding regulations.”.*

3 (B) *DISTRICT OF COLUMBIA PUBLIC DE-*  
4 *FENDER SERVICE.—Section 305 of the District of*  
5 *Columbia Court Reform and Criminal Procedure*  
6 *Act of 1970 (sec. 2–1605, D.C. Official Code) is*  
7 *amended by adding at the end the following new*  
8 *subsection:*

9 “(d) *In carrying out the Family and Medical Leave*  
10 *Act of 1993 (29 U.S.C. 2601 et seq.) with respect to employ-*  
11 *ees of the Service, the Director shall, notwithstanding any*  
12 *provision of such Act, establish a paid parental leave pro-*  
13 *gram for the leave described in subparagraphs (A) and (B)*  
14 *of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)) (re-*  
15 *lating to leave provided in connection with the birth of a*  
16 *child or the placement of a child for adoption or foster care).*  
17 *In developing the terms and conditions for this program,*  
18 *the Director may be guided by the terms and conditions*  
19 *applicable to the provision of paid parental leave for em-*  
20 *ployees of the Federal Government under chapter 63 of title*  
21 *5, United States Code, and any corresponding regula-*  
22 *tions.”.*

23 (2) *CLARIFICATION OF USE OF OTHER LEAVE IN*  
24 *ADDITION TO 12 WEEKS AS FAMILY AND MEDICAL*  
25 *LEAVE.—*

1           (A) *TITLE 5.—Section 6382(a) of title 5,*  
2           *United States Code, as amended by section 7602*  
3           *of the National Defense Authorization Act for*  
4           *Fiscal Year 2020 (Public Law 116–92), is*  
5           *amended—*

6                   (i) *in paragraph (1), in the matter*  
7                   *preceding subparagraph (A), by inserting*  
8                   *“(or, in the case of leave that includes leave*  
9                   *under subparagraph (A) or (B) of this*  
10                   *paragraph, 12 administrative workweeks of*  
11                   *leave plus any additional period of leave*  
12                   *used under subsection (d)(2)(B)(i))” after*  
13                   *“12 administrative workweeks of leave”;*  
14                   *and*

15                   (ii) *in paragraph (4), by inserting*  
16                   *“(or 26 administrative workweeks of leave*  
17                   *plus any additional period of leave used*  
18                   *under subsection (d)(2)(B)(i))” after “26*  
19                   *administrative workweeks of leave”.*

20           (B) *CONGRESSIONAL EMPLOYEES.—Section*  
21           *202(a)(1) of the Congressional Accountability*  
22           *Act of 1995 (2 U.S.C. 1312(a)(1)), as amended*  
23           *by section 7603 of the National Defense Author-*  
24           *ization Act for Fiscal Year 2020 (Public Law*  
25           *116–92), is amended—*

1           (i) *in the second sentence, by inserting*  
2           *“and in the case of leave that includes leave*  
3           *for such an event, the period of leave to*  
4           *which a covered employee is entitled under*  
5           *section 102(a)(1) of such Act shall be 12 ad-*  
6           *ministrative workweeks of leave plus any*  
7           *additional period of leave used under sub-*  
8           *section (d)(2)(B) of this section” before the*  
9           *period; and*

10           (ii) *by striking the third sentence and*  
11           *inserting the following: “For purposes of*  
12           *applying section 102(a)(4) of such Act, in*  
13           *the case of leave that includes leave under*  
14           *subparagraph (A) or (B) of section*  
15           *102(a)(1) of such Act, a covered employee is*  
16           *entitled, under paragraphs (1) and (3) of*  
17           *section 102(a) of such Act, to a combined*  
18           *total of 26 workweeks of leave plus any ad-*  
19           *ditional period of leave used under sub-*  
20           *section (d)(2)(B) of this section.”.*

21           (C) *OTHER EMPLOYEES COVERED UNDER*  
22           *THE FAMILY AND MEDICAL LEAVE ACT OF 1993.—*  
23           *Section 102(a) of the Family and Medical Leave*  
24           *Act of 1993 (29 U.S.C. 2611(a)) is amended by*  
25           *adding at the end the following:*

1           “(6) *SPECIAL RULES ON PERIOD OF LEAVE.*—  
2           *With respect to an employee of the Government Ac-*  
3           *countability Office and an employee of the Library of*  
4           *Congress—*

5                     “(A) *in the case of leave that includes leave*  
6                     *under subparagraph (A) or (B) of paragraph*  
7                     *(1), the employee shall be entitled to 12 adminis-*  
8                     *trative workweeks of leave plus any additional*  
9                     *period of leave used under subsection*  
10                    *(d)(3)(B)(ii) of this section or section*  
11                    *202(d)(2)(B) of the Congressional Accountability*  
12                    *Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case*  
13                    *may be; and*

14                    “(B) *for purposes of paragraph (4), the em-*  
15                    *ployee is entitled, under paragraphs (1) and (3),*  
16                    *to a combined total of 26 workweeks of leave*  
17                    *plus, if applicable, any additional period of*  
18                    *leave used under subsection (d)(3)(B)(ii) of this*  
19                    *section or section 202(d)(2)(B) of the Congres-*  
20                    *sional Accountability Act of 1995 (2 U.S.C.*  
21                    *1312(d)(2)(B)), as the case may be.”.*

22                    (3) *APPLICABILITY.*—*The amendments made by*  
23                    *this subsection shall not be effective with respect to*  
24                    *any birth or placement occurring before October 1,*  
25                    *2020.*



1           (b) *PAID PARENTAL LEAVE FOR PRESIDENTIAL EM-*  
2 *PLOYEES.—*

3           (1) *AMENDMENTS TO CHAPTER 5 OF TITLE 3,*  
4 *UNITED STATES CODE.—Section 412 of title 3, United*  
5 *States Code, is amended—*

6           (A) *in subsection (a)(1), by adding at the*  
7 *end the following: “In applying section 102 of*  
8 *such Act with respect to leave for an event de-*  
9 *scribed in subsection (a)(1)(A) or (B) of such sec-*  
10 *tion to covered employees, subsection (c) of this*  
11 *section shall apply and in the case of leave that*  
12 *includes leave for such an event, the period of*  
13 *leave to which a covered employee is entitled*  
14 *under section 102(a)(1) of such Act shall be 12*  
15 *administrative workweeks of leave plus any ad-*  
16 *ditional period of leave used under subsection*  
17 *(c)(2)(B) of this section. For purposes of apply-*  
18 *ing section 102(a)(4) of such Act, in the case of*  
19 *leave that includes leave under subparagraph (A)*  
20 *or (B) of section 102(a)(1) of such Act, a covered*  
21 *employee is entitled, under paragraphs (1) and*  
22 *(3) of section 102(a) of such Act, to a combined*  
23 *total of 26 workweeks of leave plus any addi-*  
24 *tional period of leave used under subsection*  
25 *(c)(2)(B) of this section.”;*

1                   (B) by redesignating subsections (c) and (d)  
2                   as subsections (d) and (e), respectively;

3                   (C) by inserting after subsection (b) the fol-  
4                   lowing:

5                   “(c) *SPECIAL RULE FOR PAID PARENTAL LEAVE.*—

6                   “(1) *SUBSTITUTION OF PAID LEAVE.*—A covered  
7                   employee may elect to substitute for any leave without  
8                   pay under subparagraph (A) or (B) of section  
9                   102(a)(1) of the Family and Medical Leave Act of  
10                  1993 (29 U.S.C. 2612(a)(1)) any paid leave which is  
11                  available to such employee for that purpose.

12                  “(2) *AMOUNT OF PAID LEAVE.*—The paid leave  
13                  that is available to a covered employee for purposes  
14                  of paragraph (1) is—

15                  “(A) the number of weeks of paid parental  
16                  leave in connection with the birth or placement  
17                  involved that corresponds to the number of ad-  
18                  ministrative workweeks of paid parental leave  
19                  available to employees under section  
20                  6382(d)(2)(B)(i) of title 5, United States Code;  
21                  and

22                  “(B) during the 12-month period referred to  
23                  in section 102(a)(1) of the Family and Medical  
24                  Leave Act of 1993 (29 U.S.C. 2612(a)(1)) and in  
25                  addition to the administrative workweeks de-

1           *scribed in subparagraph (A), any additional*  
2           *paid vacation, personal, family, medical, or sick*  
3           *leave provided by the employing office to such*  
4           *employee.*

5           “(3) *LIMITATION.*—*Nothing in this section or*  
6           *section 102(d)(2)(A) of the Family and Medical Leave*  
7           *Act of 1993 (29 U.S.C. 2612(d)(2)(A)) shall be consid-*  
8           *ered to require or permit an employing office to re-*  
9           *quire that an employee first use all or any portion of*  
10          *the leave described in paragraph (2)(B) before being*  
11          *allowed to use the paid parental leave described in*  
12          *paragraph (2)(A).*

13          “(4) *ADDITIONAL RULES.*—*Paid parental leave*  
14          *under paragraph (2)(A)—*

15                 “(A) *shall be payable from any appropria-*  
16                 *tion or fund available for salaries or expenses for*  
17                 *positions within the employing office;*

18                 “(B) *if not used by the covered employee be-*  
19                 *fore the end of the 12-month period (as referred*  
20                 *to in section 102(a)(1) of the Family and Med-*  
21                 *ical Leave Act of 1993 (29 U.S.C. 2612(a)(1))*  
22                 *to which it relates, shall not accumulate for any*  
23                 *subsequent use; and*

24                 “(C) *shall apply without regard to the limi-*  
25                 *tations in subparagraph (E), (F), or (G) of sec-*

1           tion 6382(d)(2) of title 5, United States Code, or  
2           section 104(c)(2) of the Family and Medical  
3           Leave Act of 1993 (29 U.S.C. 2614(c)(2)).”; and

4           (D) in subsection (e)(1), as so redesignated,  
5           by striking “subsection (c)” and inserting “sub-  
6           section (d)”.

7           (2) *APPLICABILITY.*—The amendments made by  
8           this subsection shall not be effective with respect to  
9           any birth or placement occurring before October 1,  
10          2020.

11         (c) *FAA AND TSA.*—

12           (1) *FAA.*—

13           (A) *IN GENERAL.*—Paragraph (3) of section  
14           102(d) of the Family and Medical Leave Act of  
15           1993 (29 U.S.C. 2612(d)(3)), as added by section  
16           7604 of the National Defense Authorization Act  
17           for Fiscal Year 2020 (Public Law 116–92), is  
18           amended—

19           (i) in the paragraph heading, by in-  
20           serting “AND FEDERAL AVIATION ADMINIS-  
21           TRATION” after “GAO”;

22           (ii) in subparagraphs (A) and (B), by  
23           striking “the Government Accountability  
24           Office” in each instance and inserting “the

1           *Government Accountability Office or the*  
2           *Federal Aviation Administration”*; and

3                   *(iii) in subparagraph (D)(i), by strik-*  
4           *ing “the Government Accountability Office”*  
5           *and inserting “the Government Account-*  
6           *ability Office or the Federal Aviation Ad-*  
7           *ministration (as the case may be)”*.

8           *(B) APPLICABILITY.—The amendments*  
9           *made by subparagraph (A) shall not be effective*  
10           *with respect to any birth or placement occurring*  
11           *before October 1, 2020.*

12           *(2) CORRECTIONS FOR TSA SCREENERS.—Sec-*  
13           *tion 7606 of the National Defense Authorization Act*  
14           *for Fiscal Year 2020 (Public Law 116–92) is amend-*  
15           *ed—*

16                   *(A) by striking “Section 111(d)(2)” and in-*  
17           *serting the following:*

18           *“(a) IN GENERAL.—Section 111(d)(2)”*; and

19                   *(B) by adding at the end the following:*

20           *“(b) EFFECTIVE DATE; APPLICATION.—*

21                   *(1) IN GENERAL.—The amendment made by*  
22           *subsection (a) shall not be effective with respect to*  
23           *any event for which leave may be taken under sub-*  
24           *chapter V of chapter 63 of title 5, United States Code,*  
25           *occurring before October 1, 2020.*

1           “(2) *APPLICATION TO SERVICE REQUIREMENT*  
2           *FOR ELIGIBILITY.*—*For purposes of applying the pe-*  
3           *riod of service requirement under subparagraph (B)*  
4           *of section 6381(1) to an individual appointed under*  
5           *section 111(d)(1) of the Aviation and Transportation*  
6           *Security Act (49 U.S.C. 44935 note), the amendment*  
7           *made by subsection (a) of this section shall apply*  
8           *with respect to any period of service by the individual*  
9           *under such an appointment, including service before*  
10           *the effective date of such amendment.”.*

11           *(d) TITLE 38 EMPLOYEES.*—

12           (1) *IN GENERAL.*—*Section 7425 of title 38,*  
13           *United States Code, is amended—*

14                   (A) *in subsection (b), by striking “Notwith-*  
15                   *standing” and inserting “Except as provided in*  
16                   *subsection (c), and notwithstanding”;* and

17                   (B) *by adding at the end the following:*

18           “(c) *Notwithstanding any other provision of this sub-*  
19           *chapter, the Administration shall provide to individuals*  
20           *appointed to any position described in section 7421(b) who*  
21           *are employed by the Administration family and medical*  
22           *leave in the same manner, to the maximum extent prac-*  
23           *ticable, as family and medical leave is provided under sub-*  
24           *chapter V of chapter 63 of title 5 to employees, as defined*  
25           *in section 6381(1) of such title.”.*

1           (2) *APPLICABILITY.*—*The amendments made by*  
2           *paragraph (1) shall not be effective with respect to*  
3           *any event for which leave may be taken under sub-*  
4           *chapter V of chapter 63 of title 5, United States Code,*  
5           *occurring before October 1, 2020.*

6           (e) *ARTICLE I JUDGES.*—

7           (1) *BANKRUPTCY JUDGES.*—*Section 153(d) of*  
8           *title 28, United States Code, is amended—*

9                   (A) *by striking “A bankruptcy judge” and*  
10                   *inserting “(1) Except as provided in paragraph*  
11                   *(2), a bankruptcy judge”; and*

12                   (B) *by adding at the end the following:*

13           *“(2) The provisions of subchapter V of chapter 63 of*  
14           *title 5 shall apply to a bankruptcy judge as if the bank-*  
15           *ruptcy judge were an employee (within the meaning of sub-*  
16           *paragraph (A) of section 6381(1) of such title).”.*

17           (2) *MAGISTRATE JUDGES.*—*Section 631(k) of*  
18           *title 28, United States Code, is amended—*

19                   (A) *by striking “A United States magistrate*  
20                   *judge” and inserting “(1) Except as provided in*  
21                   *paragraph (2), a United States magistrate*  
22                   *judge”; and*

23                   (B) *by adding at the end the following:*

24           *“(2) The provisions of subchapter V of chapter 63 of*  
25           *title 5 shall apply to a United States magistrate judge as*

1 *if the United States magistrate judge were an employee*  
2 *(within the meaning of subparagraph (A) of section 6381(1)*  
3 *of such title).”.*

4 (3) *APPLICABILITY.—The amendments made by*  
5 *this subsection shall not be effective with respect to*  
6 *any birth or placement occurring before October 1,*  
7 *2020.*

8 (f) *TECHNICAL CORRECTIONS.—*

9 (1) *Section 7605 of the National Defense Author-*  
10 *ization Act for Fiscal Year 2020 (Public Law 116-*  
11 *92) is amended by striking “on active duty” each*  
12 *place it appears and inserting “on covered active*  
13 *duty”.*

14 (2) *Subparagraph (E) of section 6382(d)(2) of*  
15 *title 5, United States Code, as added by section 7602*  
16 *of the National Defense Authorization Act for Fiscal*  
17 *Year 2020 (Public Law 116–92), is amended by strik-*  
18 *ing “the requirement to complete” and all that follows*  
19 *and inserting “the service requirement under sub-*  
20 *paragraph (B) of section 6381(1).”.*

21 (3) *Section 202(d)(2)(B) of the Congressional Ac-*  
22 *countability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as*  
23 *amended by section 7603 of the National Defense Au-*  
24 *thorization Act for Fiscal Year 2020 (Public Law*



1 116–92), is amended by inserting “accrued” before  
2 “sick leave”.

3 (g) *EFFECTIVE DATE.*—The amendments made by this  
4 section shall take effect as if enacted immediately after the  
5 enactment of the National Defense Authorization Act for  
6 Fiscal Year 2020 (Public Law 116–92).

7 **SEC. 1102. LIMITATION ON AUTHORITY TO EXCLUDE EM-**  
8 **PLOYEES FROM CHAPTER 71 OF TITLE 5.**

9 None of the funds authorized to be appropriated by this  
10 Act or otherwise made available for fiscal year 2021 for the  
11 Department of Defense may be used to carry out the author-  
12 ity provided under section 7103(b) of title 5, United States  
13 Code, to exclude the Department of Defense or any agency  
14 or subdivision thereof from coverage under chapter 71 of  
15 such title.

16 **SEC. 1103. AUTHORITY TO PROVIDE TRAVEL AND TRANS-**  
17 **PORTATION ALLOWANCES IN CONNECTION**  
18 **WITH TRANSFER CEREMONIES OF DEPART-**  
19 **MENT OF DEFENSE AND COAST GUARD CIVIL-**  
20 **IAN EMPLOYEES WHO DIE OVERSEAS.**

21 (a) *TRAVEL AND TRANSPORTATION ALLOWANCES.*—

22 (1) *IN GENERAL.*—Subchapter II of chapter 75 of  
23 title 10, United States Code, is amended by adding  
24 at the end the following new section:

1 **“§ 1492. Authority to provide travel and transpor-**  
 2 **tation allowances in connection with**  
 3 **transfer ceremonies of department of de-**  
 4 **fense and coast guard civilian employees**  
 5 **who die overseas**

6 *“The Secretary of the military department concerned,*  
 7 *the agency head of a Defense Agency or Department of De-*  
 8 *fense Field Activity, or the Secretary of Homeland Security,*  
 9 *as appropriate, may provide round trip travel and trans-*  
 10 *portation allowances in connection with ceremonies for the*  
 11 *transfer of a Department of Defense or Coast Guard civilian*  
 12 *employee who dies while located or serving overseas to eligi-*  
 13 *ble relatives and provide for the accompaniment of such*  
 14 *persons to the same extent as the Secretary of Defense may*  
 15 *provide such travel and transportation allowances and ac-*  
 16 *companiment services to such persons with respect to a de-*  
 17 *ceased service member under chapter 8 of title 37.”.*

18 (2) *CLERICAL AMENDMENT.—The table of con-*  
 19 *tents at the beginning of such subchapter is amended*  
 20 *by adding at the end the following new item:*

*“1492. Authority to provide travel and transportation allowances in connection with transfer ceremonies of department of defense and coast guard civilian employees who die overseas.”.*

21 (b) *TECHNICAL AMENDMENTS.—Section 481f(d) of*  
 22 *title 37, United States Code, is amended—*

23 (1) *in the subsection heading, by striking*  
 24 *“TRANSPORTATION TO” and inserting “TRAVEL AND*

1        *TRANSPORTATION ALLOWANCES IN CONNECTION*  
2        *WITH*”; and

3                (2) *in paragraph (1) in the matter preceding*  
4        *subparagraph (A), by striking “transportation to”*  
5        *and inserting “travel and transportation allowances*  
6        *in connection with”.*

7        **SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE**  
8                **ANNUAL LIMITATION ON PREMIUM PAY AND**  
9                **AGGREGATE LIMITATION ON PAY FOR FED-**  
10                **ERAL CIVILIAN EMPLOYEES WORKING OVER-**  
11                **SEAS.**

12        *Subsection (a) of section 1101 of the Duncan Hunter*  
13        *National Defense Authorization Act for Fiscal Year 2009*  
14        *(Public Law 110–417; 122 Stat. 4615), as most recently*  
15        *amended by section 1105 of the National Defense Authoriza-*  
16        *tion Act for Fiscal Year 2020 (Public Law 116–92), is fur-*  
17        *ther amended by striking “through 2020” and inserting*  
18        *“through 2021”.*

19        **SEC. 1105. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**  
20                **ITY TO GRANT ALLOWANCES, BENEFITS, AND**  
21                **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**  
22                **FICIAL DUTY IN A COMBAT ZONE.**

23        *Paragraph (2) of section 1603(a) of the Emergency*  
24        *Supplemental Appropriations Act for Defense, the Global*  
25        *War on Terror, and Hurricane Recovery, 2006 (Public Law*

1 109–234; 120 Stat. 443), as added by section 1102 of the  
2 Duncan Hunter National Defense Authorization Act for  
3 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)  
4 and as most recently amended by section 1104 of the Na-  
5 tional Defense Authorization Act for Fiscal Year 2020 (Pub-  
6 lic Law 116–92), is further amended by striking “2021”  
7 and inserting “2022”.

8 **SEC. 1106. LIMITING THE NUMBER OF LOCAL WAGE AREAS**  
9 **DEFINED WITHIN A PAY LOCALITY.**

10 (a) *LOCAL WAGE AREA LIMITATION.*—Section 5343(a)  
11 of title 5, United States Code, is amended—

12 (1) in paragraph (1)(B)(i), by striking “(but  
13 such” and all that follows through “are employed”;

14 (2) in paragraph (4), by striking “and” after the  
15 semicolon;

16 (3) in paragraph (5), by striking the period at  
17 the end and inserting “; and”; and

18 (4) by adding at the end of the following:

19 “(6) the Office of Personnel Management may  
20 define not more than 1 local wage area within a pay  
21 locality, except that this paragraph shall not apply to  
22 the pay locality designated as ‘Rest of United  
23 States’.”.

24 (b) *PAY LOCALITY DEFINED.*—Section 5342(a) of title  
25 5, United States Code, is amended—

1           (1) *in paragraph (2)(C), by striking “and” at*  
2           *the end;*

3           (2) *in paragraph (3), by striking the period at*  
4           *the end and inserting “; and”; and*

5           (3) *by adding at the end the following:*

6           “(4) ‘pay locality’ has the meaning given that  
7           term under section 5302(5).”.

8           (c) *REGULATIONS.—The Director of the Office of Per-*  
9           *sonnel Management shall prescribe any regulations nec-*  
10           *essary to carry out this section and the amendments made*  
11           *by this section, including regulations to ensure that this sec-*  
12           *tion and the amendments made by this section shall not*  
13           *have the effect of reducing any rate of basic pay payable*  
14           *to any individual who is serving as a prevailing rate em-*  
15           *ployee (as defined under section 5342(a)(2) of title 5,*  
16           *United States Code).*

17           (d) *EFFECTIVE DATE.—This section and the amend-*  
18           *ments made by this section shall apply with respect to fiscal*  
19           *year 2022 and each fiscal year thereafter.*

20           **SEC. 1107. CIVILIAN FACULTY AT THE DEFENSE SECURITY**  
21                           **COOPERATION UNIVERSITY AND INSTITUTE**  
22                           **OF SECURITY GOVERNANCE.**

23           *Section 1595(c) of title 10, United States Code, is*  
24           *amended by adding at the end the following:*

1           “(6) *The Defense Security Cooperation Univer-*  
2           *sity.*”

3           “(7) *The Defense Institute for Security Govern-*  
4           *ance.*”.

5   **SEC. 1108. EXPANSION OF AUTHORITY FOR APPOINTMENT**  
6                   **OF RECENTLY-RETIRED MEMBERS OF THE**  
7                   **ARMED FORCES TO POSITIONS AT CERTAIN**  
8                   **INDUSTRIAL BASE FACILITIES.**

9           (a) *IN GENERAL.*—Subsection (b) of section 3326 of  
10 *title 5, United States Code, is amended—*

11           (1) *in paragraph (1), by striking “or” at the*  
12           *end;*

13           (2) *in paragraph (2), by striking the period at*  
14           *the end and inserting “; or”; and*

15           (3) *by adding at the end the following:*

16           “(3) *the proposed appointment is to a position*  
17           *in the competitive service—*

18                   “(A) *at any industrial base facility (as that*  
19                   *term is defined in section 2208(u)(3) of title 10)*  
20                   *that is part of the core logistics capabilities (as*  
21                   *described in section 2464(a) of such title); and*

22                   “(B) *that has been certified by the Secretary*  
23                   *concerned as lacking sufficient numbers of quali-*  
24                   *fied applicants.*”.

1           (b) *LIMITATION ON DELEGATION OF CERTIFICATION*  
 2 *AUTHORITY.*—*Such section 3326 is further amended by*  
 3 *adding at the end the following:*

4           “(d) *The authority to make a certification described*  
 5 *in subsection (b)(3) may not be delegated to an individual*  
 6 *with a grade lower than colonel, or captain in the Navy,*  
 7 *or an individual with an equivalent civilian grade.”.*

8           (c) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
 9 *that the amendments made by subsections (a) and (b) shall*  
 10 *supplement, and not provide any exception to, the competi-*  
 11 *tive hiring process for the Federal civil service.*

12 **SEC. 1109. FIRE FIGHTERS ALTERNATIVE WORK SCHEDULE**  
 13 **DEMONSTRATION PROJECT.**

14           (a) *IN GENERAL.*—*Not later than 180 days after the*  
 15 *date of enactment of this Act, the Commander, Navy Region*  
 16 *Mid-Atlantic, shall establish and carry out, for a period of*  
 17 *not less than 5 years, a Fire Fighters Alternative Work*  
 18 *Schedule demonstration project for the Navy Region Mid-*  
 19 *Atlantic Fire and Emergency Services. Such demonstration*  
 20 *project shall provide, with respect to each Services employee,*  
 21 *that—*

22                   (1) *assignments to tours of duty are scheduled in*  
 23 *advance over periods of not less than two weeks;*

24                   (2) *tours of duty are scheduled using a regularly*  
 25 *recurring pattern of 48-hour shifts followed by 48 or*

1       72 consecutive non-work hours, as determined by mu-  
2       tual agreement between the Navy Region Mid-Atlantic  
3       and the exclusive employee representative at each  
4       Navy Region Mid-Atlantic Installation, in such a  
5       manner that each employee is regularly scheduled for  
6       144-hours in any two-week period;

7               (3) for any such employee that is a fire fighter  
8       working an alternative work schedule, such employee  
9       shall earn overtime compensation in a manner con-  
10      sistent with other applicable law and regulation;

11              (4) no right shall be established to any form of  
12      premium pay, including night, Sunday, holiday, or  
13      hazard duty pay; and

14              (5) leave accrual and use shall be consistent with  
15      other applicable law and regulation.

16      (b) *REPORT.*—Not later than 180 days following the  
17      end of such demonstration project, the Commander, Navy  
18      Region Mid-Atlantic, shall submit a report to the Commit-  
19      tees on Armed Services of the House of Representatives and  
20      the Senate detailing—

21              (1) any financial savings or expenses directly  
22      and inseparably linked to the demonstration project;

23              (2) any intangible quality of life and morale im-  
24      provements achieved by the demonstration project;  
25      and



1           (3) any adverse impact of the demonstration  
2           project occurring solely as the result of the transition  
3           to the demonstration project.

4 **SEC. 1110. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**  
5           **ERS' COMPENSATION PAYMENTS AND OTHER**  
6           **PAYMENTS FOR FEDERAL GOVERNMENT PER-**  
7           **SONNEL UNDER CHIEF OF MISSION AUTHOR-**  
8           **ITY.**

9           Section 901 of title IX of division J of the Further  
10          Consolidated Appropriations Act, 2020 (Public Law 116–  
11          94; 22 U.S.C. 2680b) is amended—

12           (1) in subsection (a), by inserting “or the head  
13           of any other Federal agency” after “The Secretary of  
14           State”;

15           (2) in subsection (e)(2)—

16                   (A) by striking “the Department of State”  
17                   and inserting “the Federal Government”; and

18                   (B) by inserting after “subsection (f)” the  
19                   following: “, but does not include an individual  
20                   receiving compensation under section 19A of the  
21                   Central Intelligence Agency Act of 1949 (50  
22                   U.S.C. 3519b)”; and

23           (3) in subsection (h)(2), by striking the first sen-  
24           tence and inserting the following: “Nothing in this  
25           section shall limit, modify, or otherwise supersede

1 *chapter 81 of title 5, United States Code, the Defense*  
2 *Base Act (42 U.S.C. 1651 et seq.), or section 19A of*  
3 *the Central Intelligence Agency Act of 1949 (50*  
4 *U.S.C. 3519b).”.*

5 ***Subtitle B—Elijah E. Cummings***  
6 ***Federal Employee Antidiscrimi-***  
7 ***nation Act of 2020***

8 ***SEC. 1121. SHORT TITLE.***

9 *This subtitle may be cited as the “Elijah E. Cummings*  
10 *Federal Employee Antidiscrimination Act of 2020”.*

11 ***SEC. 1122. SENSE OF CONGRESS.***

12 *Section 102 of the Notification and Federal Employee*  
13 *Antidiscrimination and Retaliation Act of 2002 (5 U.S.C.*  
14 *2301 note) is amended—*

15 *(1) by striking paragraph (4) and inserting the*  
16 *following:*

17 *“(4) accountability in the enforcement of the*  
18 *rights of Federal employees is furthered when Federal*  
19 *agencies agree to take appropriate disciplinary action*  
20 *against Federal employees who are found to have in-*  
21 *tentionally committed discriminatory (including re-*  
22 *taliatory) acts;”;* and

23 *(2) in paragraph (5)(A)—*

24 *(A) by striking “nor is accountability” and*  
25 *inserting “accountability is not”; and*

1                   (B) by inserting “for what, by law, the  
2                   agency is responsible” after “under this Act”.

3 **SEC. 1123. NOTIFICATION OF VIOLATION.**

4           Section 202 of the Notification and Federal Employee  
5 Antidiscrimination and Retaliation Act of 2002 (5 U.S.C.  
6 2301 note) is amended by adding at the end the following:

7           “(d) NOTIFICATION OF FINAL AGENCY ACTION.—

8                   “(1) IN GENERAL.—Not later than 90 days after  
9                   the date on which an event described in paragraph  
10                   (2) occurs with respect to a finding of discrimination  
11                   (including retaliation), the head of the Federal agency  
12                   subject to the finding shall provide notice—

13                           “(A) on the public internet website of the  
14                           agency, in a clear and prominent location linked  
15                           directly from the home page of that website;

16                           “(B) stating that a finding of discrimina-  
17                           tion (including retaliation) has been made; and

18                           “(C) which shall remain posted for not less  
19                           than 1 year.

20                   “(2) EVENTS DESCRIBED.—An event described in  
21                   this paragraph is any of the following:

22                           “(A) All appeals of a final action by a Fed-  
23                           eral agency involving a finding of discrimina-  
24                           tion (including retaliation) prohibited by a pro-

1           *vision of law covered by paragraph (1) or (2) of*  
2           *section 201(a) have been exhausted.*

3           “(B) *All appeals of a final decision by the*  
4           *Equal Employment Opportunity Commission*  
5           *involving a finding of discrimination (including*  
6           *if the finding included a finding of retaliation)*  
7           *prohibited by a provision of law covered by*  
8           *paragraph (1) or (2) of section 201(a) have been*  
9           *exhausted.*

10           “(C) *A court of jurisdiction issues a final*  
11           *judgment involving a finding of discrimination*  
12           *(including retaliation) prohibited by a provision*  
13           *of law covered by paragraph (1) or (2) of section*  
14           *201(a).*

15           “(3) *CONTENTS.—A notification provided under*  
16           *paragraph (1) with respect to a finding of discrimi-*  
17           *nation (including retaliation) shall—*

18           “(A) *identify the date on which the finding*  
19           *was made, the date on which each discrimina-*  
20           *tory act occurred, and the law violated by each*  
21           *such discriminatory act; and*

22           “(B) *advise Federal employees of the rights*  
23           *and protections available under the provisions of*  
24           *law covered by paragraphs (1) and (2) of section*  
25           *201(a).”.*

1 **SEC. 1124. REPORTING REQUIREMENTS.**

2 (a) *ELECTRONIC FORMAT REQUIREMENT.*—

3 (1) *IN GENERAL.*—Section 203(a) of the *Notifica-*  
4 *tion and Federal Employee Antidiscrimination and*  
5 *Retaliation Act of 2002 (5 U.S.C. 2301 note)* is  
6 *amended in the matter preceding paragraph (1)*—

7 (A) *by inserting “Homeland Security and”*  
8 *before “Governmental Affairs”;*

9 (B) *by striking “on Government Reform”*  
10 *and inserting “on Oversight and Reform”;* and

11 (C) *by inserting “(in an electronic format*  
12 *prescribed by the Director of the Office of Per-*  
13 *sonnel Management),” after “an annual report”.*

14 (2) *EFFECTIVE DATE.*—*The amendment made by*  
15 *paragraph (1)(C) shall take effect on the date that is*  
16 *1 year after the date of enactment of this Act.*

17 (3) *TRANSITION PERIOD.*—*Notwithstanding the*  
18 *requirements of section 203(a) of the Notification and*  
19 *Federal Employee Antidiscrimination and Retalia-*  
20 *tion Act of 2002 (5 U.S.C. 2301 note), the report re-*  
21 *quired under such section 203(a) may be submitted in*  
22 *an electronic format, as prescribed by the Director of*  
23 *the Office of Personnel Management, during the pe-*  
24 *riod beginning on the date of enactment of this Act*  
25 *and ending on the effective date in paragraph (2).*

1           **(b) REPORTING REQUIREMENT FOR DISCIPLINARY AC-**  
2 **TION.**—*Section 203 of the Notification and Federal Em-*  
3 *ployee Antidiscrimination and Retaliation Act of 2002 (5*  
4 *U.S.C. 2301 note) is amended by adding at the end the fol-*  
5 *lowing:*

6           “(c) **DISCIPLINARY ACTION REPORT.**—*Not later than*  
7 *120 days after the date on which a Federal agency takes*  
8 *final action, or a Federal agency receives a final decision*  
9 *issued by the Equal Employment Opportunity Commission,*  
10 *involving a finding of discrimination (including retali-*  
11 *ation) in violation of a provision of law covered by para-*  
12 *graph (1) or (2) of section 201(a), as applicable, the appli-*  
13 *cable Federal agency shall submit to the Commission a re-*  
14 *port stating—*

15                   “(1) *whether disciplinary action has been pro-*  
16 *posed against a Federal employee as a result of the*  
17 *violation; and*

18                   “(2) *the reasons for any disciplinary action pro-*  
19 *posed under paragraph (1).”.*

20 **SEC. 1125. DATA TO BE POSTED BY EMPLOYING FEDERAL**  
21 **AGENCIES.**

22           *Section 301(b) of the Notification and Federal Em-*  
23 *ployee Antidiscrimination and Retaliation Act of 2002 (5*  
24 *U.S.C. 2301 note) is amended—*

25                   (1) *in paragraph (9)—*

1           (A) in subparagraph (A), by striking “and”  
2           at the end;

3           (B) in subparagraph (B)(ii), by striking the  
4           period at the end and inserting “, and”; and

5           (C) by adding at the end the following:

6           “(C) with respect to each finding described  
7           in subparagraph (A)—

8                   “(i) the date of the finding,

9                   “(ii) the affected Federal agency,

10                   “(iii) the law violated, and

11                   “(iv) whether a decision has been made  
12                   regarding disciplinary action as a result of  
13                   the finding.”; and

14           (2) by adding at the end the following:

15           “(11) Data regarding each class action com-  
16           plaint filed against the agency alleging discrimina-  
17           tion (including retaliation), including—

18                   “(A) information regarding the date on  
19                   which each complaint was filed,

20                   “(B) a general summary of the allegations  
21                   alleged in the complaint,

22                   “(C) an estimate of the total number of  
23                   plaintiffs joined in the complaint, if known,

24                   “(D) the current status of the complaint, in-  
25                   cluding whether the class has been certified, and

1                   “(E) the case numbers for the civil actions  
2                   in which discrimination (including retaliation)  
3                   has been found.”.

4 **SEC. 1126. DATA TO BE POSTED BY THE EQUAL EMPLOY-**  
5 **MENT OPPORTUNITY COMMISSION.**

6                   Section 302(b) of the Notification and Federal Em-  
7                   ployee Antidiscrimination and Retaliation Act of 2002 (5  
8                   U.S.C. 2301 note) is amended by striking “(10)” and in-  
9                   serting “(11)”.

10 **SEC. 1127. NOTIFICATION AND FEDERAL EMPLOYEE ANTI-**  
11 **DISCRIMINATION AND RETALIATION ACT OF**  
12 **2002 AMENDMENTS.**

13                   (a) **NOTIFICATION REQUIREMENTS.**—Title II of the  
14                   Notification and Federal Employee Antidiscrimination and  
15                   Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended  
16                   by adding at the end the following:

17 **“SEC. 207. COMPLAINT TRACKING.**

18                   “Not later than 1 year after the date of enactment of  
19                   the Elijah E. Cummings Federal Employee Antidiscrimi-  
20                   nation Act of 2020, each Federal agency shall establish a  
21                   system to track each complaint of discrimination arising  
22                   under section 2302(b)(1) of title 5, United States Code, and  
23                   adjudicated through the Equal Employment Opportunity  
24                   process from the filing of a complaint with the Federal  
25                   agency to resolution of the complaint, including whether a



1 *decision has been made regarding disciplinary action as the*  
2 *result of a finding of discrimination.*

3 **“SEC. 208. NOTATION IN PERSONNEL RECORD.**

4 *“If a Federal agency takes an adverse action covered*  
5 *under section 7512 of title 5, United States Code, against*  
6 *a Federal employee for an act of discrimination (including*  
7 *retaliation) prohibited by a provision of law covered by*  
8 *paragraph (1) or (2) of section 201(a), the agency shall,*  
9 *after all appeals relating to that action have been exhausted,*  
10 *include a notation of the adverse action and the reason for*  
11 *the action in the personnel record of the employee.”.*

12 *(b) PROCESSING AND REFERRAL.—The Notification*  
13 *and Federal Employee Antidiscrimination and Retaliation*  
14 *Act of 2002 (5 U.S.C. 2301 note) is amended by adding*  
15 *at the end the following:*

16 **“TITLE IV—PROCESSING AND**  
17 **REFERRAL**

18 **“SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.**

19 *“Each Federal agency shall—*

20 *“(1) be responsible for the fair and impartial*  
21 *processing and resolution of complaints of employ-*  
22 *ment discrimination (including retaliation) prohib-*  
23 *ited by a provision of law covered by paragraph (1)*  
24 *or (2) of section 201(a); and*

1           “(2) establish a model Equal Employment Op-  
2           portunity Program that—

3                   “(A) is not under the control, either struc-  
4                   turally or practically, of the agency’s Office of  
5                   Human Capital or Office of the General Counsel  
6                   (or the equivalent);

7                   “(B) is devoid of internal conflicts of inter-  
8                   est and ensures fairness and inclusiveness within  
9                   the agency; and

10                   “(C) ensures the efficient and fair resolution  
11                   of complaints alleging discrimination (including  
12                   retaliation).

13   **“SEC. 402. NO LIMITATION ON ADVICE OR COUNSEL.**

14           “Nothing in this title shall prevent a Federal agency  
15   or a subcomponent of a Federal agency, or the Department  
16   of Justice, from providing advice or counsel to employees  
17   of that agency (or subcomponent, as applicable) in the reso-  
18   lution of a complaint.

19   **“SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF**  
20                   **AGENCY.**

21           “*The head of each Federal agency’s Equal Employ-*  
22   *ment Opportunity Program shall report directly to the head*  
23   *of the agency.*

24   **“SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.**

25           “(a) *EEOC FINDINGS OF DISCRIMINATION.—*

1           “(1) *IN GENERAL.*—Not later than 30 days after  
2           the date on which the Equal Employment Oppor-  
3           tunity Commission (referred to in this section as the  
4           ‘Commission’) receives, or should have received, a  
5           Federal agency report required under section 203(c),  
6           the Commission may refer the matter to which the re-  
7           port relates to the Office of Special Counsel if the  
8           Commission determines that the Federal agency did  
9           not take appropriate action with respect to the find-  
10          ing that is the subject of the report.

11          “(2) *NOTIFICATIONS.*—The Commission shall—

12                 “(A) notify the applicable Federal agency if  
13                 the Commission refers a matter to the Office of  
14                 Special Counsel under paragraph (1); and

15                 “(B) with respect to a fiscal year, include  
16                 in the Annual Report of the Federal Workforce  
17                 of the Commission covering that fiscal year—

18                         “(i) the number of referrals made  
19                         under paragraph (1) during that fiscal  
20                         year; and

21                         “(ii) a brief summary of each referral  
22                         described in clause (i).

23          “(b) *REFERRALS TO SPECIAL COUNSEL.*—The Office  
24          of Special Counsel shall accept and review a referral from  
25          the Commission under subsection (a)(1) for purposes of pur-

1 *swing disciplinary action under the authority of the Office*  
2 *against a Federal employee who commits an act of dis-*  
3 *crimination (including retaliation).*

4 “(c) *NOTIFICATION.—The Office of Special Counsel*  
5 *shall notify the Commission and the applicable Federal*  
6 *agency in a case in which—*

7 “(1) *the Office of Special Counsel pursues dis-*  
8 *ciplinary action under subsection (b); and*

9 “(2) *the Federal agency imposes some form of*  
10 *disciplinary action against a Federal employee who*  
11 *commits an act of discrimination (including retalia-*  
12 *tion).*

13 “(d) *SPECIAL COUNSEL APPROVAL.—A Federal agen-*  
14 *cy may not take disciplinary action against a Federal em-*  
15 *ployee for an alleged act of discrimination (including retal-*  
16 *iation) referred by the Commission under this section, ex-*  
17 *cept in accordance with the requirements of section 1214(f)*  
18 *of title 5, United States Code.”.*

19 (c) *CONFORMING AMENDMENTS.—The table of contents*  
20 *in section 1(b) of the Notification and Federal Employee*  
21 *Antidiscrimination and Retaliation Act of 2002 (5 U.S.C.*  
22 *2301 note) is amended—*

23 (1) *by inserting after the item relating to section*  
24 *206 the following:*

“Sec. 207. *Complaint tracking.*

“Sec. 208. *Notation in personnel record.”; and*

1           (2) *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.*”.

2   **SEC. 1128. NONDISCLOSURE AGREEMENT LIMITATION.**

3           Section 2302(b)(13) of title 5, United States Code, is  
4 *amended—*

5           (1) *by striking “agreement does not” and insert-*  
6 *ing the following: “agreement—*

7                   *“(A) does not”;*

8           (2) *in subparagraph (A), as so designated, by in-*  
9 *serting “or the Office of Special Counsel” after “In-*  
10 *spector General”; and*

11           (3) *by adding at the end the following:*

12                   *“(B) prohibits or restricts an employee or*  
13 *applicant for employment from disclosing to*  
14 *Congress, the Special Counsel, the Inspector Gen-*  
15 *eral of an agency, or any other agency compo-*  
16 *nent responsible for internal investigation or re-*  
17 *view any information that relates to any viola-*  
18 *tion of any law, rule, or regulation, or mis-*  
19 *management, a gross waste of funds, an abuse of*  
20 *authority, or a substantial and specific danger*  
21 *to public health or safety, or any other whistle-*  
22 *blower protection; or”.*

1 **TITLE XII—MATTERS RELATING**  
2 **TO FOREIGN NATIONS**  
3 **Subtitle A—Assistance and**  
4 **Training**

5 **SEC. 1201. MODIFICATION AND EXTENSION OF SUPPORT OF**  
6 **SPECIAL OPERATIONS FOR IRREGULAR WAR-**  
7 **FARE.**

8 *(a) AUTHORITY.—Subsection (a) of section 1202 of the*  
9 *National Defense Authorization Act for Fiscal Year 2018*  
10 *(Public Law 115–91; 131 Stat. 1639) is amended—*

11 *(1) by striking “\$10,000,000” and inserting*  
12 *“\$15,000,000”; and*

13 *(2) by striking “2023” and inserting “2025”.*

14 *(b) NOTIFICATION.—Subsection (d)(2) of such section*  
15 *is amended—*

16 *(1) by redesignating subparagraph (E) as sub-*  
17 *paragraph (G);*

18 *(2) by inserting after subparagraph (D) the fol-*  
19 *lowing:*

20 *“(E) A description of steps taken to ensure*  
21 *the support is consistent with other United*  
22 *States diplomatic and security interests, includ-*  
23 *ing issues related to local political dynamics,*  
24 *civil-military relations, and human rights.*

1           “(F) A description of steps taken to ensure  
2           that the recipients of the support have not and  
3           will not engage in human rights violations or  
4           violations of the Geneva Conventions of 1949, in-  
5           cluding vetting, training, and support for ade-  
6           quately investigating allegations of violations  
7           and removing support in case of credible reports  
8           of violations.”; and

9           (3) in clause (i) of subparagraph (G), as redesign-  
10          nated, to read as follows:

11                   “(i) An introduction of United States  
12                   Armed Forces (including as such term is de-  
13                   fined in section 8(c) of the War Powers Res-  
14                   olution (50 U.S.C. 1547(c))) into hostilities,  
15                   or into situations where hostilities are clear-  
16                   ly indicated by the circumstances, without  
17                   specific statutory authorization within the  
18                   meaning of section 5(b) of such Resolution  
19                   (50 U.S.C. 1544(b)).”.

20          (c) CONSTRUCTION OF AUTHORITY.—Subsection (f)(2)  
21          of such section is amended by striking “of section 5(b)”.

22          (d) CLARIFICATION.—Such section, as so amended, is  
23          further amended—

24                   (1) by redesignating subsections (g), (h), and (i)  
25                   as subsections (h), (i), and (j), respectively; and

1           (2) *by inserting after subsection (f) the following:*

2           “(g) *CLARIFICATION.—The provision of support to for-*  
 3 *ign forces, irregular forces, groups, or individuals pursu-*  
 4 *ant to subsection (a) constitutes support to a unit of a for-*  
 5 *ign security force for purposes of section 362 of title 10,*  
 6 *United States Code.”.*

7   **SEC. 1202. DEPARTMENT OF DEFENSE PARTICIPATION IN**  
 8                           **EUROPEAN PROGRAM ON MULTILATERAL EX-**  
 9                           **CHANGE OF SURFACE TRANSPORTATION**  
 10                          **SERVICES.**

11           (a) *IN GENERAL.—Subchapter II of chapter 138 of*  
 12 *title 10, United States Code, is amended by adding at the*  
 13 *end the following:*

14   **“§ 2350o. Participation in European Program on Mul-**  
 15                          **tilateral Exchange of Surface Transpor-**  
 16                          **tation Services**

17           “(a) *PARTICIPATION AUTHORIZED.—(1) The Sec-*  
 18 *retary of Defense may, with the concurrence of the Secretary*  
 19 *of State, authorize the participation of the United States*  
 20 *in the Surface Exchange of Services program (in this sec-*  
 21 *tion referred to as the ‘SEOS program’) of the Movement*  
 22 *Coordination Centre Europe.*

23           “(2) *Participation in the SEOS program under para-*  
 24 *graph (1) may include—*



1           “(A) *the reciprocal exchange or transfer of sur-*  
2           *face transportation on a reimbursable basis or by re-*  
3           *placement-in-kind; or*

4           “(B) *the exchange of surface transportation serv-*  
5           *ices of equal value.*

6           “(b) *WRITTEN ARRANGEMENTS OR AGREEMENTS.—(1)*  
7           *The participation of the United States in the SEOS pro-*  
8           *gram under subsection (a) shall be in accordance with a*  
9           *written arrangement or agreement entered into by the Sec-*  
10          *retary of Defense, with the concurrence of the Secretary of*  
11          *State, and the Movement Coordination Centre Europe.*

12          “(2) *If facilities, equipment, or funds of the Depart-*  
13          *ment of Defense are used to support the SEOS program,*  
14          *the written arrangement or agreement entered into under*  
15          *paragraph (1) shall specify the details of any equitable cost*  
16          *sharing or other funding arrangement.*

17          “(3) *Any written arrangement or agreement entered*  
18          *into under paragraph (1) shall require that any accrued*  
19          *credits and liabilities resulting from an unequal exchange*  
20          *or transfer of surface transportation services shall be liq-*  
21          *uidated, not less than once every five years, through the*  
22          *SEOS program.*

23          “(c) *IMPLEMENTATION.—In carrying out any arrange-*  
24          *ment or agreement entered into under subsection (b)(1), the*  
25          *Secretary of Defense may—*

1           “(1) from funds available to the Department of  
2     *Defense for operation and maintenance, pay the equi-*  
3     *table share of the United States for the operating ex-*  
4     *penditures of the Movement Coordination Centre Europe*  
5     *and the SEOS program; and*

6           “(2) assign members of the armed forces or civil-  
7     *ian personnel of the Department of Defense, from*  
8     *among members and personnel within billets author-*  
9     *ized for the United States European Command, to*  
10    *duty at the Movement Coordination Centre Europe as*  
11    *necessary to fulfill the obligations of the United States*  
12    *under that arrangement or agreement.*

13          “(d) *CREDITING OF RECEIPTS.*—*Any amount received*  
14    *by the United States as part of the SEOS program shall*  
15    *be credited, at the option of the Secretary of Defense, to—*

16           “(1) *the appropriation, fund, or account used in*  
17    *incurring the obligation for which such amount is re-*  
18    *ceived; or*

19           “(2) *an appropriate appropriation, fund, or ac-*  
20    *count currently available for the purposes for which*  
21    *the expenditures were made.*

22          “(e) *EXPIRATION.*—*The authority provided by this sec-*  
23    *tion to participate in the SEOS program shall expire five*  
24    *years after the date on which the Secretary of Defense first*  
25    *enters into a written arrangement or agreement under sub-*

1 *section (b). The Secretary shall publish notice of such date*  
 2 *on a public website of the Department of Defense.*

3 “(f) *LIMITATION ON STATUTORY CONSTRUCTION.—*  
 4 *Nothing in this section may be construed to authorize the*  
 5 *use of foreign sealift in violation of section 2631 of this*  
 6 *title.”.*

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

*“2350o. Participation in European program on multilateral exchange of surface transportation services.”.*

10 **SEC. 1203. EXTENSION OF AUTHORITY TO TRANSFER EX-**  
 11 **CESS HIGH MOBILITY MULTIPURPOSE**  
 12 **WHEELED VEHICLES TO FOREIGN COUN-**  
 13 **TRIES.**

14 *Section 1276 of the National Defense Authorization*  
 15 *Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat.*  
 16 *1699) is amended—*

17 (1) *in subsection (b)(2)—*

18 (A) *in subparagraph(A), by adding at the*  
 19 *end the following: “Such description may in-*  
 20 *clude, if applicable, a description of the priority*  
 21 *United States security or defense cooperation in-*  
 22 *terest with the recipient country that is fulfilled*  
 23 *by the waiver.”; and*

1           (B) by striking subparagraph (B) and in-  
2           serting the following:

3           “(B) An explanation of why it is in the na-  
4           tional interests of the United States to make the  
5           transfer notwithstanding the requirements of  
6           subsection (a)(1).”; and

7           (2) in subsection (c)(2), by striking “three” and  
8           inserting “five”.

9   **SEC. 1204. MODIFICATION AND EXTENSION OF UPDATE OF**  
10           **DEPARTMENT OF DEFENSE FREEDOM OF**  
11           **NAVIGATION REPORT.**

12           (a) *IN GENERAL.*—Subsection (a) of section 1275 of  
13           the National Defense Authorization Act for Fiscal Year  
14           2017 (Public Law 114–328; 130 Stat. 2540) is amended—

15           (1) by striking “an annual basis” and inserting  
16           “a biannual basis”; and

17           (2) by striking “the previous year” and inserting  
18           “the previous 6 months”.

19           (b) *ELEMENTS.*—Subsection (b) of such section is  
20           amended—

21           (1) in the matter preceding paragraph (1), by  
22           striking “the year” and inserting “the period”;

23           (2) in paragraph (1), by inserting “the number  
24           of maritime and overflight challenges to each such  
25           claim and” before “the country”;

1           (3) *in paragraph (5), by inserting “have been*  
2           *protested by the United States but” before “have not*  
3           *been challenged”; and*

4           (4) *by adding at the end the following:*

5           “(6) *A summary of each excessive maritime*  
6           *claim challenged jointly with international partners*  
7           *and allies.”.*

8           (c) *FORM.*—*Subsection (c) of such section is amended*  
9           *by adding at the end before the period the following: “and*  
10           *made publicly available”.*

11           (d) *SUNSET.*—*Subsection (d) of such section is amend-*  
12           *ed by striking “December 31, 2021” and inserting “Decem-*  
13           *ber 31, 2025”.*

14           (e) *CONFORMING AMENDMENT.*—*The heading of such*  
15           *section is amended by striking “ANNUAL” and inserting*  
16           *“BIANNUAL”.*

17           **SEC. 1205. EXTENSION OF REPORT ON WORKFORCE DEVEL-**  
18           **OPMENT.**

19           *Section 1250(b)(1) of the National Defense Authoriza-*  
20           *tion Act for Fiscal Year 2017 (Public Law 114–328; 130*  
21           *Stat. 2529) is amended by striking “through 2021” and in-*  
22           *serting “through 2026”.*

1           ***Subtitle B—Matters Relating to***  
2                           ***Afghanistan and Pakistan***

3   ***SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY***  
4                           ***FOR REIMBURSEMENT OF CERTAIN COALI-***  
5                           ***TION NATIONS FOR SUPPORT PROVIDED TO***  
6                           ***UNITED STATES MILITARY OPERATIONS.***

7           (a) *EXTENSION.*—Subsection (a) of section 1233 of the  
8   *National Defense Authorization Act for Fiscal Year 2008*  
9   *(Public Law 110–181; 122 Stat. 393)* is amended by strik-  
10 *ing “October 1, 2019, and ending on December 31, 2020”*  
11 *and inserting “October 1, 2020, and ending on December*  
12 *31, 2021”.*

13           (b) *MODIFICATION TO LIMITATION.*—Subsection (d)(1)  
14 *of such section is amended—*

15                   (1) *by striking “October 1, 2019, and ending on*  
16 *December 31, 2020” and inserting “October 1, 2020,*  
17 *and ending on December 31, 2021”;* and

18                   (2) *by striking “\$450,000,000” and inserting*  
19 *“\$180,000,000”.*

20   ***SEC. 1212. EXTENSION OF THE AFGHAN SPECIAL IMMI-***  
21                           ***GRANT VISA PROGRAM.***

22           (a) *IN GENERAL.*—Section 602(b)(3)(F) of the *Afghan*  
23 *Allies Protection Act of 2009 (8 U.S.C. 1101 note)* is  
24 *amended—*

1           (1) *in the heading, by striking “2020” and insert-*  
2           *ing “2021”;*

3           (2) *in clause (i), by striking “December 31,*  
4           *2021” and inserting “December 31, 2022”; and*

5           (3) *in clause (ii), the striking “December 31,*  
6           *2021” inserting “December 31, 2022”.*

7           (b) *REPORT EXTENSION.—Section 602(b)(13) of such*  
8           *Act (8 U.S.C. 1101 note) is amended by striking “January*  
9           *31, 2021” and inserting “January 31, 2023”.*

10   **SEC. 1213. LIMITATION ON USE OF FUNDS TO REDUCE DE-**  
11                                   **PLOYMENT TO AFGHANISTAN.**

12           (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
13           *that—*

14                   (1) *it is in the national security interests of the*  
15                   *United States to deny terrorists safe haven in Afghan-*  
16                   *istan, protect the United States homeland, uphold the*  
17                   *United States partnership with the Government of Af-*  
18                   *ghanistan and cooperation with the Afghan National*  
19                   *Defense and Security Forces, and protect the hard-*  
20                   *fought rights of women, girls, and other vulnerable*  
21                   *populations in Afghanistan;*

22                   (2) *a rapid military drawdown and a lack of*  
23                   *United States commitment to the security and sta-*  
24                   *bility of Afghanistan would undermine diplomatic ef-*  
25                   *forts for peace;*

1           (3) *the current agreement between the United*  
2           *States and the Taliban does not provide for the ap-*  
3           *propriate protections for vulnerable populations, does*  
4           *not create conditions for the rejection of violence and*  
5           *prevention of terrorist safe havens, and does not rep-*  
6           *resent a realistic diplomatic solution, based on*  
7           *verifiable facts and conditions on the ground, that*  
8           *provides for long-term stability; and*

9           (4) *the Administration has a constitutional obli-*  
10          *gation to provide Congress with timely and com-*  
11          *prehensive information on the status of security oper-*  
12          *ations and diplomatic efforts in a form that can be*  
13          *transparently communicated to the American people.*

14          (b) *LIMITATION.—Until the date on which the Sec-*  
15          *retary of Defense, in concurrence with each covered official,*  
16          *submits the report described in subsection (c) to the appro-*  
17          *priate congressional committees, none of the amounts au-*  
18          *thorized to be appropriated for fiscal year 2020 or 2021*  
19          *for the Department of Defense may be obligated or expended*  
20          *for any activity having either of the following effects:*

21                 (1) *Reducing the total number of Armed Forces*  
22                 *deployed to Afghanistan below the lesser of—*

23                         (A) *8,000, or*



1           (B) the total number of the Armed Forces  
2           deployed as of the date of the enactment of this  
3           Act.

4           (2) Reducing the total number of Armed Forces  
5           deployed to Afghanistan below 4,000.

6           (c) REPORT.—The report described in this subsection  
7           shall include each of the following:

8           (1) A certification that the intended withdrawal  
9           of the United States Armed Forces in Afghanistan—

10           (A) will not compromise or otherwise nega-  
11           tively affect the ongoing United States counter-  
12           terrorism mission against the Islamic State, al-  
13           Qaeda, and associated forces;

14           (B) will not unduly increase the risk to  
15           United States personnel in Afghanistan;

16           (C) will not increase the risk for the expan-  
17           sion of existing or formation of new terrorist safe  
18           havens inside Afghanistan;

19           (D) will be undertaken with the consulta-  
20           tion and coordination of allies supporting the  
21           United States- and North Atlantic Treaty Orga-  
22           nization-led missions; and

23           (E) is in the best interest of United States  
24           national security and in furtherance of United

1           *States policy toward Afghanistan for achieving*  
2           *an enduring diplomatic solution.*

3           (2) *An analysis of the impact that the intended*  
4           *withdrawal of United States Armed Forces from Af-*  
5           *ghanistan would have on each of the following:*

6                   (A) *The threat posed by the Taliban and*  
7                   *terrorist organizations, including by each cov-*  
8                   *ered terrorist organization, to—*

9                           (i) *the United States homeland;*

10                           (ii) *United States interests abroad;*

11                           (iii) *allied countries of the North At-*  
12                           *lantic Treaty Organization;*

13                           (iv) *the Government of Afghanistan;*

14                           *and*

15                           (v) *regional peace and security.*

16                   (B) *The status of the human and civil*  
17                   *rights (including access to voting, education, jus-*  
18                   *tice, and economic opportunities) of women,*  
19                   *girls, people with disabilities, religious and eth-*  
20                   *nic minorities, and other vulnerable populations*  
21                   *in Afghanistan.*

22                   (C) *Transparent, credible, and inclusive po-*  
23                   *litical processes in Afghanistan.*

24                   (D) *The capacity of the Afghan National*  
25                   *Defense and Security Forces to effectively—*

1           (i) prevent or defend against attacks  
2           by the Taliban or by terrorist organizations  
3           (including by each covered terrorist organi-  
4           zation) on civilian populations;

5           (ii) prevent the takeover of one or more  
6           provincial capitals by the Taliban or by as-  
7           sociated organizations;

8           (iii) conduct counterterrorism oper-  
9           ations necessary to deny safe harbor to ter-  
10          rorist organizations, including each covered  
11          terrorist organization; and

12          (iv) maintain institutional order and  
13          discipline.

14          (E) The influence of malign state actors on  
15          the sovereignty of Afghanistan and the strategic  
16          national security interests of the United States  
17          in the region.

18          (F) Any other matter the Secretary of De-  
19          fense, in concurrence with each covered official,  
20          determines appropriate.

21          (3) An assessment of the manner and extent to  
22          which—

23                (A) state actors have provided any incen-  
24                tives to the Taliban, their affiliates, or other for-  
25                eign terrorist organizations for attacks against

1           *United States, coalition, or Afghan security*  
2           *forces or civilians in Afghanistan in the last 2*  
3           *years, including the details of any attacks be-*  
4           *lieved to have been connected with such incen-*  
5           *tives;*

6                     *(B) the Taliban has publicly renounced al-*  
7           *Qaeda;*

8                     *(C) the Taliban has made any efforts to*  
9           *break with al-Qaeda since February 29, 2020,*  
10          *and a description of these efforts;*

11                    *(D) any senior al-Qaeda leaders, including*  
12          *Ayman al-Zawahiri, or any leaders of al-Qaeda*  
13          *in the Indian Subcontinent, have been present in*  
14          *Afghanistan since February 29, 2020, and if so,*  
15          *the names of the leaders, the dates they were*  
16          *present in Afghanistan, and their other locations*  
17          *since February 29, 2020;*

18                    *(E) any members of al-Qaeda, al-Qaeda in*  
19          *the Indian Subcontinent, al-Qaeda-affiliated*  
20          *groups, or any covered terrorist organization*  
21          *have, since February 29, 2020—*

22                             *(i) fought alongside, trained alongside,*  
23                             *otherwise operated alongside, or sheltered*  
24                             *with the Taliban in Afghanistan;*

1           (ii) conducted attacks inside Afghani-  
2           stan, and, if so, the dates and locations of  
3           such attacks;

4           (iii) operated training camps or re-  
5           lated facilities inside Afghanistan, and, if  
6           so, the locations of those camps or facilities;

7           (iv) traveled from Afghanistan to Paki-  
8           stan or Iran, or from Pakistan or Iran to  
9           Afghanistan;

10          (v) continued to have ties to any  
11          Taliban leaders or members located in Paki-  
12          stan; or

13          (vi) continued to work with the  
14          Haqqani Network;

15          (F) any of the prisoners released by the  
16          Government of Afghanistan as a result of the  
17          February 29, 2020, agreement between the  
18          United States and Taliban—

19               (i) are members of, or have ties to, any  
20               covered terrorist organizations or any other  
21               organization designated by the United  
22               States as a foreign terrorist organization  
23               pursuant to section 219 of the Immigration  
24               and Nationality Act (8 U.S.C. 1189) and,  
25               if so, the names of such former prisoners

1                   *and the reasons for their detention inside*  
2                   *Afghanistan; or*

3                   *(ii) are suspected of taking part in at-*  
4                   *tacks against American service members or*  
5                   *civilians or attacks that caused American*  
6                   *casualties and, if so, the names of the pris-*  
7                   *oners, the date and location of such attacks,*  
8                   *and the number of American casualties at-*  
9                   *tributed to such attacks;*

10                  *(G) any of the prisoners the Taliban has re-*  
11                  *quested for release, but who have not yet been re-*  
12                  *leased as of the date of the enactment of this Act,*  
13                  *are members of, or have ties to, any covered ter-*  
14                  *rorist organizations or any other organization*  
15                  *designated by the United States as a foreign ter-*  
16                  *rorist organization pursuant to section 219 of*  
17                  *the Immigration and Nationality Act (8 U.S.C.*  
18                  *1189) and, if so, the names of the prisoners and*  
19                  *the organizations to which they are affiliated;*  
20                  *and*

21                  *(H) senior Taliban leaders, including mem-*  
22                  *bers of the Haqqani Network, who are located in*  
23                  *Pakistan continue to exercise control over the in-*  
24                  *surgency in Afghanistan.*

1           (4) *The number of attacks that the Taliban has*  
2           *carried out in Afghanistan since February 29, 2020,*  
3           *including the location and date of each attack as well*  
4           *as casualties related to each attack.*

5           (d) *FORM.—The report described in subsection (c)*  
6           *shall be submitted in unclassified form without any des-*  
7           *ignation relating to dissemination control, but may contain*  
8           *a classified annex that is accompanied by an unclassified*  
9           *summary of the annex.*

10          (e) *WAIVER.—The Secretary of Defense may waive the*  
11          *limitation under subsection (b) if, in consultation with the*  
12          *Chairman of the Joint Chiefs of Staff and the Commander*  
13          *of United States Forces, Afghanistan, the Secretary—*

14                 (1) *determines that the waiver is—*

15                         (A) *necessary due to an imminent and ex-*  
16                         *traordinary threat to members of the United*  
17                         *States Armed Forces in the Afghanistan; or*

18                         (B) *vital to the national security interests*  
19                         *of the United States; and*

20                 (2) *submits to the appropriate congressional*  
21                 *committees a detailed, written justification for such*  
22                 *waiver, not later than 10 days after the effective date*  
23                 *of the waiver; and*

1           (3) *in the case of a determination described in*  
2 *paragraph (1)(A), includes in such justification each*  
3 *of the following:*

4                   (A) *A detailed description of the change in*  
5 *threat assessment leading to the determination.*

6                   (B) *An explanation for the reasons for*  
7 *which existing force protection mechanisms were*  
8 *not sufficient to reasonably ensure the safety of*  
9 *members of the Armed Forces.*

10                  (C) *The steps that have been taken to ensure*  
11 *that United States equipment does not fall into*  
12 *enemy hands.*

13                  (D) *A description of the coordination with*  
14 *allied countries of the North Atlantic Treaty Or-*  
15 *ganization and with other allies and partners*  
16 *with respect to the withdrawal.*

17                  (E) *A description of the coordination with*  
18 *the Department of State to ensure the safety of*  
19 *American citizens in Afghanistan in light of and*  
20 *subsequent to the withdrawal.*

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

22                  (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
23 *TEES.—The term “appropriate congressional commit-*  
24 *tees” means—*



1           (A) *the Committee on Armed Services of the*  
2           *House of Representatives and the Committee on*  
3           *Armed Services of the Senate;*

4           (B) *the Committee on Foreign Affairs of the*  
5           *House of Representatives and the Committee on*  
6           *Foreign Relations of the Senate; and*

7           (C) *the Permanent Select Committee on In-*  
8           *telligence of the House of Representatives and the*  
9           *Select Committee on Intelligence of the Senate.*

10          (2) *COVERED OFFICIAL.*—*The term “covered offi-*  
11          *cial” means—*

12               (A) *the Secretary of State;*

13               (B) *the Director of National Intelligence;*

14               (C) *the Chairman of the Joint Chiefs of*  
15               *Staff;*

16               (D) *the Commander of United States Cen-*  
17               *tral Command;*

18               (E) *the Commander of United States*  
19               *Forces, Afghanistan; and*

20               (F) *the United States Permanent Represent-*  
21               *ative to the North Atlantic Treaty Organization.*

22          (3) *COVERED TERRORIST ORGANIZATION.*—*The*  
23          *term “covered terrorist organization” means any of*  
24          *the following:*

- 1                   (A) *al-Qaeda and affiliates, including al-*  
2                   *Qaeda in the Indian Subcontinent.*
- 3                   (B) *The Islamic State and affiliates.*
- 4                   (C) *Tehrik-e Taliban Pakistan.*
- 5                   (D) *The Haqqani Network.*
- 6                   (E) *Islamic Movement of Uzbekistan.*
- 7                   (F) *Eastern Turkistan Islamic Movement.*
- 8                   (G) *Ansralluh.*
- 9                   (H) *Lashkar-e-Tayyiba (including under*  
10                  *the alias Jamaat-ud-Dawa).*
- 11                  (I) *Jaish-e-Mohammed.*
- 12                  (J) *Harakat ul-Jihad-Islami.*
- 13                  (K) *Harakat ul-Mujahidin.*
- 14                  (L) *Jaysh al-Adl.*
- 15                  (M) *Lashkar-i-Jhangvi.*
- 16                  (N) *Mullah Nasir Group.*
- 17                  (O) *Hafiz Gul Bahadar Group.*
- 18                  (P) *Lashkar-i-Islam.*
- 19                  (Q) *Islamic Jihad Union Group.*
- 20                  (R) *Jamaat-ud-Dawa al Quran.*
- 21                  (S) *Ansarul Islam.*

22 **SEC. 1214. REPORT ON OPERATION FREEDOM SENTINEL.**

23           (a) *IN GENERAL.*—Not later than 90 days after the  
24 *date of the enactment of this Act, and as part of the mate-*  
25 *rials relating to Operation Freedom Sentinel submitted to*

1 *Congress by the Secretary of Defense in support of the budg-*  
2 *et of the President for the following two fiscal years, the*  
3 *Secretary shall submit to the Committee on Armed Services*  
4 *of the House of Representatives and the Committee on*  
5 *Armed Services of the Senate a report on Operation Free-*  
6 *dom Sentinel.*

7       **(b) MATTERS TO BE INCLUDED.**—*The report required*  
8 *by subsection (a) shall include a list and description of ac-*  
9 *tivities, exercises, and funding amounts carried out under*  
10 *the operation, including—*

11           (1) *specific direct war costs;*

12           (2) *activities that occur in Afghanistan;*

13           (3) *activities that occur outside of Afghanistan,*  
14 *including training and costs relating to personnel;*

15           (4) *activities that provide funding to any of the*  
16 *services that is part of the operation's budget request;*

17 *and*

18           (5) *activities related to transportation, logistics,*  
19 *and other support.*

1           ***Subtitle C—Matters Relating to***  
2                           ***Syria, Iraq, and Iran***

3   ***SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY***  
4                           ***TO PROVIDE ASSISTANCE TO COUNTER THE***  
5                           ***ISLAMIC STATE OF IRAQ AND SYRIA.***

6           (a) *IN GENERAL.*—Subsection (a) of section 1236 of  
7 the Carl Levin and Howard P. “Buck” McKeon National  
8 Defense Authorization Act for Fiscal Year 2015 (Public  
9 Law 113–291; 128 Stat. 3558) is amended by striking “De-  
10 cember 31, 2020” and inserting “December 31, 2021”.

11          (b) *FUNDING.*—Subsection (g) of such section is  
12 amended—

13               (1) by striking “fiscal year 2020” and inserting  
14 “fiscal year 2021”; and

15               (2) by striking “\$645,000,000” and inserting  
16 “\$500,000,000”.

17          (c) *WAIVER AUTHORITY; SCOPE.*—Subsection (j)(3) of  
18 such section is amended—

19               (1) by striking “congressional defense commit-  
20 tees” each place it appears and inserting “appro-  
21 priate congressional committees”; and

22               (2) by adding at the end the following:

23                       “(C) *APPROPRIATE CONGRESSIONAL COM-*  
24                       *MITTEES DEFINED.*—In this paragraph, the term  
25                       ‘appropriate congressional committees’ means—

1                   “(i) the Committee on Armed Services  
2                   and the Committee on Foreign Affairs of the  
3                   House of Representatives; and

4                   “(ii) the Committee on Armed Services  
5                   and the Committee on Foreign Relations of  
6                   the Senate.”.

7           (d) ANNUAL REPORT.—Such section is amended by  
8 adding at the end the following:

9           “(o) ANNUAL REPORT.—Not later than 90 days after  
10 the date of the enactment of this subsection, and annually  
11 thereafter for two years, the Secretary of Defense shall sub-  
12 mit to the Committee on Armed Services of the House of  
13 Representatives and the Committee on Armed Services of  
14 the Senate a report that includes—

15                   “(1) a detailed description of the weapons and  
16                   equipment purchased using the Counter-ISIS Train  
17                   and Equip Fund in the previous fiscal year; and

18                   “(2) a detailed description of the incremental  
19                   costs for operations and maintenance for Operation  
20                   Inherent Resolve in the previous fiscal year.”.

21           (e) BUDGET DISPLAY SUBMISSION.—

22                   (1) IN GENERAL.—The Secretary of Defense shall  
23                   include in the budget materials submitted by the Sec-  
24                   retary in support of the budget of the President (as  
25                   submitted to Congress pursuant to section 1105 of

1 *title 31, United States Code) for each of fiscal years*  
2 *2022 and 2023 a detailed budget display for funds re-*  
3 *quested for the Department of Defense for such fiscal*  
4 *year for Operation Inherent Resolve.*

5 (2) *MATTERS TO BE INCLUDED.—The detailed*  
6 *budget display required under paragraph (1) shall in-*  
7 *clude the following:*

8 (A) *With respect to procurement accounts—*

9 (i) *amounts displayed by account,*  
10 *budget activity, line number, line item, and*  
11 *line item title; and*

12 (ii) *a description of the requirements*  
13 *for each such amount.*

14 (B) *With respect to research, development,*  
15 *test, and evaluation accounts—*

16 (i) *amounts displayed by account,*  
17 *budget activity, line number, program ele-*  
18 *ment, and program element title; and*

19 (ii) *a description of the requirements*  
20 *for each such amount.*

21 (C) *With respect to operation and mainte-*  
22 *nance accounts—*

23 (i) *amounts displayed by account title,*  
24 *budget activity title, line number, and sub-*  
25 *activity group title; and*

1                   (ii) a description of the specific man-  
2                   ner in which each such amount would be  
3                   used.

4                   (D) With respect to military personnel ac-  
5                   counts—

6                   (i) amounts displayed by account,  
7                   budget activity, budget subactivity, and  
8                   budget subactivity title; and

9                   (ii) a description of the requirements  
10                  for each such amount.

11                  (E) With respect to each project under mili-  
12                  tary construction accounts (including with re-  
13                  spect to unspecified minor military construction  
14                  and amounts for planning and design), the coun-  
15                  try, location, project title, and project amount  
16                  for each fiscal year.

17 **SEC. 1222. EXTENSION OF AUTHORITY TO PROVIDE ASSIST-**  
18 **ANCE TO THE VETTED SYRIAN OPPOSITION.**

19                  (a) *IN GENERAL.*—Subsection (a) of section 1209 of  
20 *the Carl Levin and Howard P. “Buck” McKeon National*  
21 *Defense Authorization Act for Fiscal Year 2015 (Public*  
22 *Law 113–291; 128 Stat. 3451) is amended by striking “De-*  
23 *cember 31, 2020” and inserting “December 31, 2021”.*

24                  (b) *NOTICE BEFORE PROVISION OF ASSISTANCE.*—  
25 *Subsection (b)(2)(A) of such section is amended by striking*

1 “fiscal year 2019 or fiscal year 2020” and inserting “fiscal  
2 year 2019, fiscal year 2020, or fiscal year 2021”.

3 (c) *CERTIFICATION*.—Not later than 30 days after the  
4 date of the enactment of this Act, the Secretary of Defense  
5 shall certify to the Committee on Armed Services and the  
6 Committee on Foreign Affairs of the House of Representa-  
7 tives and the Committee on Armed Services and the Com-  
8 mittee on Foreign Relations of the Senate that no United  
9 States military forces are being used or have been used for  
10 the extraction, transport, transfer, or sale of oil from Syria.

11 **SEC. 1223. EXTENSION OF AUTHORITY TO SUPPORT OPER-**  
12 **ATIONS AND ACTIVITIES OF THE OFFICE OF**  
13 **SECURITY COOPERATION IN IRAQ.**

14 Section 1215 of the National Defense Authorization  
15 Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

16 (1) in subsections (c) and (d), by striking “fiscal  
17 year 2020” each place it appears and inserting “each  
18 of fiscal years 2020 and 2021”; and

19 (2) in subsection (h), by striking “Of the amount  
20 made available for fiscal year 2020 to carry out sec-  
21 tion 1215 of the National Defense Authorization Act  
22 for Fiscal Year 2012, not more than \$20,000,000”  
23 and inserting “Of the amounts made available for fis-  
24 cal years 2020 and 2021 to carry out this section, not  
25 more than \$20,000,000 for each such fiscal year”.



1 **SEC. 1224. PROHIBITION ON PROVISION OF WEAPONS AND**  
2 **OTHER FORMS OF SUPPORT TO CERTAIN OR-**  
3 **GANIZATIONS.**

4 *None of the funds authorized to be appropriated by this*  
5 *Act or otherwise made available for the Department of De-*  
6 *fense for fiscal year 2021 may be used to knowingly provide*  
7 *weapons or any other form of support to Al Qaeda, the Is-*  
8 *lamic State of Iraq and Syria (ISIS), Jabhat Fateh al*  
9 *Sham, Hamas, Hizballah, Palestine Islamic Jihad, al-*  
10 *Shabaab, Islamic Revolutionary Guard Corps, or any indi-*  
11 *vidual or group affiliated with any such organization.*

12 **SEC. 1225. CONSOLIDATED BUDGET DISPLAY AND REPORT**  
13 **ON OPERATION SPARTAN SHIELD.**

14 *(a) BUDGET DISPLAY SUBMISSION.—*

15 *(1) IN GENERAL.—The Secretary of Defense shall*  
16 *include in the budget materials submitted by the Sec-*  
17 *retary in support of the budget of the President (as*  
18 *submitted to Congress pursuant to section 1105 of*  
19 *title 31, United States Code) for each of fiscal years*  
20 *2022 and 2023 a detailed budget display for funds re-*  
21 *quested for the Department of Defense for such fiscal*  
22 *year for Operation Spartan Shield and Iran deter-*  
23 *rence-related programs and activities of the Depart-*  
24 *ment of Defense in the United States Central Com-*  
25 *mand area of operation.*

1           (2) *MATTERS TO BE INCLUDED.*—*The detailed*  
2 *budget display required under paragraph (1) shall in-*  
3 *clude the following:*

4           (A) *With respect to procurement accounts—*

5               (i) *amounts displayed by account,*  
6 *budget activity, line number, line item, and*  
7 *line item title; and*

8               (ii) *a description of the requirements*  
9 *for each such amount.*

10          (B) *With respect to research, development,*  
11 *test, and evaluation accounts—*

12               (i) *amounts displayed by account,*  
13 *budget activity, line number, program ele-*  
14 *ment, and program element title; and*

15               (ii) *a description of the requirements*  
16 *for each such amount.*

17          (C) *With respect to operation and mainte-*  
18 *nance accounts—*

19               (i) *amounts displayed by account title,*  
20 *budget activity title, line number, and sub-*  
21 *activity group title; and*

22               (ii) *a description of the specific man-*  
23 *ner in which each such amount would be*  
24 *used.*

1           (D) *With respect to military personnel ac-*  
2           *counts—*

3                   (i) *amounts displayed by account,*  
4                   *budget activity, budget subactivity, and*  
5                   *budget subactivity title; and*

6                   (ii) *a description of the requirements*  
7                   *for each such amount.*

8           (E) *With respect to each project under mili-*  
9           *tary construction accounts (including with re-*  
10           *spect to unspecified minor military construction*  
11           *and amounts for planning and design), the coun-*  
12           *try, location, project title, and project amount*  
13           *for each fiscal year.*

14       (b) *REPORT.—*

15           (1) *IN GENERAL.—Not later than 180 days after*  
16           *the date of the enactment of this Act, and annually*  
17           *thereafter in conjunction with the submission of the*  
18           *budget of President (as submitted to Congress pursu-*  
19           *ant to section 1105 of title 31, United States Code)*  
20           *for each of fiscal years 2022 and 2023, the Secretary*  
21           *of Defense shall submit to the Committee on Armed*  
22           *Services of the House of Representatives and the Com-*  
23           *mittee on Armed Services of the Senate a report on*  
24           *Operation Spartan Shield.*

1           (2) *MATTERS TO BE INCLUDED.*—*The report re-*  
2           *quired by paragraph (1) should include—*

3                   (A)(i) *for the first report, a history of the*  
4                   *operation and its objectives; and*

5                   (ii) *for each subsequent report, a description*  
6                   *of the operation and its objectives during the*  
7                   *prior year;*

8                   (B) *a list and description of significant ac-*  
9                   *tivities and exercises carried out under the oper-*  
10                   *ation during the prior year;*

11                   (C) *a description of the purpose and goals*  
12                   *of such activities and exercises and an assess-*  
13                   *ment of the degree to which stated goals were*  
14                   *achieved during the prior year;*

15                   (D) *a description of criteria used to judge*  
16                   *the effectiveness of joint exercises to build partner*  
17                   *capacity under the operation during the prior*  
18                   *year;*

19                   (E) *an identification of incremental and es-*  
20                   *timated total costs of the operation during the*  
21                   *prior year, including a separate identification of*  
22                   *incremental costs of increased force presence in*  
23                   *the United States Central Command area of re-*  
24                   *sponsibility to counter Iran since May 2019; and*

1           (F) any other matters the Secretary deter-  
2           mines appropriate.

3           (3) FORM.—The report required by paragraph  
4           (1) shall be submitted in unclassified form but may  
5           include a classified annex.

6 **SEC. 1226. SENSE OF CONGRESS ON PESHMERGA FORCES**  
7           **AS A PARTNER IN OPERATION INHERENT RE-**  
8           **SOLVE.**

9           It is the sense of Congress that—

10           (1) the Peshmerga of the Kurdistan Region of  
11           Iraq have made, and continue to make, significant  
12           contributions to the security of Northern Iraq, by de-  
13           fending nearly 650 miles of critical terrain, to de-  
14           grade, dismantle, and ultimately defeat the Islamic  
15           State of Iraq and Syria (ISIS) in Iraq as a partner  
16           in Operation Inherent Resolve;

17           (2) although ISIS has been severely degraded,  
18           their ideology and combatants still linger and pose a  
19           threat of resurgence if regional security is not sus-  
20           tained;

21           (3) a strong Peshmerga and Kurdistan Regional  
22           Government is critical to maintaining a stable and  
23           tolerant Iraq in which all faiths, sects, and ethnicities  
24           are afforded equal protection under the law and full  
25           integration into the Government and society of Iraq;

1           (4) continued security assistance, as appropriate,  
2           to the Ministry of Peshmerga Affairs of the Kurdistan  
3           Region of Iraq in support of counter-ISIS operations,  
4           in coordination with the Government of Iraq, is crit-  
5           ical to United States national security interests; and

6           (5) continued United States support to the  
7           Peshmerga, coupled with security sector reform in the  
8           region, will enable them to more effectively partner  
9           with other elements of the Iraqi Security Forces, the  
10          United States, and other coalition members to consoli-  
11          date gains, hold territory, and protect infrastructure  
12          from ISIS and its affiliates in an effort to deal a  
13          lasting defeat to ISIS and prevent its reemergence in  
14          Iraq.

15           ***Subtitle D—Matters Relating to***  
16           ***Russia***

17           ***SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RE-***  
18           ***LATING TO SOVEREIGNTY OF THE RUSSIAN***  
19           ***FEDERATION OVER CRIMEA.***

20           (a) *PROHIBITION.*—None of the funds authorized to be  
21           appropriated by this Act or otherwise made available for  
22           fiscal year 2021 for the Department of Defense may be obli-  
23           gated or expended to implement any activity that recognizes  
24           the sovereignty of the Russian Federation over Crimea.

1           (b) *WAIVER.*—*The Secretary of Defense, with the con-*  
2 *currence of the Secretary of State, may waive the restriction*  
3 *on the obligation or expenditure of funds required by sub-*  
4 *section (a) if the Secretary of Defense—*

5           (1) *determines that to do so is in the national*  
6 *security interest of the United States; and*

7           (2) *submits a notification of the waiver, at the*  
8 *time the waiver is invoked, to the Committee on*  
9 *Armed Services and the Committee on Foreign Affairs*  
10 *of the House of Representatives and the Committee on*  
11 *Armed Services and the Committee on Foreign Rela-*  
12 *tions of the Senate.*

13 **SEC. 1232. EXTENSION OF LIMITATION ON MILITARY CO-**  
14 **OPERATION BETWEEN THE UNITED STATES**  
15 **AND THE RUSSIAN FEDERATION.**

16           *Section 1232(a) of the National Defense Authorization*  
17 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*  
18 *2488), is amended by striking “, 2019, or 2020” and insert-*  
19 *ing “2019, 2020, or 2021”.*

20 **SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SE-**  
21 **CURITY ASSISTANCE INITIATIVE.**

22           (a) *IN GENERAL.*—*Section 1250 of the National De-*  
23 *fense Authorization Act for Fiscal Year 2016 (Public Law*  
24 *114–92; 129 Stat. 1068) is amended—*

25           (1) *in subsection (c)—*

1           (A) in paragraph (1), by striking “50 per-  
2           cent of the funds available for fiscal year 2020  
3           pursuant to subsection (f)(5)” and inserting “50  
4           percent of the funds available for fiscal year  
5           2021 pursuant to subsection (f)(6)”; and

6           (B) in paragraph (3), by striking “fiscal  
7           year 2020” and inserting “fiscal year 2021”;  
8           and

9           (C) in paragraph (5), by striking “Of the  
10          funds available for fiscal year 2020 pursuant to  
11          subsection (f)(5)” and inserting “Of the funds  
12          available for fiscal year 2021 pursuant to sub-  
13          section (f)(6)”;  
14          (2) in subsection (f), by adding at the end the

15         following:

16                 “(6) For fiscal year 2021, \$250,000,000.”; and

17                 (3) in subsection (h), by striking “December 31,  
18                 2022” and inserting “December 31, 2023”.

19         (b) *EXTENSION OF REPORTS ON MILITARY ASSIST-*  
20         *ANCE TO UKRAINE.*—Section 1275(e) of the Carl Levin and  
21         Howard P. “Buck” McKeon National Defense Authoriza-  
22         tion Act for Fiscal Year 2015 (Public Law 113–291; 128  
23         Stat. 3592) is amended by striking “January 31, 2021”  
24         and inserting “December 31, 2023”.



1 **SEC. 1234. UNITED STATES PARTICIPATION IN THE OPEN**  
2 **SKIES TREATY.**

3 (a) *NOTIFICATION REQUIRED.*—

4 (1) *IN GENERAL.*—Upon withdrawal of the  
5 United States from the Open Skies Treaty pursuant  
6 to Article XV of the Treaty, the Secretary of Defense  
7 and the Secretary of State shall jointly submit to the  
8 appropriate congressional committees—

9 (A) a notification that the United States  
10 has concluded agreements with other state parties  
11 to the Treaty that host United States military  
12 forces and assets to ensure that after such with-  
13 drawal the United States will be provided suffi-  
14 cient notice by such state parties of requests for  
15 observation flights over the territories of such  
16 state parties under the Treaty; or

17 (B) if the United States has not concluded  
18 the agreements described in subparagraph (A), a  
19 description of how the United States will consist-  
20 ently and reliably be provided with sufficient  
21 warning of observation flights described in sub-  
22 paragraph (A) by other means, including a de-  
23 scription of assets and personnel and policy im-  
24 plications of using such other means.

25 (2) *SUBMISSION OF AGREEMENTS.*—Upon with-  
26 drawal of the United States from the Open Skies

1 *Treaty pursuant to Article XV of the Treaty, the Sec-*  
2 *retary of Defense and the Secretary of State shall*  
3 *jointly submit to the appropriate congressional com-*  
4 *mittees copies of the agreements described in para-*  
5 *graph (1)(A).*

6 *(b) REPORT.—*

7 *(1) IN GENERAL.—Not later than 90 days after*  
8 *the date of the enactment of this Act, the Secretary of*  
9 *Defense and the Secretary of State, in coordination*  
10 *with the Director of National Intelligence and the*  
11 *Under Secretary of Defense for Intelligence and Secu-*  
12 *rity, shall jointly submit to the appropriate congress-*  
13 *sional committees a report on the effects of a potential*  
14 *withdrawal of the United States from the Open Skies*  
15 *Treaty.*

16 *(2) MATTERS TO BE INCLUDED.—The report re-*  
17 *quired by paragraph (1) shall include the following:*

18 *(A) A description of how the United States*  
19 *will replace benefits of cooperation with United*  
20 *States allies under the Treaty.*

21 *(B) A description of—*

22 *(i) how the United States will obtain*  
23 *unclassified, publicly-releasable imagery it*  
24 *currently receives under the Treaty;*

1           (ii) if national technical means are  
2 used as a replacement to obtain such im-  
3 agery—

4                 (I) how the requirements satisfied  
5 by collection under the Treaty will be  
6 prioritized within the National Intel-  
7 ligence Priorities Framework;

8                 (II) a plan to mitigate any gaps  
9 in collection; and

10                (III) requirements and timelines  
11 for declassification of data for public  
12 release; and

13           (iii) if commercial imagery is used as  
14 a replacement to obtain such imagery—

15                 (I) contractual actions and associ-  
16 ated timelines needed to purchase such  
17 imagery;

18                 (II) costs to purchase commercial  
19 imagery equivalent to that which is ob-  
20 tained under the Treaty; and

21                 (III) estimates of costs to share  
22 that data with other state parties to  
23 the Treaty that are United States part-  
24 ners.

1           (C) A description of how the United States  
2 will replace intelligence information, other than  
3 imagery, obtained under the Treaty.

4           (D) A description of how the United States  
5 will ensure continued dialogue with Russia in a  
6 manner similar to formal communications as  
7 confidence-building measures to reinforce stra-  
8 tegic stability required under the Treaty.

9           (E) All unedited responses to the question-  
10 naire provided to United States allies by the  
11 United States in 2019 and all official statements  
12 provided to the United States by United States  
13 allies in 2019 or 2020 relating to United States  
14 withdrawal from the Treaty.

15           (F) An assessment of the impact of such  
16 withdrawal on—

17                 (i) United States leadership in the  
18 North Atlantic Treaty Organization  
19 (NATO); and

20                 (ii) cohesion and cooperation among  
21 NATO member states.

22           (G) A description of options to continue  
23 confidence-building measures under the Treaty  
24 with other state parties to the Treaty that are  
25 United States allies.

1           (H) *An assessment of the Defense Intel-*  
2 *ligence Agency of the impact on national secu-*  
3 *rity of such withdrawal.*

4           (I) *An assessment of how the United States*  
5 *will influence decisions regarding certifications*  
6 *of new sensors, primarily synthetic aperture*  
7 *radar sensors, under the Treaty that could pose*  
8 *additional risk to deployed United States mili-*  
9 *tary forces and assets.*

10          (3) *FORM.—The report required by paragraph*  
11 *(1) shall be submitted in unclassified form but may*  
12 *contain a classified annex.*

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

14           (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
15 *TEES.—The term “appropriate congressional commit-*  
16 *tees” means—*

17           (A) *the congressional defense committees;*

18           (B) *the Committee on Foreign Affairs and*  
19 *the Permanent Select Committee on Intelligence*  
20 *of the House of Representatives; and*

21           (C) *the Committee on Foreign Relations*  
22 *and the Select Committee on Intelligence of the*  
23 *Senate.*

1           (2) *OBSERVATION FLIGHT.*—The term “observa-  
2           tion flight” has the meaning given such term in Arti-  
3           cle II of the Open Skies Treaty.

4           (3) *OPEN SKIES TREATY; TREATY.*—The term  
5           “Open Skies Treaty” or “Treaty” means the Treaty  
6           on Open Skies, done at Helsinki March 24, 1992, and  
7           entered into force January 1, 2002.

8           ***Subtitle E—Matters Relating to***  
9           ***Europe and NATO***

10       ***SEC. 1241. LIMITATIONS ON USE OF FUNDS TO REDUCE THE***  
11               ***TOTAL NUMBER OF MEMBERS OF THE ARMED***  
12               ***FORCES SERVING ON ACTIVE DUTY WHO ARE***  
13               ***STATIONED IN GERMANY, TO REDUCE THE***  
14               ***TOTAL NUMBER OF MEMBERS OF THE ARMED***  
15               ***FORCES STATIONED IN EUROPE, AND TO DI-***  
16               ***VEST MILITARY INFRASTRUCTURE IN EU-***  
17               ***ROPE.***

18           (a) *LIMITATION ON USE OF FUNDS TO REDUCE THE*  
19       *TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES*  
20       *SERVING ON ACTIVE DUTY WHO ARE STATIONED IN GER-*  
21       *MANY.*—None of the funds authorized to be appropriated or  
22       otherwise made available to the Department of Defense may  
23       be used during the period beginning on the date of the en-  
24       actment of this Act and ending on December 31, 2021, to  
25       take any action to reduce the total number of members of

1 *the Armed Forces serving on active duty who are stationed*  
2 *in Germany below the levels present on June 10, 2020, until*  
3 *180 days after the date on which the Secretary of Defense*  
4 *and the Chairman of the Joint Chiefs of Staff have sepa-*  
5 *rately submitted to the congressional defense committees the*  
6 *following:*

7 (1) *A certification that—*

8 (A) *such a reduction is in the national se-*  
9 *curity interest of the United States and will not*  
10 *significantly undermine the security of the*  
11 *United States or its allies in the region, includ-*  
12 *ing a justification explaining the analysis be-*  
13 *hind the certification; and*

14 (B) *the Secretary has appropriately con-*  
15 *sulted with United States allies and partners in*  
16 *Europe, including all members of the North At-*  
17 *lantic Treaty Organization (NATO), regarding*  
18 *such a reduction.*

19 (2) *A detailed analysis of the impact such a re-*  
20 *duction would have on the security of United States*  
21 *allies and partners in Europe and on interoperability*  
22 *and joint activities with such allies and partners, in-*  
23 *cluding major military exercises.*

24 (3) *A detailed analysis of the impact such a re-*  
25 *duction would have on the ability to deter Russian*

1        *aggression and ensure the territorial integrity of*  
2        *United States allies and partners in Europe.*

3            (4) *A detailed analysis of the impact such a re-*  
4        *duction would have on the ability to counter Russian*  
5        *malign activity.*

6            (5) *A detailed analysis of where the members of*  
7        *the Armed Forces will be moved and stationed as a*  
8        *consequence of such a reduction.*

9            (6) *A detailed plan for how such a reduction*  
10       *would be implemented.*

11           (7) *A detailed analysis of the cost implications*  
12       *of such a reduction, to include the cost associated with*  
13       *new facilities to be constructed at the location to*  
14       *which the members of the Armed Forces are to be*  
15       *moved and stationed.*

16           (8) *A detailed analysis of the impact such a re-*  
17       *duction would have on United States service members*  
18       *and their families stationed in Europe.*

19           (9) *A detailed analysis of the impact such a re-*  
20       *duction would have on Joint Force Planning.*

21           (10) *A detailed explanation of the impact such*  
22       *a reduction would have on implementation of the Na-*  
23       *tional Defense Strategy and a certification that the*  
24       *reduction would not negatively affect implementation*  
25       *of the National Defense Strategy.*



1           **(b) LIMITATION ON USE OF FUNDS TO REDUCE THE**  
2 **TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES**  
3 **STATIONED IN EUROPE.**—None of the funds authorized to  
4 be appropriated or otherwise made available for the Depart-  
5 ment of Defense may be used during the period beginning  
6 on the date of the enactment of this Act and ending on De-  
7 cember 31, 2021, to reduce the total number of members  
8 of the Armed Forces serving on active duty who are sta-  
9 tioned in Europe below the levels present on June 10, 2020,  
10 until 180 days after the date on which the Secretary of De-  
11 fense and the Chairman of the Joint Chiefs of Staff have  
12 separately submitted to the congressional defense committees  
13 the following:

14           **(1) A certification that—**

15                   **(A) such a reduction is in the national se-**  
16 **curity interest of the United States and will not**  
17 **significantly undermine the security of the**  
18 **United States or its allies in the region, includ-**  
19 **ing a justification explaining the analysis be-**  
20 **hind the certification.**

21                   **(B) the Secretary has appropriately con-**  
22 **sulted with United States allies and partners in**  
23 **Europe, including all members of NATO, regard-**  
24 **ing such a reduction.**

1           (2) *A detailed analysis of the impact such a re-*  
2 *duction would have on the security of United States*  
3 *allies and partners in Europe and on interoperability*  
4 *and joint activities with such allies and partners, in-*  
5 *cluding major military exercises.*

6           (3) *A detailed analysis of the impact such a re-*  
7 *duction would have on the ability to deter Russian*  
8 *aggression and ensure the territorial integrity of*  
9 *United States allies and partners in Europe.*

10          (4) *A detailed analysis of the impact such a re-*  
11 *duction would have on the ability to counter Russian*  
12 *malign activity.*

13          (5) *A detailed analysis of where the forces will*  
14 *be moved and stationed as a consequence of such a re-*  
15 *duction.*

16          (6) *A detailed plan for how such a reduction*  
17 *would be implemented.*

18          (7) *A detailed analysis of the cost implications*  
19 *of such a reduction, to include the cost associated with*  
20 *new facilities to be constructed at the location to*  
21 *which the members of the Armed Forces are to be*  
22 *moved and stationed.*

23          (8) *A detailed analysis of the impact such a re-*  
24 *duction would have on service members and their*  
25 *families stationed in Europe.*

1           (9) *A detailed analysis of the impact such a re-*  
2 *duction would have on Joint Force Planning.*

3           (10) *A detailed explanation of the impact such*  
4 *a reduction would have on implementation of the Na-*  
5 *tional Defense Strategy and a certification that the*  
6 *reduction would not negatively affect implementation*  
7 *of the National Defense Strategy.*

8           (c) *LIMITATION TO DIVEST MILITARY INFRASTRUC-*  
9 *TURE IN EUROPE.—*

10           (1) *IN GENERAL.—The Secretary of Defense may*  
11 *not take any action to divest any infrastructure or*  
12 *real property in Europe under the operational control*  
13 *of the Department of Defense unless, prior to taking*  
14 *such action, the Secretary certifies to the congres-*  
15 *sional defense committees that no military require-*  
16 *ment for future use of the infrastructure or real prop-*  
17 *erty is foreseeable.*

18           (2) *SUNSET.—This subsection shall terminate on*  
19 *the date that is 5 years after the date of the enact-*  
20 *ment of this Act.*

21 **SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDI-**  
22 **NATED ACTION TO ENSURE THE SECURITY OF**  
23 **BALTIC ALLIES.**

24           *It is the sense of Congress that—*

1           (1) *the continued security of the Baltic states of*  
2           *Estonia, Latvia, and Lithuania is critical to achiev-*  
3           *ing United States national security interests and de-*  
4           *fense objectives against the acute and formidable*  
5           *threat posed by Russia;*

6           (2) *the United States and the Baltic states are*  
7           *leaders in the mission of defending independence and*  
8           *democracy from aggression and in promoting sta-*  
9           *bility and security within the North Atlantic Treaty*  
10          *Organization (NATO), with non-NATO partners, and*  
11          *with other international organizations such as the*  
12          *European Union;*

13          (3) *the Baltic states are model NATO allies in*  
14          *terms of burden sharing and capital investment in*  
15          *materiel critical to United States and allied security,*  
16          *investment of over 2 percent of their gross domestic*  
17          *product on defense expenditure, allocating over 20*  
18          *percent of their defense budgets on capital moderniza-*  
19          *tion, matching security assistance from the United*  
20          *States, frequently deploying their forces around the*  
21          *world in support of allied and United States objec-*  
22          *tives, and sharing diplomatic, technical, military,*  
23          *and analytical expertise on defense and security mat-*  
24          *ters;*

1           (4) *the United States should continue to*  
2           *strengthen bilateral and multilateral defense by, with,*  
3           *and through allied nations, particularly those which*  
4           *possess expertise and dexterity but do not enjoy the*  
5           *benefits of national economies of scale;*

6           (5) *the United States should pursue consistent ef-*  
7           *forts focused on defense and security assistance, co-*  
8           *ordination, and planning designed to ensure the con-*  
9           *tinued security of the Baltic states and on deterring*  
10          *current and future challenges to the national sov-*  
11          *ereignty of United States allies and partners in the*  
12          *Baltic region; and*

13          (6) *such an initiative should include an innova-*  
14          *tive and comprehensive conflict deterrence strategy for*  
15          *the Baltic region encompassing the unique geography*  
16          *of the Baltic states, modern and diffuse threats to*  
17          *their land, sea, and air spaces, and necessary im-*  
18          *provements to their defense posture, including com-*  
19          *mand-and-control infrastructure, intelligence, surveil-*  
20          *lance, and reconnaissance capabilities, communica-*  
21          *tions equipment and networks, and special forces.*

22 **SEC. 1243. SENSE OF CONGRESS ON SUPPORT FOR ESTO-**  
23 **NIA, LATVIA, AND LITHUANIA.**

24          (a) *FINDINGS.*—*Congress finds the following:*

1           (1) *The Baltic countries of Estonia, Latvia, and*  
2 *Lithuania are highly valued allies of the United*  
3 *States, and they have repeatedly demonstrated their*  
4 *commitment to advancing our mutual interests as*  
5 *well as those of the NATO Alliance.*

6           (2) *Operation Atlantic Resolve is a series of exer-*  
7 *cises and coordinating efforts demonstrating the*  
8 *United States' commitment to its European partners*  
9 *and allies, including the Baltic countries of Estonia,*  
10 *Latvia, and Lithuania, with the shared goal of peace*  
11 *and stability in the region. Operation Atlantic Re-*  
12 *solve strengthens communication and understanding,*  
13 *and is an important effort to deter Russian aggres-*  
14 *sion in the region.*

15           (3) *Through Operation Atlantic Resolve, the Eu-*  
16 *ropean Deterrence Initiative undertakes exercises,*  
17 *training, and rotational presence necessary to reas-*  
18 *sure and integrate our allies, including the Baltic*  
19 *countries, into a common defense framework.*

20           (4) *All three Baltic countries contributed to the*  
21 *NATO-led International Security Assistance Force in*  
22 *Afghanistan, sending troops and operating with few*  
23 *caveats. The Baltic countries continue to commit re-*  
24 *sources and troops to the Resolute Support Mission in*  
25 *Afghanistan.*

1       **(b) SENSE OF CONGRESS.**—Congress—

2               (1) *reaffirms its support for the principle of col-*  
3 *lective defense in Article 5 of the North Atlantic Trea-*  
4 *ty for our NATO allies, including Estonia, Latvia,*  
5 *and Lithuania;*

6               (2) *supports the sovereignty, independence, terri-*  
7 *torial integrity, and inviolability of Estonia, Latvia,*  
8 *and Lithuania as well as their internationally recog-*  
9 *nized borders, and expresses concerns over increas-*  
10 *ingly aggressive military maneuvering by the Russian*  
11 *Federation near their borders and airspace;*

12              (3) *expresses concern over and condemns subver-*  
13 *sive and destabilizing activities by the Russian Fed-*  
14 *eration within the Baltic countries; and*

15              (4) *encourages the Administration to further en-*  
16 *hance defense cooperation efforts with Estonia, Lat-*  
17 *via, and Lithuania and supports the efforts of their*  
18 *Governments to provide for the defense of their people*  
19 *and sovereign territory.*

20 **SEC. 1244. SENSE OF CONGRESS ON SUPPORT FOR GEOR-**  
21 **GIA.**

22       **(a) FINDINGS.**—Congress finds the following:

23              (1) *Georgia is a valued friend of the United*  
24 *States and has repeatedly demonstrated its commit-*  
25 *ment to advancing the mutual interests of both coun-*

1 *tries, including the deployment of Georgian forces as*  
2 *part of the former International Security Assistance*  
3 *Force (ISAF) and the current Resolute Support Mis-*  
4 *sion led by the North Atlantic Treaty Organization*  
5 *(NATO) in Afghanistan and the Multi-National Force*  
6 *in Iraq.*

7 (2) *The European Deterrence Initiative builds*  
8 *the partnership capacity of Georgia so it can work*  
9 *more closely with the United States and NATO, as*  
10 *well as provide for its own defense.*

11 (3) *In addition to the European Deterrence Ini-*  
12 *tiative, Georgia's participation in the NATO initia-*  
13 *tive Partnership for Peace is paramount to interoper-*  
14 *ability with the United States and NATO, and estab-*  
15 *lishing a more peaceful environment in the region.*

16 (4) *Despite the losses suffered, as a NATO part-*  
17 *ner, Georgia is committed to the Resolute Support*  
18 *Mission in Afghanistan with the fifth-largest contin-*  
19 *gent on the ground.*

20 (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
21 *that the United States should—*

22 (1) *reaffirm support for an enduring strategic*  
23 *partnership between the United States and Georgia;*

24 (2) *support Georgia's sovereignty and territorial*  
25 *integrity within its internationally-recognized bor-*



1        *ders, and does not recognize the independence of the*  
2        *Abkhazia and South Ossetia regions currently occu-*  
3        *ped by the Russian Federation;*

4            *(3) continue support for multi-domain security*  
5        *assistance for Georgia in the form of lethal and non-*  
6        *lethal measures to build resiliency, bolster deterrence*  
7        *against Russian aggression, and promote stability in*  
8        *the region, by—*

9            *(A) strengthening defensive capabilities and*  
10        *promote readiness; and*

11            *(B) improving interoperability with NATO*  
12        *forces; and*

13            *(4) further enhance security cooperation and en-*  
14        *gagement with Georgia and other Black Sea regional*  
15        *partners.*

16    **SEC. 1245. SENSE OF CONGRESS ON BURDEN SHARING BY**  
17            **PARTNERS AND ALLIES.**

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

19            *(1) The United States' alliances and other crit-*  
20        *ical defense partnerships are a cornerstone of Depart-*  
21        *ment of Defense (DOD) efforts to deter aggression*  
22        *from our adversaries, counter violent extremism, and*  
23        *preserve United States national security interests in*  
24        *the face of challenges to those interests by Russia,*  
25        *China and other actors.*

1           (2) *The North Atlantic Treaty Organization*  
2           (NATO) *is the most successful military alliance in*  
3           *history, having deterred war between major state*  
4           *powers for more than 70 years.*

5           (3) *Collective security and the responsibility of*  
6           *each member of the security of the other members as*  
7           *well as the alliance as a whole is a pillar of the*  
8           *NATO alliance.*

9           (4) *NATO members other than the United States*  
10          *collectively expend over \$300,000,000,000 in defense*  
11          *investments annually and maintain military forces*  
12          *totaling an estimated 1,900,000 service members, bol-*  
13          *stering the alliance's collective capacity to counter*  
14          *shared threats.*

15          (5) *At the NATO Wales Summit in 2014, NATO*  
16          *members pledged to strive to increase their own de-*  
17          *fense spending to 2 percent of their respective gross*  
18          *domestic products and to spend at least 20 percent of*  
19          *their defense budgets on equipment by 2024 as part*  
20          *of their burden sharing commitments.*

21          (6) *Since 2014, there has been a steady increase*  
22          *in allied defense spending, with 22 member countries*  
23          *meeting defense spending targets in 2018 and having*  
24          *submitted plans to meet the targets by 2024.*

1           (7) *In addition to individual defense spending*  
2           *contributions, NATO allies and partners also con-*  
3           *tribute to NATO and United States operations*  
4           *around the world, including the Resolute Support*  
5           *Mission in Afghanistan and the Global Coalition to*  
6           *Defeat the Islamic State in Iraq and Syria (ISIS).*

7           (8) *South Korea hosts a baseline of 28,500*  
8           *United States forces including the Eighth Army and*  
9           *Seventh Air Force.*

10          (9) *South Korea maintains Aegis Ballistic Mis-*  
11          *sile Defense and Patriot Batteries that contribute to*  
12          *regional Ballistic Missile Defense, is a participant in*  
13          *the Enforcement Coordination Center, and is a sig-*  
14          *nificant contributor to United Nations peacekeeping*  
15          *operations.*

16          (10) *South Korea is an active consumer of*  
17          *United States Foreign Military Sales (FMS) with ap-*  
18          *proximately \$30,500,000,000 in active FMS cases and*  
19          *makes significant financial contributions to support*  
20          *forward deployed United States forces in South*  
21          *Korea, including contributions of \$924,000,000 under*  
22          *the Special Measures Agreement in 2019 and over 90*  
23          *percent of the cost of developing Camp Humphreys.*

24          (11) *Japan hosts 54,000 United States forces in-*  
25          *cluding the Seventh Fleet, the only forward-deployed*

1 *United States aircraft carrier, and the United States*  
2 *Marine Corps' III Marine Expeditionary Force.*

3 (12) *Japan maintains Aegis Ballistic Missile*  
4 *Defense and Patriot Batteries that contribute to re-*  
5 *gional Ballistic Missile Defense, conducts bilateral*  
6 *presence operations and mutual asset protection mis-*  
7 *sions with United States forces, and is a capacity*  
8 *building contributor to United Nations peacekeeping*  
9 *operations.*

10 (13) *Japan is an active consumer of United*  
11 *States FMS with approximately \$28,400,000,000 in*  
12 *active FMS cases and makes significant financial*  
13 *contributions to enable optimized United States mili-*  
14 *tary posture, including contributions of approxi-*  
15 *mately \$2,000,000,000 annually under the Special*  
16 *Measures Agreement, \$187,000,000 annually under*  
17 *the Japan Facilities Improvement Program,*  
18 *\$12,100,000,000 for the Futenma Replacement Facil-*  
19 *ity, \$4,800,000,000 for Marine Corps Air Station*  
20 *Iwakuni, and \$3,100,000,000 for construction on*  
21 *Guam to support the movement of United States Ma-*  
22 *rines from Okinawa.*

23 (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
24 *that—*

1           (1) *the United States Government should focus*  
2 *on United States national security requirements for*  
3 *investment in forward presence, joint exercises, invest-*  
4 *ments, and commitments that contribute to the secu-*  
5 *rity of the United States and collective security, and*  
6 *cease efforts that solely focus on the financial con-*  
7 *tributions of United States allies and partners when*  
8 *negotiating joint security arrangements;*

9           (2) *the United States must continue to strength-*  
10 *en its alliances and security partnerships with like-*  
11  *minded democracies around the world to deter aggres-*  
12 *sion from authoritarian competitors and promote*  
13 *peace and respect for democratic values and human*  
14 *rights around the world;*

15           (3) *United States partners and allies should con-*  
16 *tinue to increase their military capacity and enhance*  
17 *their ability to contribute to global peace and secu-*  
18 *rity;*

19           (4) *NATO allies should continue working toward*  
20 *their 2014 Wales Defense Investment Pledge commit-*  
21 *ments;*

22           (5) *the United States should maintain forward-*  
23 *deployed United States forces in order to better ensure*  
24 *United States national security and global stability;*  
25 *and*

1           (6) *alliances and partnerships are the corner-*  
2           *stone of United States national security and critical*  
3           *to countering the threat posed by malign actors to the*  
4           *post-World War II liberal international order.*

5   **SEC. 1246. SENSE OF CONGRESS ON NATO’S RESPONSE TO**  
6           **THE COVID-19 PANDEMIC.**

7           (a) *FINDINGS.—Congress finds the following:*

8           (1) *The North Atlantic Treaty Organization*  
9           *(NATO) has been working with allies and partners to*  
10          *provide support to the civilian response to the*  
11          *Coronavirus Disease 2019 (commonly referred to as*  
12          *“COVID-19”) pandemic, including logistics and*  
13          *planning, field hospitals, and transport, while main-*  
14          *taining NATO’s operational readiness and continuing*  
15          *to carry out critical NATO missions.*

16          (2) *Since the beginning of the pandemic, NATO*  
17          *allies and partners have completed more than 350*  
18          *airlift flights, supplying hundreds of tons of critical*  
19          *supplies globally, have built nearly 100 field hospitals*  
20          *and dedicated more than half a million troops to sup-*  
21          *port the civilian response to the pandemic.*

22          (3) *NATO’s Euro-Atlantic Disaster Response Co-*  
23          *ordination Centre has been operating 24 hours, seven*  
24          *days a week to coordinate requests for supplies and*  
25          *resources.*

1           (4) *The NATO Support and Procurement Agency's Strategic Airlift Capability and Strategic Airlift*  
2           *International Solution* programs have chartered  
3           *flights to transport medical supplies between partners*  
4           *and allies.*

6           (5) *NATO established Rapid Air Mobility to*  
7           *speed up military air transport of medical supplies*  
8           *and resources to allies and partners experiencing a*  
9           *shortage of medical supplies and personal protective*  
10          *equipment.*

11          (6) *In June 2020, NATO Defense Ministers*  
12          *agreed to future steps to prepare for a potential sec-*  
13          *ond wave of the COVID-19 pandemic, including a*  
14          *new operation plan, establishing a stockpile of med-*  
15          *ical equipment and supplies, and a new fund to ac-*  
16          *quire medical supplies and services.*

17          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
18          *that—*

19                 (1) *NATO's response to the COVID-19 pandemic*  
20                 *is an excellent example of the democratic alliance's*  
21                 *capacity tackling overwhelming logistical challenges*  
22                 *through close collaboration;*

23                 (2) *the United States should remain committed*  
24                 *to strengthening NATO's operational response to the*  
25                 *pandemic; and*

1           (3) *the United States should fulfill its commit-*  
2           *ments made at the 2020 NATO Defense Ministerial*  
3           *and continue to bolster the work of the Euro-Atlantic*  
4           *Disaster Response Coordination Centre, the NATO*  
5           *Support and Procurement Agency’s Strategic Airlift*  
6           *Capability and Strategic Airlift International Solu-*  
7           *tion programs, and other efforts to utilize NATO’s ca-*  
8           *pabilities to support the civilian pandemic response.*

9           ***Subtitle F—Matters Relating to the***  
10           ***Indo-Pacific Region***

11           ***SEC. 1251. INDO-PACIFIC REASSURANCE INITIATIVE.***

12           (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
13           *that—*

14                   (1) *a stable, peaceful, and secure Indo-Pacific re-*  
15                   *gion is vital to United States economic and national*  
16                   *security;*

17                   (2) *revisionist states, rogue states, violent ex-*  
18                   *tremist organizations, and natural and manmade*  
19                   *disasters are persistent challenges to regional stability*  
20                   *and security;*

21                   (3) *maintaining stability and upholding a rules-*  
22                   *based order requires a holistic United States strategy*  
23                   *that—*

24                           (A) *synchronizes all elements of national*  
25                           *power;*



1           (B) is inclusive of United States allies and  
2 partner countries; and

3           (C) ensures a persistent, predictable United  
4 States presence to reinforce regional defense;

5           (4) enhancing regional defense requires robust ef-  
6 forts to increase capability, readiness, and responsive-  
7 ness to deter and mitigate destabilizing activities;

8           (5) the Department of Defense should pursue an  
9 integrated program of activities to—

10           (A) reassure United States allies and part-  
11 ner countries in the Indo-Pacific region;

12           (B) appropriately prioritize activities and  
13 resources to implement the National Defense  
14 Strategy; and

15           (C) enhance the ability of Congress to pro-  
16 vide oversight of and support to Department of  
17 Defense efforts;

18           (6) an integrated, coherent, and strategic pro-  
19 gram of activities in the Indo-Pacific region, similar  
20 to the European Deterrence Initiative (originally the  
21 European Reassurance Initiative), will enhance  
22 United States presence and positioning, allow for ad-  
23 ditional exercises, improve infrastructure and logis-  
24 tics, and build allied and partner capacity to deter  
25 aggression, strengthen ally and partner interoper-

1        *ability, and demonstrate United States commitment*  
2        *to Indo-Pacific countries;*

3            *(7) an integrated, coherent, and strategic pro-*  
4        *gram of activities in the Indo-Pacific region will also*  
5        *assist in resourcing budgetary priorities and enhanc-*  
6        *ing transparency and oversight of programs and ac-*  
7        *tivities to better enable a coordinated and strategic*  
8        *plan for Department of Defense programs;*

9            *(8) not less than \$3,578,360,000 of base funding*  
10        *should be allocated to fully support such program of*  
11        *activities in fiscal year 2021; and*

12            *(9) the Department of Defense should ensure ade-*  
13        *quate, consistent planning is conducted for future*  
14        *funding and build upon the activities identified in*  
15        *fiscal year 2021 in future budget requests, as appro-*  
16        *priate.*

17        *(b) INDO-PACIFIC REASSURANCE INITIATIVE.—The*  
18        *Secretary of Defense shall carry out a program of*  
19        *prioritized activities to reassure United States allies and*  
20        *partner countries in the Indo-Pacific region that shall be*  
21        *known as the “Indo-Pacific Reassurance Initiative” (in this*  
22        *section referred to as the “Initiative”).*

23            *(c) OBJECTIVES.—The objectives of the Initiative shall*  
24        *include reassuring United States allies and partner coun-*  
25        *tries in the Indo-Pacific region by—*

1           (1) *optimizing the presence of United States*  
2 *Armed Forces in the region;*

3           (2) *strengthening and maintaining bilateral and*  
4 *multilateral military exercises and training with such*  
5 *countries;*

6           (3) *improving infrastructure in the region to en-*  
7 *hance the responsiveness of United States Armed*  
8 *Forces;*

9           (4) *enhancing the prepositioning of equipment*  
10 *and materiel in the region; and*

11           (5) *building the defense and security capabilities,*  
12 *capacity, and cooperation of such countries.*

13           (d) *PLAN RELATING TO TRANSPARENCY FOR THE*  
14 *INDO-PACIFIC REASSURANCE INITIATIVE.—*

15           (1) *PLAN REQUIRED.—*

16           (A) *IN GENERAL.—Not later than February*  
17 *1, 2022, and annually thereafter, the Secretary*  
18 *of Defense, in consultation with the Commander*  
19 *of the United States Indo-Pacific Command,*  
20 *shall submit to the congressional defense commit-*  
21 *tees a future years plan on activities and re-*  
22 *sources of the Initiative.*

23           (B) *APPLICABILITY.—The plan shall apply*  
24 *to the Initiative with respect to the first fiscal*  
25 *year beginning after the date of submission of the*

1           *plan and at least the four succeeding fiscal*  
2           *years.*

3           (2) *MATTERS TO BE INCLUDED.*—*The plan re-*  
4           *quired under paragraph (1) shall include each of the*  
5           *following:*

6                     (A) *A summary of progress made towards*  
7                     *achieving the objectives of the Initiative.*

8                     (B) *An assessment of resource requirements*  
9                     *to achieve such objectives.*

10                    (C) *An assessment of capabilities require-*  
11                    *ments to achieve such objectives.*

12                    (D) *An assessment of logistics requirements,*  
13                    *including force enablers, equipment, supplies,*  
14                    *storage, and maintenance requirements, to*  
15                    *achieve such objectives.*

16                    (E) *An identification of the intended force*  
17                    *structure and posture of the assigned and allo-*  
18                    *cated forces within the area of responsibility of*  
19                    *the United States Indo-Pacific Command for the*  
20                    *last fiscal year of the plan and the manner in*  
21                    *which such force structure and posture support*  
22                    *such objectives.*

23                    (F) *An identification and assessment of re-*  
24                    *quired infrastructure and military construction*  
25                    *investments to achieve such objectives, including*

1           *potential infrastructure investments proposed by*  
2           *host countries, new construction or moderniza-*  
3           *tion of existing sites that would be funded by the*  
4           *United States, and a master plan that includes*  
5           *the following:*

6                     *(i) A list of specific locations, orga-*  
7                     *nized by country, in which the Commander*  
8                     *of the United States Indo-Pacific Command*  
9                     *anticipates requiring infrastructure invest-*  
10                    *ments to support an enduring or periodic*  
11                    *military presence in the region.*

12                    *(ii) A list of specific infrastructure in-*  
13                    *vestments required at each location identi-*  
14                    *fied under clause (i), to include the project*  
15                    *title and estimated cost of each project.*

16                    *(iii) A brief explanation for how each*  
17                    *location identified under clause (i) and in-*  
18                    *frastructure investments identified under*  
19                    *clause (ii) support a validated requirement*  
20                    *or component of the overall strategy in the*  
21                    *region.*

22                    *(iv) A discussion of any gaps in the*  
23                    *current infrastructure authorities that*  
24                    *would preclude implementation of the infra-*

1 *structure investments identified under*  
2 *clause (ii).*

3 *(v) A description of the type and size*  
4 *of military force elements that would main-*  
5 *tain an enduring presence or operate peri-*  
6 *odically from each location identified under*  
7 *clause (i).*

8 *(vi) A summary of kinetic and non-ki-*  
9 *netic vulnerabilities for current locations*  
10 *and each location identified in clause (i), to*  
11 *include—*

12 *(I) the level of risk associated with*  
13 *each vulnerability; and*

14 *(II) the proposed mitigations and*  
15 *projected costs to address each such*  
16 *vulnerability, to include—*

17 *(aa) hardening and other re-*  
18 *silience measures;*

19 *(bb) active and passive*  
20 *counter-Intelligence, Surveillance,*  
21 *and Reconnaissance;*

22 *(cc) active and passive*  
23 *counter Positioning, Navigation,*  
24 *and Timing;*

1                    *(dd) air and missile defense*  
2                    *capabilities;*

3                    *(ee) enhanced logistics and*  
4                    *sea lines of communication secu-*  
5                    *rity; and*

6                    *(ff) other issues identified by*  
7                    *the Commander of the United*  
8                    *States Indo-Pacific Command.*

9                    *(G) An assessment of logistics requirements,*  
10                  *including force enablers, equipment, supplies,*  
11                  *storage, fuel storage and distribution, and main-*  
12                  *tenance requirements, to achieve such objectives.*

13                  *(H) An analysis of the challenges to the*  
14                  *ability of the United States to deploy significant*  
15                  *forces from the continental United States to the*  
16                  *Indo-Pacific theater in the event of a major con-*  
17                  *tingency, and a description of the plans of the*  
18                  *Department of Defense, including military exer-*  
19                  *cises, to address such challenges.*

20                  *(I) An assessment and plan for security co-*  
21                  *operation investments to enhance such objectives.*

22                  *(J) A plan to resource United States force*  
23                  *posture and capabilities, including—*

24                    *(i) the infrastructure capacity of exist-*  
25                    *ing locations and their ability to accommo-*

1           *date additional United States forces in the*  
2           *Indo-Pacific region;*

3           *(ii) the potential new locations for ad-*  
4           *ditional United States Armed Forces in the*  
5           *Indo-Pacific region, including an assess-*  
6           *ment of infrastructure and military con-*  
7           *struction resources necessary to accommo-*  
8           *date such forces;*

9           *(iii) a detailed timeline to achieve de-*  
10          *sired posture requirements;*

11          *(iv) a detailed assessment of the re-*  
12          *sources necessary to achieve the require-*  
13          *ments of the plan, including specific cost es-*  
14          *timates for each project under the Initiative*  
15          *to support optimized presence, exercises and*  
16          *training, enhanced prepositioning, im-*  
17          *proved infrastructure, and building part-*  
18          *nership capacity; and*

19          *(v) a detailed timeline to achieve the*  
20          *force posture and capabilities, including*  
21          *force requirements.*

22          *(K) A detailed explanation of any signifi-*  
23          *cant modifications of the requirements or re-*  
24          *sources, as compared to plans previously sub-*  
25          *mitted under paragraph (1).*



1                   (L) Any other matters the Secretary of De-  
2                   fense determines should be included.

3                   (3) FORM.—The plan required under paragraph  
4                   (1) shall be submitted in unclassified form, but may  
5                   include a classified annex.

6                   (e) BUDGET SUBMISSION INFORMATION.—For fiscal  
7                   year 2022 and each fiscal year thereafter, the Secretary of  
8                   Defense shall include in the budget justification materials  
9                   submitted to Congress in support of the Department of De-  
10                  fense budget for that fiscal year (as submitted with the  
11                  budget of the President under section 1105(a) of title 31,  
12                  United States Code)—

13                  (1) the amounts, by budget function and as a  
14                  separate item, requested for the Department of De-  
15                  fense for such fiscal year for all programs and activi-  
16                  ties under the Initiative; and

17                  (2) a detailed budget display for the Initiative,  
18                  including—

19                         (A) with respect to procurement accounts—

20                                 (i) amounts displayed by account,  
21                                 budget activity, line number, line item, and  
22                                 line item title; and

23                                 (ii) a description of the requirements  
24                                 for each such amounts;

1           (B) with respect to research, development,  
2           test, and evaluation accounts—

3                   (i) amounts displayed by account,  
4                   budget activity, line number, program ele-  
5                   ment, and program element title; and

6                   (ii) a description of the requirements  
7                   for each such amount;

8           (C) with respect to operation and mainte-  
9           nance accounts—

10                   (i) amounts displayed by account title,  
11                   budget activity title, line number, and sub-  
12                   activity group title; and

13                   (ii) a description of how such amounts  
14                   will specifically be used;

15           (D) with respect to military personnel ac-  
16           counts—

17                   (i) amounts displayed by account,  
18                   budget activity, budget subactivity, and  
19                   budget subactivity title; and

20                   (ii) a description of the requirements  
21                   for each such amount; and

22           (E) with respect to each project under mili-  
23           tary construction accounts (including with re-  
24           spect to unspecified minor military construction  
25           and amounts for planning and design), the coun-

1            *try, location, project title, and project amount*  
2            *for each fiscal year.*

3            *(f) END OF FISCAL YEAR REPORT.—Not later than*  
4 *November 20, 2022, and annually thereafter, the Secretary*  
5 *of Defense shall submit to the congressional defense commit-*  
6 *tees a report that contains—*

7            *(1) a detailed summary of funds obligated for the*  
8 *Initiative during the preceding fiscal year; and*

9            *(2) a detailed comparison of funds obligated for*  
10 *the Initiative during the preceding fiscal year to the*  
11 *amount of funds requested for the Initiative for such*  
12 *fiscal year in the materials submitted to Congress by*  
13 *the Secretary in support of the budget of the President*  
14 *for that fiscal year as required by subsection (e), in-*  
15 *cluding with respect to each of the accounts described*  
16 *in subparagraphs (A), (B), (C), (D), and (E) of sub-*  
17 *section (e)(2) and the information required under*  
18 *each such subparagraph.*

19            *(g) BRIEFINGS REQUIRED.—Not later than March 1,*  
20 *2023, and annually thereafter, the Secretary of Defense*  
21 *shall provide to the congressional defense committees a*  
22 *briefing on the status of all matters covered by the report*  
23 *required by section (f).*

1       (h) *RELATIONSHIP TO BUDGET.*—Nothing in this sec-  
2 tion shall be construed to affect section 1105(a) of title 31,  
3 United States Code.

4       (i) *CONFORMING REPEAL.*—Section 1251 of the Na-  
5 tional Defense Authorization Act for Fiscal Year 2018 (Pub-  
6 lic Law 115–91; 131 Stat. 1676) is repealed.

7 **SEC. 1252. LIMITATION ON USE OF FUNDS TO REDUCE THE**  
8 **TOTAL NUMBER OF MEMBERS OF THE ARMED**  
9 **FORCES SERVING ON ACTIVE DUTY WHO ARE**  
10 **DEPLOYED TO SOUTH KOREA.**

11       None of the funds authorized to be appropriated by this  
12 Act may be used to reduce the total number of members  
13 of the Armed Forces serving on active duty who are de-  
14 ployed to South Korea below 28,500 until 180 days after  
15 the date on which the Secretary of Defense certifies to the  
16 congressional defense committees the following:

17           (1) Such a reduction is in the national security  
18 interest of the United States and will not signifi-  
19 cantly undermine the security of United States allies  
20 in the region.

21           (2) Such a reduction is commensurate with a re-  
22 duction in the threat posed to the United States and  
23 its allies in the region by the Democratic People’s Re-  
24 public of Korea.

1           (3) *Following such a reduction, the Republic of*  
2           *Korea would be capable of deterring a conflict on the*  
3           *Korean Peninsula.*

4           (4) *The Secretary has appropriately consulted*  
5           *with allies of the United States, including South*  
6           *Korea and Japan, regarding such a reduction.*

7 **SEC. 1253. IMPLEMENTATION OF GAO RECOMMENDATIONS**  
8                   **ON PREPAREDNESS OF UNITED STATES**  
9                   **FORCES TO COUNTER NORTH KOREAN CHEM-**  
10                   **ICAL AND BIOLOGICAL WEAPONS.**

11           (a) *PLAN REQUIRED.*—

12           (1) *IN GENERAL.*—*The Secretary of Defense shall*  
13           *develop a plan to address the recommendations in the*  
14           *U.S. Government Accountability Office’s report enti-*  
15           *tled “Preparedness of U.S. Forces to Counter North*  
16           *Korean Chemical and Biological Weapons” (GAO-20-*  
17           *79C).*

18           (2) *ELEMENTS.*—*The plan required under para-*  
19           *graph (1) shall, with respect to each recommendation*  
20           *in the report described in paragraph (1) that the Sec-*  
21           *retary of Defense has implemented or intends to im-*  
22           *plement, include—*

23                   (A) *a summary of actions that have been or*  
24                   *will be taken to implement the recommendation;*  
25                   *and*

1           (B) a schedule, with specific milestones, for  
2           completing implementation of the recommenda-  
3           tion.

4           (b) *SUBMITTAL TO CONGRESS.*—Not later than one  
5           year after the date of the enactment of this Act, the Sec-  
6           retary of Defense shall submit to the congressional defense  
7           committees the plan required under subsection (a).

8           (c) *DEADLINE FOR IMPLEMENTATION.*—

9           (1) *IN GENERAL.*—Except as provided in para-  
10          graph (2), not later than 18 months after the date of  
11          the enactment of this Act, the Secretary of Defense  
12          shall carry out activities to implement the plan devel-  
13          oped under subsection (a).

14          (2) *EXCEPTION FOR IMPLEMENTATION OF CER-*  
15          *TAIN RECOMMENDATIONS.*—

16                (A) *DELAYED IMPLEMENTATION.*—The Sec-  
17                retary of Defense may initiate implementation of  
18                a recommendation in the report described in sub-  
19                section (a)(1) after the date specified in para-  
20                graph (1) if the Secretary provides the congress-  
21                sional defense committees with a specific jus-  
22                tification for the delay in implementation of  
23                such recommendation on or before such date.

24                (B) *NONIMPLEMENTATION.*—The Secretary  
25                of Defense may decide not to implement a rec-

1           *ommendation in the report described in sub-*  
2           *section (a)(1) if the Secretary provides to the*  
3           *congressional defense committees, on or before the*  
4           *date specified in paragraph (1)—*

5                     *(i) a specific justification for the deci-*  
6                     *sion not to implement the recommendation;*  
7                     *and*

8                     *(ii) a summary of alternative actions*  
9                     *the Secretary plans to take to address the*  
10                    *conditions underlying the recommendation.*

11 **SEC. 1254. PUBLIC REPORTING OF CHINESE MILITARY COM-**  
12 **PANIES OPERATING IN THE UNITED STATES.**

13           *(a) DETERMINATION OF OPERATIONS.—Not later than*  
14 *1 year after the date of the enactment of this Act, and on*  
15 *an ongoing basis thereafter, the Secretary of Defense shall*  
16 *identify each entity the Secretary determines, based on the*  
17 *most recent information available, is—*

18                     *(1)(A) directly or indirectly owned, controlled, or*  
19                     *beneficially owned by, or in an official or unofficial*  
20                     *capacity acting as an agent of or on behalf of, the*  
21                     *People’s Liberation Army or any of its affiliates; or*

22                     *(B) identified as a military-civil fusion contrib-*  
23                     *utor to the Chinese defense industrial base;*

24                     *(2) engaged in providing commercial services,*  
25                     *manufacturing, producing, or exporting; and*

1           (3) *operating directly or indirectly in the United*  
2           *States, including any of its territories and posses-*  
3           *sions.*

4           **(b) SUBMISSION; PUBLICATION.—**

5           (1) *SUBMISSION.—Not later than 1 year after*  
6           *the date of the enactment of this Act, and every 2*  
7           *years thereafter, the Secretary shall submit to the*  
8           *Committees on Armed Services of the House of Rep-*  
9           *resentatives and the Senate an updated list of each*  
10           *entity determined to be a Chinese military company*  
11           *pursuant to subsection (a), in classified and unclassi-*  
12           *fied forms.*

13           (2) *PUBLICATION.—Concurrent with the submis-*  
14           *sion of a list under paragraph (1), the Secretary shall*  
15           *publish the unclassified portion of such list in the*  
16           *Federal Register.*

17           **(c) CONSULTATION.—***The Secretary may consult with*  
18           *the head of any appropriate Federal department or agency*  
19           *in making the determinations required under subsection (a)*  
20           *and shall transmit a copy of each list submitted under sub-*  
21           *section (b)(1) to the heads of each appropriate Federal de-*  
22           *partment and agency.*

23           **(d) DEFINITIONS.—**



1           (1) *MILITARY-CIVIL FUSION CONTRIBUTOR.*—*In*  
2           *this section, the term “military-civil fusion contrib-*  
3           *utor” includes—*

4                   (A) *entities receiving assistance from the*  
5                   *Government of China through science and tech-*  
6                   *nology efforts initiated under the Chinese mili-*  
7                   *tary industrial planning apparatus;*

8                   (B) *entities affiliated with the Chinese Min-*  
9                   *istry of Industry and Information Technology,*  
10                   *including entities connected through Ministry*  
11                   *schools, research partnerships, and state-aided*  
12                   *science and technology projects;*

13                   (C) *entities receiving assistance from the*  
14                   *Government of China or operational direction or*  
15                   *policy guidance from the State Administration*  
16                   *for Science, Technology and Industry for Na-*  
17                   *tional Defense;*

18                   (D) *entities recognized and awarded with*  
19                   *receipt of an innovation prize for science and*  
20                   *technology by such State Administration;*

21                   (E) *any other entity or subsidiary defined*  
22                   *as a “defense enterprise” by the Chinese State*  
23                   *Council; and*

24                   (F) *entities residing in or affiliated with a*  
25                   *military-civil fusion enterprise zone or receiving*

1           *assistance from the Government of China*  
2           *through such enterprise zone.*

3           (2) *PEOPLE’S LIBERATION ARMY.—The term*  
4           *“People’s Liberation Army” means the land, naval,*  
5           *and air military services, the police, and the intel-*  
6           *ligence services of the Government of China, and any*  
7           *member of any such service or of such police.*

8   **SEC. 1255. INDEPENDENT STUDY ON THE DEFENSE INDUS-**  
9                           **TRIAL BASE OF THE PEOPLE’S REPUBLIC OF**  
10                           **CHINA.**

11          (a) *IN GENERAL.—Not later than 30 days after the*  
12          *date of the enactment of this Act, the Secretary of Defense*  
13          *shall seek to enter into a contract with a federally funded*  
14          *research and development center to conduct a study on the*  
15          *defense industrial base of the People’s Republic of China.*

16          (b) *ELEMENTS OF STUDY.—The study required under*  
17          *subsection (a) shall assess the resiliency and capacity of*  
18          *China’s defense industrial base to support its objectives in*  
19          *competition and conflict, including with respect to the fol-*  
20          *lowing:*

21               (1) *The manufacturing capacity and physical*  
22               *plant capacity of the defense industrial base, includ-*  
23               *ing its ability to modernize to meet future needs.*

24               (2) *Gaps in national-security-related domestic*  
25               *manufacturing capabilities, including non-existent,*

1 *extinct, threatened, and single-point-of-failure capa-*  
2 *bilities.*

3 (3) *Supply chains with single points of failure*  
4 *or limited resiliency, especially suppliers at third-tier*  
5 *and lower.*

6 (4) *Energy consumption and vulnerabilities.*

7 (5) *Domestic education and manufacturing*  
8 *workforce skills.*

9 (6) *Exclusive or dominant supply of military*  
10 *and civilian materiel, raw materials, or other goods*  
11 *(or components thereof) essential to China's national*  
12 *security by the United States or United States allies*  
13 *and partners.*

14 (7) *The ability to meet the likely repair and new*  
15 *construction demands of the People's Liberation Army*  
16 *in the event of a protracted conflict.*

17 (8) *The availability of substitutes or alternative*  
18 *sources for goods identified pursuant to paragraph*  
19 *(6).*

20 (9) *Recommendations for legislative, regulatory,*  
21 *and policy changes and other actions by the President*  
22 *and the heads of Federal agencies as appropriate*  
23 *based upon a reasoned assessment that the benefits*  
24 *outweigh the costs (broadly defined to include any*  
25 *economic, strategic, and national security benefits or*

1 *costs) over the short, medium, and long-term to erode,*  
2 *in the event of a conflict, the ability of China's de-*  
3 *fense industrial base to support the national objectives*  
4 *of China.*

5 *(c) SUBMISSION TO DEPARTMENT OF DEFENSE.—Not*  
6 *later than 210 days after the date of the enactment of this*  
7 *Act, the federally funded research and development center*  
8 *shall submit to the Secretary a report containing the study*  
9 *conducted under subsection (a).*

10 *(d) SUBMISSION TO CONGRESS.—Not later than 240*  
11 *days after the date of the enactment of this Act, the Sec-*  
12 *retary shall submit to the congressional defense committees*  
13 *the report submitted to the Secretary under subsection (c),*  
14 *without change but with any comments of the Secretary*  
15 *with respect to the report.*

16 **SEC. 1256. REPORT ON CHINA'S ONE BELT, ONE ROAD INI-**  
17 **TIATIVE IN AFRICA.**

18 *(a) IN GENERAL.—Not later than one year after the*  
19 *date of the enactment of this Act, the Secretary of Defense,*  
20 *in coordination with the Secretary of State and the Director*  
21 *of National Intelligence, shall submit to the appropriate*  
22 *congressional committees a report on the military and de-*  
23 *fense implications of China's One Belt, One Road Initiative*  
24 *in Africa and a strategy to address impacts on United*  
25 *States military and defense interests in Africa.*

1       (b) *MATTERS TO BE INCLUDED.*—*The report required*  
2 *by subsection (a) shall include the following:*

3           (1) *An assessment of Chinese dual-use invest-*  
4 *ments in Africa, including a description of which in-*  
5 *vestments that are of greatest concern to United*  
6 *States military or defense interests.*

7           (2) *A description of such investments that are*  
8 *associated with People’s Liberation Army cooperation*  
9 *with African countries.*

10          (3) *An assessment of the potential military, in-*  
11 *telligence, and logistical threats facing United States’*  
12 *key regional military infrastructure, supply chains,*  
13 *and staging grounds due to such investments.*

14          (4) *An identification of Department of Defense*  
15 *measures taken to mitigate the risk posed to United*  
16 *States forces and defense interests by such invest-*  
17 *ments.*

18          (5) *A strategy to address ongoing military and*  
19 *defense implications posed by the expansion of such*  
20 *investments.*

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

22           (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
23 *TEES.*—*The term “appropriate congressional commit-*  
24 *tees” means—*

1           (A) *the Committee on Armed Services, the*  
2           *Committee on Foreign Affairs, and the Perma-*  
3           *nent Select Committee on Intelligence of the*  
4           *House of Representatives; and*

5           (B) *the Committee on Armed Services, the*  
6           *Committee on Foreign Relations, and Select*  
7           *Committee on Intelligence of the Senate.*

8           (2) *CHINESE DUAL-USE INVESTMENTS IN AFRI-*  
9           *CA.—The term “Chinese dual-use investments in Afri-*  
10           *ca” means investments made by the Government of*  
11           *the People’s Republic of China, the Chinese Com-*  
12           *munist Party, or companies owned or controlled by*  
13           *such Government or Party in the infrastructure of Af-*  
14           *rican countries or related projects for both commercial*  
15           *and military or proliferation purposes.*

16           (d) *FORM.—The report required by subsection (a)*  
17           *shall—*

18                   (1) *be submitted in unclassified form but may*  
19                   *contain a classified annex; and*

20                   (2) *be made available to the public on the*  
21                   *website of the Department of Defense.*

22           **SEC. 1257. SENSE OF CONGRESS ON ENHANCEMENT OF THE**  
23                           **UNITED STATES-TAIWAN DEFENSE RELATION-**  
24                           **SHIP.**

25           *It is the sense of Congress that—*

1           (1) *Taiwan is a vital partner of the United*  
2           *States and is critical to a free and open Indo-Pacific*  
3           *region;*

4           (2) *the Taiwan Relations Act (22 U.S.C. 3301 et*  
5           *seq.) and the “Six Assurances” are both cornerstones*  
6           *of United States relations with Taiwan;*

7           (3) *the United States should continue to*  
8           *strengthen defense and security cooperation with Tai-*  
9           *wan to support the development of capable, ready,*  
10          *and modern defense forces necessary for Taiwan to*  
11          *maintain a sufficient self-defense capability;*

12          (4) *consistent with the Taiwan Relations Act, the*  
13          *United States should strongly support the acquisition*  
14          *by Taiwan of defense articles and services through*  
15          *foreign military sales, direct commercial sales, and*  
16          *industrial cooperation, with an emphasis on anti-*  
17          *ship, coastal defense, anti-armor, air defense, defen-*  
18          *sive naval mining, and resilient command and con-*  
19          *trol capabilities that support the asymmetric defense*  
20          *strategy of Taiwan;*

21          (5) *the President and Congress should determine*  
22          *the nature and quantity of such defense articles and*  
23          *services based solely upon their judgment of the needs*  
24          *of Taiwan, as required by the Taiwan Relations Act*  
25          *and in accordance with procedures established by law;*

1           (6) *the United States should continue efforts to*  
2 *improve the predictability of United States arms sales*  
3 *to Taiwan by ensuring timely review of and response*  
4 *to requests of Taiwan for defense articles and services;*

5           (7) *the Secretary of Defense should promote poli-*  
6 *cies concerning exchanges that enhance the security of*  
7 *Taiwan, including—*

8           (A) *opportunities with Taiwan for practical*  
9 *training and military exercises that—*

10           (i) *enable Taiwan to maintain a suffi-*  
11 *cient self-defense capability, as described in*  
12 *section 3(a) of the Taiwan Relations Act*  
13 *(22 U.S.C. 3302(a)); and*

14           (ii) *emphasize capabilities consistent*  
15 *with the asymmetric defense strategy of*  
16 *Taiwan;*

17           (B) *exchanges between senior defense offi-*  
18 *cial and general officers of the United States*  
19 *and Taiwan, consistent with the Taiwan Travel*  
20 *Act (Public Law 115–135), especially for the*  
21 *purpose of enhancing cooperation on defense*  
22 *planning and improving the interoperability of*  
23 *United States and Taiwan forces; and*



1           (C) opportunities for exchanges between jun-  
2           ior officers and senior enlisted personnel of the  
3           United States and Taiwan;

4           (8) the Secretary of Defense should consider ex-  
5           panded air and naval engagements and training with  
6           Taiwan to enhance regional security;

7           (9) the United States and Taiwan should expand  
8           cooperation in humanitarian assistance and disaster  
9           relief including conducting port calls in Taiwan with  
10          the United States Naval Ship Comfort and United  
11          States Naval Ship Mercy;

12          (10) the Secretary of Defense should consider op-  
13          tions, including exercising ship visits and port calls,  
14          as appropriate, to expand the scale and scope of hu-  
15          manitarian assistance and disaster response coopera-  
16          tion with Taiwan and other regional partners so as  
17          to improve disaster response planning and prepared-  
18          ness;

19          (11) the Secretary of Defense should continue  
20          regular transits of United States Navy vessels through  
21          the Taiwan Strait and encourage allies and partners  
22          to follow suit in conducting such transits to dem-  
23          onstrate the commitment of the United States and its  
24          allies and partners to fly, sail, and operate anywhere  
25          international law allows;

1           (12) *the violation of international law by the*  
2 *Government of China with respect to the Joint Dec-*  
3 *laration of the Government of the United Kingdom of*  
4 *Great Britain and Northern Ireland and the Govern-*  
5 *ment of the People’s Republic of China on the Ques-*  
6 *tion of Hong Kong, done at Beijing December 19,*  
7 *1984, is gravely concerning and erodes international*  
8 *confidence in China’s willingness to honor its inter-*  
9 *national commitments, including not to change the*  
10 *status quo with respect to Taiwan by force;*

11           (13) *the increasingly coercive and aggressive be-*  
12 *havior of China towards Taiwan, including growing*  
13 *military maneuvers targeting Taiwan, is contrary to*  
14 *the expectation of the peaceful resolution of the future*  
15 *of Taiwan; and*

16           (14) *the United States and Taiwan should ex-*  
17 *pend consultation and cooperation on combating the*  
18 *Coronavirus Disease 2019 (“COVID-19”) and seek to*  
19 *share the best practices and cooperate on a range of*  
20 *activities under this partnership.*

21 **SEC. 1258. REPORT ON SUPPLY CHAIN SECURITY COOPERA-**  
22 **TION WITH TAIWAN.**

23           *Not later than 180 days after the date of the enactment*  
24 *of this Act, the Secretary of Defense, in coordination with*  
25 *the head of each appropriate Federal department and agen-*

1 *cy, shall submit to the congressional defense committees a*  
2 *report on the following:*

3           (1) *The feasibility of establishing a high-level,*  
4 *interagency United States-Taiwan working group for*  
5 *coordinating cooperation related to supply chain se-*  
6 *curity.*

7           (2) *A discussion of the Department of Defense's*  
8 *current and future plans to engage with Taiwan with*  
9 *respect to activities ensuring supply chain security.*

10          (3) *A discussion of obstacles encountered in*  
11 *forming, executing, or implementing agreements with*  
12 *Taiwan for conducting activities to ensure supply*  
13 *chain security.*

14          (4) *Any other matters the Secretary of Defense*  
15 *determines should be included.*

16 **SEC. 1259. REPORT ON UNITED STATES-TAIWAN MEDICAL**  
17 **SECURITY PARTNERSHIP.**

18          *Not later than 180 days after the date of the enactment*  
19 *of this Act, the Secretary of Defense, in coordination with*  
20 *the Secretary of Health and Human Services, shall submit*  
21 *to the congressional defense committees a report on the fol-*  
22 *lowing:*

23           (1) *The goals, objectives, and feasibility of devel-*  
24 *oping a United States-Taiwan medical security part-*

1        *nership on issues related to pandemic preparedness*  
2        *and control.*

3            (2) *A discussion of current and future plans to*  
4        *engage with Taiwan in medical security activities.*

5            (3) *An evaluation of cooperation on a range of*  
6        *activities under the partnership to include—*

7            (A) *research and production of vaccines and*  
8        *medicines;*

9            (B) *joint conferences with scientists and ex-*  
10       *perts;*

11           (C) *collaboration relating to and exchanges*  
12       *of medical supplies and equipment; and*

13           (D) *the use of hospital ships such as the*  
14       *United States Naval Ship Comfort and United*  
15       *States Naval Ship Mercy.*

16           (4) *Any other matters the Secretary of Defense*  
17       *determines appropriate.*

18            ***Subtitle G—Other Matters***

19        ***SEC. 1261. PROVISION OF GOODS AND SERVICES TO KWAJA-***  
20            ***LEIN ATOLL.***

21           (a) *AUTHORITY FOR PROVISION OF GOODS AND SERV-*  
22       *ICES.—Chapter 767 of title 10, United States Code, is*  
23       *amended by adding at the end the following new section:*

1 **“§ 7596. Provision of goods and services to Kwajalein**

2 **Atoll**

3 “(a) *AUTHORITY.*—

4 “(1) *IN GENERAL.*—*The Secretary of the Army*  
5 *may, subject to the concurrence of the Secretary of*  
6 *State as provided in paragraph (2), use any amounts*  
7 *appropriated to the Department of the Army to pro-*  
8 *vide goods and services, including inter-atoll trans-*  
9 *portation, to the Government of the Republic of the*  
10 *Marshall Islands and to other eligible patrons at*  
11 *Kwajalein Atoll, under regulations and at rates to be*  
12 *prescribed by the Secretary of the Army in accordance*  
13 *with this section.*

14 “(2) *EFFECT ON COMPACT.*—*The Secretary of*  
15 *State may not concur to the provision of goods and*  
16 *services under paragraph (1) if the Secretary deter-*  
17 *mines that such provision would be inconsistent with*  
18 *the Compact of Free Association between the Govern-*  
19 *ment of the United States of America and the Govern-*  
20 *ment of the Republic of the Marshall Islands (as set*  
21 *forth in title II of the Compact of Free Association*  
22 *Act of 1985 (48 U.S.C. 1901 et seq.)) or with any*  
23 *subsidiary agreement or implementing arrangement*  
24 *with respect to such Compact.*

25 “(b) *REIMBURSEMENT.*—

1           “(1) *AUTHORITY TO COLLECT REIMBURSE-*  
 2           *MENT.*—*The Secretary of the Army may collect reim-*  
 3           *bursement from the Government of the Republic of the*  
 4           *Marshall Islands or eligible patrons for the provision*  
 5           *of goods and services under this section in an amount*  
 6           *that does not exceed the costs to the United States of*  
 7           *providing such goods or services.*

8           “(2) *MAXIMUM REIMBURSEMENT.*—*The total*  
 9           *amount collected in a fiscal year pursuant to the au-*  
 10          *thority under paragraph (1) may not exceed*  
 11          *\$7,000,000.”.*

12          “(b) *CLERICAL AMENDMENTS.*—*The table of contents for*  
 13          *chapter 767 of title 10, United States Code, is amended by*  
 14          *adding at the end the following new item:*

          “*Sec. 7595. Provision of goods and services to Kwajalein Atoll.*”.

15          **SEC. 1262. ANNUAL BRIEFINGS ON CERTAIN FOREIGN MILI-**  
 16                                    **TARY BASES OF ADVERSARIES.**

17          “(a) *IN GENERAL.*—*Chapter 3 of title 10, United States*  
 18          *Code, is amended by adding at the end the following new*  
 19          *section:*

20          **“§ 130l. Annual briefings on certain foreign military**  
 21                                    **bases of adversaries.**

22          “(a) *REQUIREMENT.*—*Not later than February 15 of*  
 23          *each year, the Chairman of the Joint Chiefs of Staff and*  
 24          *the Secretary of Defense, acting through the Under Sec-*  
 25          *retary of Defense for Intelligence and Security, shall pro-*

1 *vide to the congressional defense committees, the Committee*  
2 *on Foreign Affairs of the House of Representatives, and the*  
3 *Committee on Foreign Relations of the Senate a briefing*  
4 *on—*

5           “(1) *covered foreign military bases and the re-*  
6 *lated capabilities of that foreign military; and*

7           “(2) *the effects of such bases and capabilities*  
8 *on—*

9           “(A) *the military installations of the United*  
10 *States located outside the United States; and*

11           “(B) *current and future deployments and*  
12 *operations of the armed forces of the United*  
13 *States.*

14           “(b) *ELEMENTS.—Each briefing under subsection (a)*  
15 *shall include the following:*

16           “(1) *An assessment of covered foreign military*  
17 *bases, including such bases established by China, Rus-*  
18 *sia, and Iran, and any updates to such assessment*  
19 *provided in a previous briefing under such subsection.*

20           “(2) *Information regarding known plans for any*  
21 *future covered foreign military base.*

22           “(3) *An assessment of the capabilities, including*  
23 *those pertaining to anti-access and area denial, pro-*  
24 *vided by covered foreign military bases to that foreign*  
25 *military, including an assessment of how such capa-*

1        *bilities could be used against the armed forces of the*  
2        *United States in the country and the geographic com-*  
3        *batant command in which such base is located.*

4            *“(4) A description of known ongoing activities*  
5        *and capabilities at covered foreign military bases,*  
6        *and how such activities and capabilities advance the*  
7        *foreign policy and national security priorities of the*  
8        *relevant foreign countries.*

9            *“(5) The extent to which covered foreign military*  
10       *bases could be used to counter the defense priorities of*  
11       *the United States.*

12        *“(c) FORM.—Each briefing under subsection (a) shall*  
13       *be provided in classified form.*

14        *“(d) COVERED FOREIGN MILITARY BASE DEFINED.—*  
15       *In this section, the term ‘covered foreign military base’*  
16       *means, with respect to a foreign country that is an adver-*  
17       *sary of the United States, a military base of that country*  
18       *located in a different country.”.*

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

*“130l. Annual briefings on certain foreign military bases of adversaries.”.*



1 **SEC. 1263. REPORT ON PROGRESS OF THE DEPARTMENT OF**  
2 **DEFENSE WITH RESPECT TO DENYING A FAIT**  
3 **ACCOMPLI BY A STRATEGIC COMPETITOR**  
4 **AGAINST A COVERED DEFENSE PARTNER.**

5 (a) *DEFINITIONS.—In this section:*

6 (1) *COVERED DEFENSE PARTNER.—The term*  
7 *“covered defense partner” means a partner identified*  
8 *in the “Department of Defense Indo-Pacific Strategy*  
9 *Report” issued on June 1, 2019, located within 100*  
10 *miles off the coast of a strategic competitor.*

11 (2) *FAIT ACCOMPLI.—The term “fait accompli”*  
12 *means the strategy of a strategic competitor designed*  
13 *to allow such strategic competitor to use military*  
14 *force to seize control of a covered defense partner be-*  
15 *fore the United States Armed Forces are able to re-*  
16 *spond effectively.*

17 (3) *STRATEGIC COMPETITOR.—The term “stra-*  
18 *tegic competitor” means a country labeled as a stra-*  
19 *tegic competitor in the “Summary of the 2018 Na-*  
20 *tional Defense Strategy of the United States of Amer-*  
21 *ica: Sharpening the American Military’s Competitive*  
22 *Edge” issued by the Department of Defense pursuant*  
23 *to section 113 of title 10, United States Code.*

24 (b) *REPORT ON PROGRESS OF THE DEPARTMENT OF*  
25 *DEFENSE WITH RESPECT TO DENYING A FAIT ACCOMPLI*

1 *BY A STRATEGIC COMPETITOR AGAINST A COVERED DE-*  
2 *FENSE PARTNER.—*

3           (1) *IN GENERAL.—Not later than April 30 each*  
4 *year, beginning in 2021 and ending in 2026, the Sec-*  
5 *retary of Defense shall submit to the congressional de-*  
6 *fense committees a report on the progress of the De-*  
7 *partment of Defense with respect to improving the*  
8 *ability of the United States Armed Forces to conduct*  
9 *combined joint operations to deny the ability of a*  
10 *strategic competitor to execute a fait accompli against*  
11 *a covered defense partner.*

12           (2) *MATTERS TO BE INCLUDED.—Each report*  
13 *under paragraph (1) shall include the following:*

14                   (A) *An explanation of the objectives for the*  
15 *United States Armed Forces that would be nec-*  
16 *essary to deny the fait accompli by a strategic*  
17 *competitor against a covered defense partner.*

18                   (B) *An identification of joint warfighting*  
19 *capabilities and current efforts to organize,*  
20 *train, and equip the United States Armed Forces*  
21 *in support of the objectives referred to in para-*  
22 *graph (1), including—*

23                           (i) *an assessment of whether the pro-*  
24 *grams included in the most recent future-*  
25 *years defense program submitted to Con-*

1            *gress under section 221 of title 10, United*  
2            *States Code, are sufficient to enable the*  
3            *United States Armed Forces to conduct*  
4            *joint combined operations to achieve such*  
5            *objectives;*

6            *(ii) a description of additional invest-*  
7            *ments or force posture adjustments required*  
8            *to maintain or improve the ability of the*  
9            *United States Armed Forces to conduct*  
10           *joint combined operations to achieve such*  
11           *objectives;*

12           *(iii) a description of the manner in*  
13           *which the Secretary of Defense intends to*  
14           *develop and integrate Army, Navy, Air*  
15           *Force, Marine Corps, and Space Force oper-*  
16           *ational concepts to maintain or improve the*  
17           *ability of the United States Armed Forces to*  
18           *conduct joint combined operations to*  
19           *achieve such objectives; and*

20           *(iv) an assessment of the manner in*  
21           *which different options for pre-delegating*  
22           *authorities may improve the ability of the*  
23           *United States Armed Forces to conduct*  
24           *joint combined operations to achieve such*  
25           *objectives.*

1           (C) *An assessment of options for deterring*  
2 *limited use of nuclear weapons by a strategic*  
3 *competitor in the Indo-Pacific region without*  
4 *undermining the ability of the United States*  
5 *Armed Forces to maintain deterrence against*  
6 *other strategic competitors and adversaries.*

7           (D) *An assessment of a strategic competitor*  
8 *theory of victory for invading and unifying a*  
9 *covered defense partner with such a strategic*  
10 *competitor by military force.*

11           (E) *A description of the military objectives*  
12 *a strategic competitor would need to achieve in*  
13 *a covered defense partner campaign.*

14           (F) *A description of the military missions*  
15 *a strategic competitor would need to execute a*  
16 *covered defense partner invasion campaign, in-*  
17 *cluding—*

18                   (i) *blockade and bombing operations;*

19                   (ii) *amphibious landing operations;*

20                   *and*

21                   (iii) *combat operations.*

22           (G) *An assessment of competing demands*  
23 *on a strategic competitor's resources and how*  
24 *such demands impact such a strategic competi-*

1            *tor's ability to achieve its objectives in a covered*  
 2            *defense partner campaign.*

3            *(H) An assessment of a covered defense*  
 4            *partner's self-defense capability and a summary*  
 5            *of defense articles and services that are required*  
 6            *to enhance such capability.*

7            *(I) An assessment of the capabilities of*  
 8            *partner and allied countries to conduct combined*  
 9            *operations with the United States Armed Forces*  
 10           *in a regional contingency.*

11           *(3) FORM.—Each report under paragraph (1)*  
 12           *shall be submitted in classified form but may include*  
 13           *an unclassified executive summary.*

14    **SEC. 1264. MODIFICATION TO REQUIREMENTS OF THE INI-**  
 15                                    **TIATIVE TO SUPPORT PROTECTION OF NA-**  
 16                                    **TIONAL SECURITY ACADEMIC RESEARCHERS**  
 17                                    **FROM UNDUE INFLUENCE AND OTHER SECU-**  
 18                                    **RITY THREATS.**

19           *(a) ENHANCED INFORMATION SHARING.—Subsection*  
 20           *(d)(1) section 1286 of the John S. McCain National Defense*  
 21           *Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358*  
 22           *note) is amended by striking “(other than basic research)”.*

23           *(b) PUBLICATION OF UPDATED LIST.—Subsection (e)*  
 24           *of such section is amended by adding at the end the fol-*  
 25           *lowing new paragraph:*

1           “(4) *PUBLICATION OF UPDATED LIST.*—

2                   “(A) *IN GENERAL.*—Not later than January  
3           1, 2021, and annually thereafter, the Secretary  
4           shall submit to the congressional defense commit-  
5           tees the most recently updated list described in  
6           subsection (c)(8) in unclassified form (but with  
7           a classified annex as applicable) and make the  
8           unclassified portion of each such list publicly  
9           available on an internet website in a searchable  
10          format.

11                   “(B) *INTERVENING PUBLICATION.*—The Sec-  
12          retary may submit and publish an updated list  
13          described in subparagraph (A) more frequently  
14          than required by such subparagraph if the Sec-  
15          retary determines necessary.”.

16 **SEC. 1265. REPORT ON DIRECTED USE OF FISHING FLEETS.**

17          Not later than 180 days after the date of the enactment  
18          of this Act, the Commander of the Office of Naval Intel-  
19          ligence shall submit to the congressional defense committees,  
20          the Committee on Foreign Affairs of the House of Represent-  
21          atives, and the Committee on Foreign Relations of the Sen-  
22          ate an unclassified report on the use of distant-water fish-  
23          ing fleets by foreign governments as extensions of such coun-  
24          tries’ official maritime security forces, including the man-  
25          ner and extent to which such fishing fleets are leveraged

1 *in support of naval operations and foreign policy more gen-*  
2 *erally. The report shall also consider the threats, on a coun-*  
3 *try-by-country basis, posed by such use of distant-water*  
4 *fishing fleets to—*

5           (1) *fishing or other vessels of the United States*  
6           *and partner countries;*

7           (2) *United States and partner naval and coast*  
8           *guard operations; and*

9           (3) *other interests of the United States and part-*  
10          *ner countries.*

11 **SEC. 1266. EXPANDING THE STATE PARTNERSHIP PROGRAM**

12                           **IN AFRICA.**

13           *The Secretary of Defense, in coordination with the*  
14 *Chief of the National Guard Bureau, shall seek to build*  
15 *partner capacity and interoperability in the United States*  
16 *Africa Command area of responsibility through increased*  
17 *partnerships with countries on the African continent, mili-*  
18 *tary-to-military engagements, and traditional activities of*  
19 *the combatant commands.*

20 **SEC. 1267. REPORT RELATING TO REDUCTION IN THE**

21                           **TOTAL NUMBER OF UNITED STATES ARMED**

22                           **FORCES DEPLOYED TO UNITED STATES AFRI-**

23                           **CA COMMAND AREA OF RESPONSIBILITY.**

24           (a) *REDUCTION DESCRIBED.—*

1           (1) *IN GENERAL.*—*If the Department of Defense*  
2 *reduces the number of United States Armed Forces de-*  
3 *ployed to the United States Africa Command area of*  
4 *responsibility (in this section referred to as*  
5 *“AFRICOM AOR”) (other than United States Armed*  
6 *Forces described in paragraph (2)) to a number that*  
7 *is below 80 percent of the number deployed as of the*  
8 *day before the date of the enactment of this Act, the*  
9 *Secretary of Defense, in consultation with the Sec-*  
10 *retary of State and the Director of National Intel-*  
11 *ligence, shall, not later than 90 days after date of*  
12 *such a reduction, submit to the appropriate congres-*  
13 *sional committees a report described in subsection (b).*

14           (2) *UNITED STATES ARMED FORCES DE-*  
15 *SCRIBED.*—*United States Armed Forces described in*  
16 *this paragraph are United States Armed Forces that*  
17 *are deployed to AFRICOM AOR but are not under*  
18 *the direct authority of the Commander of United*  
19 *States Africa Command, including—*

20                   (A) *forces deployed in conjunction with*  
21 *other Commands;*

22                   (B) *forces participating in joint exercises;*

23                   (C) *forces identified for pre-planned activi-*  
24 *ties;*



1                   (D) forces used to assist in emergency situa-  
2                   tions; and

3                   (E) forces designated or assigned for diplo-  
4                   matic or embassy security.

5           (b) REPORT.—

6                   (1) IN GENERAL.—A report described in this sub-  
7                   section is a report that includes each of the following:

8                   (A) A strategic plan to—

9                           (i) degrade each of the violent extremist  
10                           organizations described in paragraph (2)  
11                           within the AFRICOM AOR, to include an  
12                           assessment of the extent to which such vio-  
13                           lent extremist organizations pose a direct  
14                           threat to the United States; and

15                           (ii) counter the military influence of  
16                           China and Russia within the AFRICOM  
17                           AOR.

18                   (B) The average number of United States  
19                   Armed Forces that are under the direct authority  
20                   of the Commander of United States Africa Com-  
21                   mand and deployed to AFRICOM AOR and the  
22                   amount of associated expenditures, to be listed by  
23                   month for each of the fiscal years 2019 and 2020  
24                   and disaggregated by mission and country, to

1           *include those forces deployed to secure United*  
2           *States embassies.*

3           (C) *The average number of United States*  
4           *Armed Forces that are planned to be under the*  
5           *direct authority of the Commander of United*  
6           *States Africa Command and deployed to*  
7           *AFRICOM AOR and the amount of projected as-*  
8           *sociated expenditures, to be listed by month for*  
9           *fiscal years 2021 and 2022 and disaggregated by*  
10          *mission and country, to include those forces de-*  
11          *ployed to secure United States embassies.*

12          (D) *The effect that a reduction described in*  
13          *subsection (a) would have on military and intel-*  
14          *ligence efforts to combat each of the violent ex-*  
15          *tremist organizations described in paragraph*  
16          *(2), including a statement of the current objec-*  
17          *tives of the Secretary of Defense with respect to*  
18          *such efforts.*

19          (E) *A description of any consultation or co-*  
20          *ordination with the Department of State or the*  
21          *United States Agency for International Develop-*  
22          *ment with respect to such a reduction and the ef-*  
23          *fect that such a reduction would have on diplo-*  
24          *matic, developmental, or humanitarian efforts in*  
25          *Africa, including statements of the current objec-*

1            *tives of the Secretary of State and the Adminis-*  
2            *trator of the United States Agency for Inter-*  
3            *national Development with respect to such ef-*  
4            *forts.*

5            *(F) The strength, regenerative capacity, and*  
6            *intent of such violent extremist organizations in*  
7            *the AFRICOM AOR, including—*

8                    *(i) an assessment of the number of*  
9                    *fighters in the Sahel, the Horn of Africa,*  
10                   *and West Africa who are members of such*  
11                   *violent extremist organizations;*

12                   *(ii) the threat such violent extremist*  
13                   *organizations pose to host nations and*  
14                   *United States allies and partners, and the*  
15                   *extent to which such violent extremist orga-*  
16                   *nizations pose a direct threat to the United*  
17                   *States; and*

18                   *(iii) the likely reaction of such violent*  
19                   *extremist organizations to the withdrawal of*  
20                   *United States Armed Forces.*

21            *(G) The strategic risks involved with coun-*  
22            *tering such violent extremist organizations fol-*  
23            *lowing such a reduction.*

24            *(H) The operational risks involved with*  
25            *conducting United States led or enabled oper-*

1           *ations in Africa against such violent extremist*  
2           *organizations following such a reduction.*

3           *(I) For any region of the AFRICOM AOR*  
4           *in which United States Armed Forces currently*  
5           *are present or conduct activities, the effect such*  
6           *a reduction would have on power and influence*  
7           *of China and Russia in such region.*

8           *(J) Any consultation or coordination with*  
9           *United States allies and partners concerning*  
10          *such a reduction.*

11          *(K) An assessment of the response from the*  
12          *governments and military forces of France, the*  
13          *United Kingdom, and Canada to such a reduc-*  
14          *tion.*

15          *(2) VIOLENT EXTREMIST ORGANIZATIONS DE-*  
16          *SCRIBED.—The violent extremist organizations de-*  
17          *scribed in this paragraph are adversarial groups and*  
18          *forces in the AFRICOM AOR, as determined by the*  
19          *Secretary of Defense.*

20          *(c) ADDITIONAL REPORTING REQUIREMENT.—Not*  
21          *later than 60 days after the date of the enactment of this*  
22          *Act, the Secretary of Defense shall submit to the appropriate*  
23          *congressional committees a report that includes the infor-*  
24          *mation required by subsection (b)(1)(B).*

1       (d) *FORM.*—*The reports required by subsections (b)*  
2 *and (c) shall be submitted in unclassified form, but may*  
3 *contain a classified annex.*

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

7           (1) *the congressional defense committees (which*  
8 *has the meaning given the term in section 101(a)(16)*  
9 *of title 10, United States Code);*

10          (2) *the Committee on Foreign Affairs and the*  
11 *Permanent Select Committee on Intelligence of the*  
12 *House of Representatives; and*

13          (3) *the Committee on Foreign Relations and the*  
14 *Select Committee on Intelligence of the Senate.*

15 **SEC. 1268. REPORT ON ENHANCING PARTNERSHIPS BE-**  
16 **TWEEN THE UNITED STATES AND AFRICAN**  
17 **COUNTRIES.**

18       (a) *REPORT REQUIRED.*—

19           (1) *IN GENERAL.*—*Not later than June 1, 2021,*  
20 *the Secretary of Defense, in coordination with the*  
21 *Secretary of State, shall submit to the appropriate*  
22 *congressional committees a report on the activities*  
23 *and resources required to enhance security and eco-*  
24 *nomic partnerships between the United States and Af-*  
25 *rican countries.*

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

3           (A) *An assessment of the infrastructure ac-*  
4 *cessible to the Department of Defense on the con-*  
5 *tinent of Africa.*

6           (B) *An identification of the ability of the*  
7 *Department to conduct freedom of movement on*  
8 *the continent, including identifying the activities*  
9 *of partners, allies, and other Federal depart-*  
10 *ments and agencies that are facilitated by the*  
11 *Department's ability to conduct freedom of move-*  
12 *ment.*

13          (C) *Recommendations to meet the require-*  
14 *ments identified in subparagraph (B), includ-*  
15 *ing—*

16                   (i) *dual-use infrastructure projects;*

17                   (ii) *military construction;*

18                   (iii) *the acquisition of additional mo-*  
19 *bility capability by African countries or the*  
20 *United States Armed Forces, including stra-*  
21 *tegic air lift, tactical air lift, or sealift ca-*  
22 *pability; or*

23                   (iv) *any other option as determined by*  
24 *the Secretary.*

1           (D) *Recommendations to expand and*  
2 *strengthen partner and ally capability, includ-*  
3 *ing traditional activities of the combatant com-*  
4 *mands, train and equip opportunities, partner-*  
5 *ships with the National Guard and the United*  
6 *States Coast Guard, and multilateral contribu-*  
7 *tions.*

8           (E) *Recommendations for enhancing joint*  
9 *exercises and training.*

10          (F) *An analysis of the security, economic,*  
11 *and stability benefits of the recommendations*  
12 *identified under subparagraphs (C) through (E).*

13          (G)(i) *A plan to fully resource United*  
14 *States force posture, capabilities, and stability*  
15 *operations, including—*

16               (I) *a detailed assessment of the re-*  
17 *sources required to address the elements*  
18 *described in subparagraphs (B)*  
19 *through (E), including specific cost es-*  
20 *timates for recommended investments*  
21 *or projects; and*

22               (II) *a detailed timeline to achieve*  
23 *the recommendations described in sub-*  
24 *paragraphs (B) through (D).*

1                   (ii) *The specific cost estimates required*  
2 *by clause (i)(I) shall, to the maximum ex-*  
3 *tent practicable, include the following:*

4                   (I) *With respect to procurement*  
5 *accounts—*

6                   (aa) *amounts displayed by*  
7 *account, budget activity, line*  
8 *number, line item, and line item*  
9 *title; and*

10                   (bb) *a description of the re-*  
11 *quirements for each such amount.*

12                   (II) *With respect to research, de-*  
13 *velopment, test, and evaluation ac-*  
14 *counts—*

15                   (aa) *amounts displayed by*  
16 *account, budget activity, line*  
17 *number, program element, and*  
18 *program element title; and*

19                   (bb) *a description of the re-*  
20 *quirements for each such amount.*

21                   (III) *With respect to operation*  
22 *and maintenance accounts—*

23                   (aa) *amounts displayed by*  
24 *account title, budget activity title,*



1 *line number, and subactivity*  
2 *group title; and*

3 *(bb) a description of the spe-*  
4 *cific manner in which each such*  
5 *amount would be used.*

6 *(IV) With respect to military per-*  
7 *sonnel accounts—*

8 *(aa) amounts displayed by*  
9 *account, budget activity, budget*  
10 *subactivity, and budget sub-*  
11 *activity title; and*

12 *(bb) a description of the re-*  
13 *quirements for each such amount.*

14 *(V) With respect to each project*  
15 *under military construction accounts*  
16 *(including unspecified minor military*  
17 *construction and amounts for planning*  
18 *and design), the country, location,*  
19 *project title, and project amount for*  
20 *each fiscal year.*

21 *(VI) With respect to any expendi-*  
22 *ture or proposed appropriation not de-*  
23 *scribed in clause (i) through (iv), a*  
24 *level of detail equivalent or greater*  
25 *than the level of detail provided in the*

1                   *future-years defense program submitted*  
2                   *pursuant to section 221(a) of title 10,*  
3                   *United States Code.*

4                   (3) *CONSIDERATIONS.—In preparing the report*  
5                   *required under paragraph (1), the Secretary shall*  
6                   *consider—*

7                   (A) *the economic development and stability*  
8                   *of African countries;*

9                   (B) *the strategic and economic value of the*  
10                   *relationships between the United States and Af-*  
11                   *rican countries;*

12                   (C) *the military, intelligence, diplomatic,*  
13                   *developmental, and humanitarian efforts of*  
14                   *China and Russia on the African continent; and*

15                   (D) *the ability of the United States, allies,*  
16                   *and partners to combat violent extremist organi-*  
17                   *zations operating in Africa.*

18                   (4) *FORM.—The report required under para-*  
19                   *graph (1) may be submitted in classified form, but*  
20                   *shall include an unclassified summary.*

21                   (b) *INTERIM BRIEFING REQUIRED.—Not later than*  
22                   *April 15, 2021, the Secretary of Defense (acting through*  
23                   *the Under Secretary of Defense for Policy, the Under Sec-*  
24                   *retary of Defense (Comptroller), and the Director of Cost*  
25                   *Assessment and Program Evaluation) and the Chairman*

1 *of the Joint Chiefs of Staff shall provide to the congressional*  
2 *defense committees a joint interim briefing, and any writ-*  
3 *ten comments the Secretary of Defense and the Chairman*  
4 *of the Joint Chiefs of Staff consider necessary, with respect*  
5 *to their assessments of the report anticipated to be sub-*  
6 *mitted under subsection (a).*

7 *(c) DEFINITIONS.—In this section:*

8 *(1) DUAL-USE INFRASTRUCTURE PROJECTS.—*  
9 *The term “dual-use infrastructure projects” means*  
10 *projects that may be used for either military or civil-*  
11 *ian purposes.*

12 *(2) APPROPRIATE CONGRESSIONAL COMMIT-*  
13 *TEES.—The term “appropriate congressional commit-*  
14 *tees” means—*

15 *(A) the congressional defense committees;*

16 *and*

17 *(B) the Committee on Foreign Relations of*  
18 *the Senate and the Committee on Foreign Affairs*  
19 *of the House of Representatives.*

20 **SEC. 1269. SENSE OF CONGRESS WITH RESPECT TO QATAR.**

21 *It is the sense of Congress that—*

22 *(1) the United States and the country of Qatar*  
23 *have built a strong, enduring, and forward-looking*  
24 *strategic partnership based on long-standing and mu-*

1 *tually beneficial cooperation, including through secu-*  
2 *rity, defense, and economic ties;*

3 *(2) robust security cooperation between the*  
4 *United States and Qatar is crucial to promoting*  
5 *peace and stability in the Middle East region;*

6 *(3) Qatar plays a unique role as host of the for-*  
7 *ward headquarters for the United States Central*  
8 *Command, and that partnership facilitates United*  
9 *States coalition operations countering terrorism;*

10 *(4) Qatar is a major security cooperation part-*  
11 *ner of the United States, as recognized in the 2018*  
12 *Strategic Dialogue and the 2019 Memorandum of Un-*  
13 *derstanding to expand Al Udeid Air Base to improve*  
14 *and expand accommodation for United States mili-*  
15 *tary personnel;*

16 *(5) the United States values Qatar's provision of*  
17 *access to its military facilities and its management*  
18 *and financial assistance in expanding the Al Udeid*  
19 *Air Base, which supports the continued security pres-*  
20 *ence of the United States in the Middle East region;*  
21 *and*

22 *(6) the United States should—*

23 *(A) continue to strengthen the relationship*  
24 *between the United States and Qatar, including*  
25 *through security and economic cooperation; and*

1           (B) seek a resolution to the dispute between  
2 partner countries of the Arabian Gulf, which  
3 would promote peace and stability in the Middle  
4 East region.

5 **SEC. 1270. SENSE OF CONGRESS ON UNITED STATES MILI-**  
6 **TARY SUPPORT FOR AND PARTICIPATION IN**  
7 **THE MULTINATIONAL FORCE AND OBSERV-**  
8 **ERS.**

9 *It is the sense of Congress that—*

10           (1) *the mission of the Multinational Force and*  
11 *Observers (MFO) is to supervise implementation of*  
12 *the security provisions of the Egypt-Israel Peace*  
13 *Treaty, signed at Washington on March 26, 1979,*  
14 *and employ best efforts to prevent any violation of its*  
15 *terms;*

16           (2) *the MFO was established by the Protocol to*  
17 *the Egypt-Israel Peace Treaty, signed on August 3,*  
18 *1981, and remains a critical institution for regional*  
19 *peace and stability; and*

20           (3) *as a signatory to the Egypt-Israel Peace*  
21 *Treaty and subsequent Protocol, the United States*  
22 *strongly supports and encourages continued United*  
23 *States military support for and participation in the*  
24 *MFO.*

1 **SEC. 1271. PROHIBITION ON SUPPORT FOR MILITARY PAR-**  
2 **TICIPATION AGAINST THE HOUTHIS.**

3 (a) *PROHIBITION RELATING TO SUPPORT.*—None of  
4 the funds authorized to be appropriated or otherwise made  
5 available by this Act may be made available to provide  
6 United States logistical support to the Saudi-led coalition’s  
7 operations against the Houthis in Yemen for coalition  
8 strikes, specifically by providing maintenance or transfer-  
9 ring spare parts to coalition members flying warplanes en-  
10 gaged in anti-Houthi bombings for coalition strikes.

11 (b) *PROHIBITION RELATING TO MILITARY PARTICIPA-*  
12 *TION.*—None of the funds authorized to be appropriated or  
13 otherwise made available by this Act may be made available  
14 for any civilian or military personnel of the Department  
15 of Defense or contractors of the Department to command,  
16 coordinate, participate in the movement of, or accompany  
17 the regular or irregular military forces of the Saudi and  
18 United Arab Emirates-led coalition forces engaged in hos-  
19 tilities against the Houthis in Yemen or in situations in  
20 which there exists an imminent threat that such coalition  
21 forces become engaged in such hostilities, unless and until  
22 the President has obtained specific statutory authorization,  
23 in accordance with section 8(a) of the War Powers Resolu-  
24 tion (50 U.S.C. 1547(a)).

25 (c) *RULE OF CONSTRUCTION.*—The prohibitions under  
26 this section may not be construed to apply with respect to

1 *United States Armed Forces engaged in operations directed*  
2 *at al-Qaeda or associated forces.*

3 **SEC. 1272. RULE OF CONSTRUCTION RELATING TO USE OF**  
4 **MILITARY FORCE.**

5 *Nothing in this Act or any amendment made by this*  
6 *Act may be construed to authorize the use of military force.*

7 **TITLE XIII—COOPERATIVE**  
8 **THREAT REDUCTION**

9 **SEC. 1301. FUNDING ALLOCATIONS; SPECIFICATION OF CO-**  
10 **OPERATIVE THREAT REDUCTION FUNDS.**

11 *(a) FUNDING ALLOCATION.—Of the \$373,690,000 au-*  
12 *thorized to be appropriated to the Department of Defense*  
13 *for fiscal year 2021 in section 301 and made available by*  
14 *the funding table in division D for the Department of De-*  
15 *fense Cooperative Threat Reduction Program established*  
16 *under section 1321 of the Department of Defense Cooper-*  
17 *ative Threat Reduction Act (50 U.S.C. 3711), the following*  
18 *amounts may be obligated for the purposes specified:*

19 *(1) For strategic offensive arms elimination,*  
20 *\$2,924,000.*

21 *(2) For chemical weapons destruction,*  
22 *\$12,856,000.*

23 *(3) For global nuclear security, \$33,919,000.*

24 *(4) For cooperative biological engagement,*  
25 *\$216,200,000.*

1           (5) *For proliferation prevention, \$79,869,000.*

2           (6) *For activities designated as Other Assess-*  
3           *ments/Administrative Costs, \$27,922,000.*

4           **(b) SPECIFICATION OF COOPERATIVE THREAT REDUC-**  
5           **TION FUNDS.**—*Funds appropriated pursuant to the author-*  
6           *ization of appropriations in section 301 and made avail-*  
7           *able by the funding table in division D for the Department*  
8           *of Defense Cooperative Threat Reduction Program shall be*  
9           *available for obligation for fiscal years 2021, 2022, and*  
10          *2023.*

11                           **TITLE XIV—OTHER**  
12                           **AUTHORIZATIONS**

13                   **Subtitle A—Military Programs**

14          **SEC. 1401. WORKING CAPITAL FUNDS.**

15           *Funds are hereby authorized to be appropriated for fis-*  
16          *cal year 2021 for the use of the Armed Forces and other*  
17          *activities and agencies of the Department of Defense for*  
18          *providing capital for working capital and revolving funds,*  
19          *as specified in the funding table in section 4501.*

20          **SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**  
21                           **TION, DEFENSE.**

22           **(a) AUTHORIZATION OF APPROPRIATIONS.**—*Funds are*  
23          *hereby authorized to be appropriated for the Department*  
24          *of Defense for fiscal year 2021 for expenses, not otherwise*  
25          *provided for, for Chemical Agents and Munitions Destruc-*



1 tion, Defense, as specified in the funding table in section  
2 4501.

3 (b) *USE.*—Amounts authorized to be appropriated  
4 under subsection (a) are authorized for—

5 (1) the destruction of lethal chemical agents and  
6 munitions in accordance with section 1412 of the De-  
7 partment of Defense Authorization Act, 1986 (50  
8 U.S.C. 1521); and

9 (2) the destruction of chemical warfare materiel  
10 of the United States that is not covered by section  
11 1412 of such Act.

12 **SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
13 **TIVITIES, DEFENSE-WIDE.**

14 Funds are hereby authorized to be appropriated for the  
15 Department of Defense for fiscal year 2021 for expenses, not  
16 otherwise provided for, for Drug Interdiction and Counter-  
17 Drug Activities, Defense-wide, as specified in the funding  
18 table in section 4501.

19 **SEC. 1404. DEFENSE INSPECTOR GENERAL.**

20 Funds are hereby authorized to be appropriated for the  
21 Department of Defense for fiscal year 2021 for expenses, not  
22 otherwise provided for, for the Office of the Inspector Gen-  
23 eral of the Department of Defense, as specified in the fund-  
24 ing table in section 4501.

1 **SEC. 1405. DEFENSE HEALTH PROGRAM.**

2 *Funds are hereby authorized to be appropriated for fis-*  
3 *cal year 2021 for the Defense Health Program for use of*  
4 *the Armed Forces and other activities and agencies of the*  
5 *Department of Defense for providing for the health of eligi-*  
6 *ble beneficiaries, as specified in the funding table in section*  
7 *4501.*

8 **SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.**

9 *Funds are hereby authorized to be appropriated for fis-*  
10 *cal year 2021 for the National Defense Sealift Fund, as*  
11 *specified in the funding tables in section 4501.*

12 ***Subtitle B—Other Matters***

13 **SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT**  
14 **DEPARTMENT OF DEFENSE-DEPARTMENT OF**  
15 **VETERANS AFFAIRS MEDICAL FACILITY DEM-**  
16 **ONSTRATION FUND FOR CAPTAIN JAMES A.**  
17 **LOVELL HEALTH CARE CENTER, ILLINOIS.**

18 *(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the*  
19 *funds authorized to be appropriated by section 1405 and*  
20 *available for the Defense Health Program for operation and*  
21 *maintenance, \$137,000,000 may be transferred by the Sec-*  
22 *retary of Defense to the Joint Department of Defense-De-*  
23 *partment of Veterans Affairs Medical Facility Demonstra-*  
24 *tion Fund established by subsection (a)(1) of section 1704*  
25 *of the National Defense Authorization Act for Fiscal Year*  
26 *2010 (Public Law 111–84; 123 Stat. 2571). For purposes*

1 of subsection (a)(2) of such section 1704, any funds so  
2 transferred shall be treated as amounts authorized and ap-  
3 propriated specifically for the purpose of such a transfer.

4 (b) *USE OF TRANSFERRED FUNDS.*—For the purposes  
5 of subsection (b) of such section 1704, facility operations  
6 for which funds transferred under subsection (a) may be  
7 used are operations of the Captain James A. Lovell Federal  
8 Health Care Center, consisting of the North Chicago Vet-  
9 erans Affairs Medical Center, the Navy Ambulatory Care  
10 Center, and supporting facilities designated as a combined  
11 Federal medical facility under an operational agreement  
12 covered by section 706 of the Duncan Hunter National De-  
13 fense Authorization Act for Fiscal Year 2009 (Public Law  
14 110–417; 122 Stat. 4500).

15 **SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR**  
16 **ARMED FORCES RETIREMENT HOME.**

17 *There is hereby authorized to be appropriated for fiscal*  
18 *year 2021 from the Armed Forces Retirement Home Trust*  
19 *Fund the sum of \$70,300,000 for the operation of the Armed*  
20 *Forces Retirement Home.*

1 **TITLE XV—AUTHORIZATION OF**  
2 **ADDITIONAL APPROPRIA-**  
3 **TIONS FOR OVERSEAS CON-**  
4 **TINGENCY OPERATIONS**  
5 ***Subtitle A—Authorization of***  
6 ***Appropriations***

7 **SEC. 1501. PURPOSE.**

8 *The purpose of this title is to authorize appropriations*  
9 *for the Department of Defense for fiscal year 2021 to pro-*  
10 *vide additional funds for overseas contingency operations*  
11 *being carried out by the Armed Forces.*

12 **SEC. 1502. PROCUREMENT.**

13 *Funds are hereby authorized to be appropriated for fis-*  
14 *cal year 2021 for procurement accounts for the Army, the*  
15 *Navy and the Marine Corps, the Air Force, and Defense-*  
16 *wide activities, as specified in the funding table in section*  
17 *4102.*

18 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
19 **TION.**

20 *Funds are hereby authorized to be appropriated for fis-*  
21 *cal year 2021 for the use of the Department of Defense for*  
22 *research, development, test, and evaluation, as specified in*  
23 *the funding table in section 4202.*

1 **SEC. 1504. OPERATION AND MAINTENANCE.**

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 operation and main-*  
6 *tenance, as specified in the funding table in section 4302.*

7 **SEC. 1505. MILITARY PERSONNEL.**

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 ex-*  
11 *penses, not otherwise provided for, military personnel ac-*  
12 *counts, as specified in the funding table in section 4402.*

13 **SEC. 1506. WORKING CAPITAL FUNDS.**

14 *Funds are hereby authorized to be appropriated for fis-*  
15 *cal year 2021 for the use of the Armed Forces and other*  
16 *activities and agencies of the Department of Defense for*  
17 *providing capital for working capital and revolving funds,*  
18 *as specified in the funding table in section 4502.*

19 **SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
20 **TIVITIES, DEFENSE-WIDE.**

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 Drug Interdiction and Counter-*  
24 *Drug Activities, Defense-wide, as specified in the funding*  
25 *table in section 4502.*

1 **SEC. 1508. DEFENSE INSPECTOR GENERAL.**

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 Office of the Inspector Gen-*  
5 *eral of the Department of Defense, as specified in the fund-*  
6 *ing table in section 4502.*

7 **SEC. 1509. DEFENSE HEALTH PROGRAM.**

8 *Funds are hereby authorized to be appropriated for the*  
9 *Department of Defense for fiscal year 2021 for expenses, not*  
10 *otherwise provided for, for the Defense Health Program, as*  
11 *specified in the funding table in section 4502.*

12 ***Subtitle B—Financial Matters***

13 **SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

14 *The amounts authorized to be appropriated by this*  
15 *title are in addition to amounts otherwise authorized to be*  
16 *appropriated by this Act.*

17 **SEC. 1512. SPECIAL 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 title for fiscal year 2021*  
24 *between any such authorizations for that fiscal year*  
25 *(or any subdivisions thereof). Amounts of authoriza-*  
26 *tions so transferred shall be merged with and be*

1 available for the same purposes as the authorization  
2 to which transferred.

3 (2) *LIMITATION.*—*The total amount of author-*  
4 *izations that the Secretary may transfer under the*  
5 *authority of this subsection may not exceed*  
6 *\$2,500,000,000.*

7 (b) *TERMS AND CONDITIONS.*—

8 (1) *IN GENERAL.*—*Transfers under this section*  
9 *shall be subject to the same terms and conditions as*  
10 *transfers under section 1001.*

11 (2) *ADDITIONAL LIMITATION ON TRANSFERS*  
12 *FROM THE NATIONAL GUARD AND RESERVE EQUIP-*  
13 *MENT.*—*The authority provided by subsection (a)*  
14 *may not be used to transfer any amount from Na-*  
15 *tional Guard and Reserve Equipment.*

16 (c) *ADDITIONAL AUTHORITY.*—*The transfer authority*  
17 *provided by this section is in addition to the transfer au-*  
18 *thority provided under section 1001.*

## 19 ***Subtitle C—Other Matters***

### 20 ***SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.***

21 (a) *CONTINUATION OF PRIOR AUTHORITIES AND NO-*  
22 *TICE AND REPORTING REQUIREMENTS.*—*Funds available*  
23 *to the Department of Defense for the Afghanistan Security*  
24 *Forces Fund for fiscal year 2021 shall be subject to the con-*  
25 *ditions contained in—*

1           (1) *subsections (b) through (f) of section 1513 of*  
2           *the National Defense Authorization Act for Fiscal*  
3           *Year 2008 (Public Law 110–181; 122 Stat. 428); and*

4           (2) *section 1521(d)(1) of the National Defense*  
5           *Authorization Act for Fiscal Year 2017 (Public Law*  
6           *114–328; 130 Stat. 2577) (as amended by subsection*  
7           *(b)).*

8           (b) *EXTENSION OF PRIOR NOTICE AND REPORTING*  
9           *REQUIREMENTS.—Section 1521(d)(1) of the National De-*  
10          *fense Authorization Act for Fiscal Year 2017 (Public Law*  
11          *114–328; 130 Stat. 2577) is amended by striking “through*  
12          *January 31, 2021” and inserting “through January 31,*  
13          *2023”.*

14          (c) *EQUIPMENT DISPOSITION.—*

15                 (1) *ACCEPTANCE OF CERTAIN EQUIPMENT.—Sub-*  
16                 *ject to paragraph (2), the Secretary of Defense may*  
17                 *accept equipment that is procured using amounts au-*  
18                 *thorized to be appropriated for the Afghanistan Secu-*  
19                 *rity Forces Fund by this Act and is intended for*  
20                 *transfer to the security forces of the Ministry of De-*  
21                 *fense and the Ministry of the Interior of the Govern-*  
22                 *ment of Afghanistan, but is not accepted by such secu-*  
23                 *rity forces.*

24                 (2) *CONDITIONS ON ACCEPTANCE OF EQUIP-*  
25                 *MENT.—Before accepting any equipment under the*



1 *authority provided by paragraph (1), the Commander*  
2 *of United States forces in Afghanistan shall make a*  
3 *determination that such equipment was procured for*  
4 *the purpose of meeting requirements of the security*  
5 *forces of the Ministry of Defense and the Ministry of*  
6 *the Interior of the Government of Afghanistan, as*  
7 *agreed to by both the Government of Afghanistan and*  
8 *the Government of the United States, but is no longer*  
9 *required by such security forces or was damaged be-*  
10 *fore transfer to such security forces.*

11 *(3) ELEMENTS OF DETERMINATION.—In making*  
12 *a determination under paragraph (2) regarding*  
13 *equipment, the Commander of United States forces in*  
14 *Afghanistan shall consider alternatives to the accept-*  
15 *ance of such equipment by the Secretary. An expla-*  
16 *nation of each determination, including the basis for*  
17 *the determination and the alternatives considered,*  
18 *shall be included in the relevant quarterly report re-*  
19 *quired under paragraph (5).*

20 *(4) TREATMENT AS DEPARTMENT OF DEFENSE*  
21 *STOCKS.—Equipment accepted under the authority*  
22 *provided by paragraph (1) may be treated as stocks*  
23 *of the Department of Defense upon notification to the*  
24 *congressional defense committees of such treatment.*

1           (5) *QUARTERLY REPORTS ON EQUIPMENT DIS-*  
2           *POSITION.—*

3           (A) *IN GENERAL.—Not later than 90 days*  
4           *after the date of the enactment of this Act and*  
5           *every 90-day period thereafter during which the*  
6           *authority provided by paragraph (1) is exer-*  
7           *cised, the Secretary shall submit to the congres-*  
8           *sional defense committees a report describing the*  
9           *equipment accepted during the period covered by*  
10          *such report under the following:*

11                   (i) *This subsection.*

12                   (ii) *Section 1521(b) of the National*  
13                   *Defense Authorization Act for Fiscal Year*  
14                   *2017 (Public Law 114–328; 130 Stat.*  
15                   *2575).*

16                   (iii) *Section 1531(b) of the National*  
17                   *Defense Authorization Act for Fiscal Year*  
18                   *2016 (Public Law 114–92; 129 Stat. 1088).*

19                   (iv) *Section 1532(b) of the Carl Levin*  
20                   *and Howard P. “Buck” McKeon National*  
21                   *Defense Authorization Act for Fiscal Year*  
22                   *2015 (Public Law 113–291; 128 Stat.*  
23                   *3613).*

24                   (v) *Section 1531(d) of the National De-*  
25                   *fense Authorization Act for Fiscal Year*

1                   2014 (Public Law 113–66; 127 Stat. 938;  
2                   10 U.S.C. 2302 note).

3                   (B) *ELEMENTS.*—Each report under sub-  
4                   paragraph (A) shall include a list of all equip-  
5                   ment that was accepted during the period cov-  
6                   ered by such report and treated as stocks of the  
7                   Department of Defense and copies of the deter-  
8                   minations made under paragraph (2), as re-  
9                   quired by paragraph (3).

10                  (d) *SECURITY OF AFGHAN WOMEN.*—

11                   (1) *IN GENERAL.*—Of the funds available to the  
12                   Department of Defense for the Afghan Security Forces  
13                   Fund for fiscal year 2021, it is the goal that  
14                   \$29,100,000, but in no event less than \$10,000,000,  
15                   shall be used for the recruitment, integration, reten-  
16                   tion, training, and treatment of women in the Afghan  
17                   National Defense and Security Forces.

18                   (2) *TYPES OF PROGRAMS AND ACTIVITIES.*—Such  
19                   programs and activities may include—

20                   (A) efforts to recruit and retain women into  
21                   the Afghan National Defense and Security  
22                   Forces, including the special operations forces;

23                   (B) programs and activities of the Direc-  
24                   torate of Human Rights and Gender Integration  
25                   of the Ministry of Defense of Afghanistan and the

1           *Office of Human Rights, Gender and Child*  
2           *Rights of the Ministry of Interior of Afghanistan;*

3           *(C) development and dissemination of gen-*  
4           *der and human rights educational and training*  
5           *materials and programs within the Ministry of*  
6           *Defense and the Ministry of Interior of Afghani-*  
7           *stan;*

8           *(D) efforts to address harassment and vio-*  
9           *lence against women within the Afghan National*  
10          *Defense and Security Forces;*

11          *(E) improvements to infrastructure that ad-*  
12          *dress the requirements of women serving in the*  
13          *Afghan National Defense and Security Forces,*  
14          *including appropriate equipment for female se-*  
15          *curity and police forces, and transportation for*  
16          *policewomen to their station;*

17          *(F) support for Afghanistan National Police*  
18          *Family Response Units;*

19          *(G) security provisions for high-profile fe-*  
20          *male police and military officers;*

21          *(H) programs to promote conflict preven-*  
22          *tion, management, and resolution through the*  
23          *meaningful participation of Afghan women in*  
24          *the Afghan National Defense and Security*  
25          *Forces, by exposing Afghan women and girls to*

1           *the activities of and careers available with such*  
2           *forces, encouraging their interest in such careers,*  
3           *or developing their interest and skills necessary*  
4           *for service in such forces; and*

5                     *(I) enhancements to Afghan National De-*  
6                     *fense and Security Forces recruitment programs*  
7                     *for targeted advertising with the goal of increas-*  
8                     *ing the number of female recruits.*

9           *(e) ASSESSMENT OF AFGHANISTAN PROGRESS ON OB-*  
10          *JECTIVES.—*

11                    *(1) ASSESSMENT REQUIRED.—Not later than*  
12                    *180 days after the date of the enactment of this Act,*  
13                    *the Secretary of Defense shall, in consultation with*  
14                    *the Secretary of State, submit to the Committee on*  
15                    *Armed Services and the Committee on Foreign Affairs*  
16                    *of the House of Representatives and the Committee on*  
17                    *Armed Services and the Committee on Foreign Rela-*  
18                    *tions of the Senate an assessment describing—*

19                             *(A) the progress of the Government of the*  
20                             *Islamic Republic of Afghanistan toward meeting*  
21                             *shared security objectives; and*

22                             *(B) the efforts of the Government of the Is-*  
23                             *lamic Republic of Afghanistan to manage, em-*  
24                             *ploy, and sustain the equipment and inventory*  
25                             *provided under subsection (a).*

1           (2) *MATTERS TO BE INCLUDED.*—*In conducting*  
2 *the assessment required by paragraph (1), the Sec-*  
3 *retary of Defense shall include each of the following:*

4           (A) *The extent to which the Government of*  
5 *Afghanistan has a strategy for, and has taken*  
6 *steps toward, increased accountability and the*  
7 *reduction of corruption within the Ministry of*  
8 *Defense and the Ministry of Interior of Afghani-*  
9 *stan.*

10          (B) *The extent to which the capability and*  
11 *capacity of the Afghan National Defense and Se-*  
12 *curity Forces have improved as a result of Af-*  
13 *ghanistan Security Forces Fund investment, in-*  
14 *cluding through training, and an articulation of*  
15 *the metrics used to assess such improvements.*

16          (C) *The extent to which the Afghan Na-*  
17 *tional Defense and Security Forces have been*  
18 *able to increase pressure on the Taliban, al-*  
19 *Qaeda, the Haqqani network, the Islamic State*  
20 *of Iraq and Syria-Khorasan, and other terrorist*  
21 *organizations, including by re-taking territory,*  
22 *defending territory, and disrupting attacks.*

23          (D) *The distribution practices of the Afghan*  
24 *National Defense and Security Forces and*  
25 *whether the Government of Afghanistan is ensur-*

1            *ing that supplies, equipment, and weaponry sup-*  
2            *plied by the United States are appropriately dis-*  
3            *tributed to, and employed by, security forces*  
4            *charged with fighting the Taliban and other ter-*  
5            *rorist organizations.*

6            *(E) A description of—*

7                    *(i) the policy governing the use of Ac-*  
8                    *quisition and Cross Servicing Agreements*  
9                    *(ACSA) in Afghanistan;*

10                   *(ii) each ACSA transaction by type,*  
11                   *amount, and recipient for calendar year*  
12                   *2020; and*

13                   *(iii) for any transactions from the*  
14                   *United States to Afghan military forces, an*  
15                   *explanation for why such transaction was*  
16                   *not carried out under the authorities of the*  
17                   *Afghanistan Security Forces Fund.*

18            *(F) The extent to which the Government of*  
19            *Afghanistan has designated the appropriate staff,*  
20            *prioritized the development of relevant processes,*  
21            *and provided or requested the allocation of re-*  
22            *sources necessary to support a peace and rec-*  
23            *onciliation process in Afghanistan.*

24            *(G) A description of the ability of the Min-*  
25            *istry of Defense and the Ministry of Interior of*

1 *Afghanistan to manage and account for pre-*  
2 *viously divested equipment, including a descrip-*  
3 *tion of any vulnerabilities or weaknesses of the*  
4 *internal controls of such Ministry of Defense and*  
5 *Ministry of Interior and any plan in place to*  
6 *address shortfalls.*

7 *(H) A description of any significant irreg-*  
8 *ularities in the divestment of equipment to the*  
9 *Afghan National Defense and Security Forces*  
10 *during the period beginning on May 1, 2020,*  
11 *and ending on May 1, 2021, including any*  
12 *major losses of such equipment or any inability*  
13 *on the part of the Afghan National Defense and*  
14 *Security Forces to account for equipment so pro-*  
15 *cured.*

16 *(I) A description of the sustainment and*  
17 *maintenance costs required during the 5-year pe-*  
18 *riod beginning on the date of the enactment of*  
19 *this Act, for major weapons platforms previously*  
20 *divested, and a description of the plan for the*  
21 *Afghan National Defense and Security Forces to*  
22 *maintain such platforms in the future.*

23 *(J) The extent to which the Government of*  
24 *Afghanistan is adhering to conditions for receiv-*  
25 *ing assistance established in annual financial*



1           *commitment letters or any other bilateral agree-*  
2           *ments with the United States.*

3           *(K) The extent to which the Government of*  
4           *Afghanistan has made progress in achieving se-*  
5           *curity sector benchmarks as outlined by the*  
6           *United States-Afghan Compact (commonly*  
7           *known as the “Kabul Compact”) and a descrip-*  
8           *tion of any other documents, plans, or agree-*  
9           *ments used by the United States to measure secu-*  
10          *rity sector progress.*

11          *(L) The extent to which the Government of*  
12          *Afghanistan or the Secretary has developed a*  
13          *plan to integrate former Taliban fighters into the*  
14          *Ministries of Defense or Interior.*

15          *(M) Such other factors as the Secretaries*  
16          *consider appropriate.*

17          *(3) FORM.—The assessment required by para-*  
18          *graph (1) shall be submitted in unclassified form, but*  
19          *may include a classified annex.*

20          *(4) WITHHOLDING OF ASSISTANCE FOR INSUFFI-*  
21          *CIENT PROGRESS.—*

22          *(A) IN GENERAL.—If the Secretary of De-*  
23          *fense determines, in coordination with the Sec-*  
24          *retary of State and pursuant to the assessment*  
25          *under paragraph (1), that the Government of Af-*

1 *ghanistan has made insufficient progress in the*  
2 *areas described in paragraph (2), the Secretary*  
3 *of Defense shall—*

4 *(i) withhold \$401,500,000, to be de-*  
5 *rived from amounts made available for as-*  
6 *sistance for the Afghan National Defense*  
7 *and Security Forces, from expenditure or*  
8 *obligation until the date on which the Sec-*  
9 *retary certifies to the congressional defense*  
10 *committees that the Government of Afghani-*  
11 *stan has made sufficient progress; and*

12 *(ii) notify the congressional defense*  
13 *committees not later than 30 days before*  
14 *withholding such funds.*

15 *(B) WAIVER.—If the Secretary of Defense*  
16 *determines that withholding such assistance*  
17 *would impede the national security objectives of*  
18 *the United States by prohibiting, restricting, de-*  
19 *laying, or otherwise limiting the provision of as-*  
20 *sistance, the Secretary may waive the with-*  
21 *holding requirement under subparagraph (A) if*  
22 *the Secretary, in coordination with the Secretary*  
23 *of State, certifies such determination to the con-*  
24 *gressional defense committees not later than 30*  
25 *days before the effective date of the waiver.*

1           (f) *ADDITIONAL REPORTING REQUIREMENTS.*—The  
2 *Secretary of Defense shall include in the materials sub-*  
3 *mitted in support of the budget for fiscal year 2022 that*  
4 *is submitted by the President under section 1105(a) of title*  
5 *31, United States Code, each of the following:*

6           (1) *The amount of funding provided in fiscal*  
7 *year 2020 through the Afghanistan Security Forces*  
8 *Fund to the Government of Afghanistan in the form*  
9 *of direct government-to-government assistance or on-*  
10 *budget assistance for the purposes of supporting any*  
11 *entity of such government, including the Afghan Na-*  
12 *tional Defense and Security Forces, the Afghan Min-*  
13 *istry of Interior, or the Afghan Ministry of Defense.*

14           (2) *The amount of funding provided and antici-*  
15 *ipated to be provided, as of the date of the submission*  
16 *of the materials, in fiscal year 2021 through such*  
17 *Fund in such form.*

18           (3) *To the extent the amount described in para-*  
19 *graph (2) exceeds the amount described in paragraph*  
20 *(1), an explanation as to the reason why the such*  
21 *amount is greater and the specific entities and pur-*  
22 *poses that were supported by such increase.*

1 **TITLE XVI—STRATEGIC PRO-**  
2 **GRAMS, CYBER, AND INTEL-**  
3 **LIGENCE MATTERS**

4 **Subtitle A—Space Activities**

5 **SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.**

6 (a) *PHASE TWO ACQUISITION STRATEGY.*—*In car-*  
7 *rying out the phase two acquisition strategy, the Secretary*  
8 *of the Air Force—*

9 (1) *may not change the mission performance re-*  
10 *quirements;*

11 (2) *may not change the acquisition schedule;*

12 (3) *may not award phase two contracts after*  
13 *September 30, 2024;*

14 (4) *shall award phase two contracts to not more*  
15 *than two National Security Space Launch providers;*

16 (5) *shall ensure that launch services are procured*  
17 *only from National Security Space Launch providers*  
18 *that meet the requirements for the phase two con-*  
19 *tracts;*

20 (6) *not later than 180 days after the date on*  
21 *which phase two contracts are awarded, shall termi-*  
22 *nate launch service agreement contracts awarded*  
23 *under such phase two acquisition strategy to each Na-*  
24 *tional Security Space Launch provider that is not a*

1 *down-selected National Security Launch provider;*  
2 *and*

3 *(7) may not increase the total amount of funding*  
4 *included in the initial launch service agreements with*  
5 *down-selected National Security Launch providers.*

6 *(b) REUSABILITY.—*

7 *(1) CERTIFICATION.—Not later than 18 months*  
8 *after the date on which the Secretary determines the*  
9 *down-selected National Security Space Launch pro-*  
10 *viders, the Secretary shall certify to the appropriate*  
11 *congressional committees that the Secretary has com-*  
12 *pleted all non-recurring design validation of pre-*  
13 *viously flown launch hardware for National Security*  
14 *Space Launch providers offering such hardware for*  
15 *use in phase two contracts or in future national secu-*  
16 *rity space missions.*

17 *(2) REPORT.—Not later than 180 days after the*  
18 *date on which the Secretary determines the down-se-*  
19 *lected National Security Space Launch providers, the*  
20 *Secretary shall submit to the appropriate congres-*  
21 *sional committees a report on the progress of the Sec-*  
22 *retary with respect to completing all non-recurring*  
23 *design validation of previously flown launch hard-*  
24 *ware described in paragraph (1), including—*

1           (A) a justification for any deviation from  
2           the new entrant certification guide; and

3           (B) a description of such progress with re-  
4           spect to National Security Space Launch pro-  
5           viders that are not down-selected National Secu-  
6           rity Space Launch providers, if applicable.

7           (c) *FUNDING FOR CERTIFICATION, INFRASTRUCTURE,*  
8 *AND TECHNOLOGY DEVELOPMENT.*—

9           (1) *AUTHORITY.*—Pursuant to section 2371b of  
10          title 10, United States Code, not later than September  
11          30, 2021, the Secretary of the Air Force shall enter  
12          into three agreements described in paragraph (3) with  
13          National Security Space Launch providers—

14               (A) to maintain competition in order to  
15               maximize the likelihood of at least three National  
16               Security Space Launch providers competing for  
17               phase three contracts; and

18               (B) to support innovation for national secu-  
19               rity launches under phase three contracts.

20          (2) *COMPETITIVE PROCEDURES.*—The Secretary  
21          shall carry out paragraph (1) by conducting a full  
22          and open competition among all National Security  
23          Space Launch providers that may submit bids for a  
24          phase three contract.

1           (3) *AGREEMENTS.*—*An agreement described in*  
2 *this paragraph is an agreement that provides a Na-*  
3 *tional Security Space Launch provider with not more*  
4 *than \$150,000,000 for the provider to conduct either*  
5 *or both of the following activities:*

6                   (A) *Meet the certification and infrastructure*  
7 *requirements that are—*

8                           (i) *unique to national security space*  
9 *missions; and*

10                           (ii) *necessary for a phase three con-*  
11 *tract.*

12                   (B) *Develop transformational technologies*  
13 *in support of the national security space launch*  
14 *capability for phase three contracts (such as*  
15 *technologies regarding launch, maneuver, and*  
16 *transport capabilities for enhanced resiliency*  
17 *and security technologies, as identified in the*  
18 *National Security Launch Architecture study of*  
19 *the Space and Missile Systems Center of the*  
20 *Space Force).*

21           (4) *REPORT.*—*Not later than 30 days after the*  
22 *date on which the Secretary enters into an agreement*  
23 *under paragraph (1), the Secretary shall submit to*  
24 *the appropriate congressional committees a report ex-*  
25 *plaining how the Secretary determined the certifi-*

1        *ation and infrastructure requirements and the trans-*  
2        *formational technologies covered under paragraph (3).*

3        *(d) BRIEFING.—Not later than December 31, 2020, the*  
4        *Secretary shall provide to the congressional defense commit-*  
5        *tees a briefing on the progress made by the Secretary in*  
6        *ensuring that full and open competition exists for phase*  
7        *three contracts, including—*

8                *(1) a description of progress made to establish*  
9                *the requirements for phase three contracts, including*  
10               *such requirements that the Secretary determines can-*  
11               *not be met by the commercial market;*

12               *(2) whether the Secretary determines that addi-*  
13               *tional development funding will be necessary for such*  
14               *phase;*

15               *(3) a description of the estimated costs for the*  
16               *development described in subparagraphs (A) and (B)*  
17               *of subsection (c)(3); and*

18               *(4) how the Secretary will—*

19                        *(A) ensure full and open competition for*  
20                        *technology development for phase three contracts;*  
21                        *and*

22                        *(B) maintain competition.*

23        *(e) RULE OF CONSTRUCTION.—Nothing in this section*  
24        *may be construed to delay the award of phase two contracts.*

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



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

3                 (A) *the congressional defense committees;*

4                 *and*

5                 (B) *the Permanent Select Committee on In-*  
6 *telligence of the House of Representatives and the*  
7 *Select Committee on Intelligence of the Senate.*

8           (2) *The term “down-selected National Security*  
9 *Launch provider” means a National Security Space*  
10 *Launch provider that the Secretary of the Air Force*  
11 *selected to be awarded phase two contracts.*

12           (3) *The term “phase three contract” means a*  
13 *contract awarded using competitive procedures for*  
14 *launch services under the National Security Space*  
15 *Launch program after fiscal year 2024.*

16           (4) *The term “phase two acquisition strategy”*  
17 *means the process by which the Secretary of the Air*  
18 *Force enters into phase two contracts during fiscal*  
19 *year 2020, orders launch missions during fiscal years*  
20 *2020 through 2024, and carries out such launches*  
21 *under the National Security Space Launch program.*

22           (5) *The term “phase two contract” means a con-*  
23 *tract awarded during fiscal year 2020 using competi-*  
24 *tive procedures for launch missions ordered under the*

1        *National Security Space Launch program during fis-*  
2        *cal years 2020 through 2024.*

3    **SEC. 1602. REQUIREMENT TO BUY CERTAIN SATELLITE**  
4                    **COMPONENT FROM NATIONAL TECHNOLOGY**  
5                    **AND INDUSTRIAL BASE.**

6        *Section 2534(a) of title 10, United States Code, is*  
7    *amended by adding at the end the following new paragraph:*

8                    *“(7) STAR TRACKER.—A star tracker used in a*  
9        *satellite weighing more than 400 pounds whose prin-*  
10        *ciple purpose is to support the national security, de-*  
11        *fense, or intelligence needs of the United States Gov-*  
12        *ernment.”.*

13    **SEC. 1603. COMMERCIAL SPACE DOMAIN AWARENESS CAPA-**  
14                    **BILITIES.**

15        *(a) PROCUREMENT.—Not later than 90 days after the*  
16    *date of the enactment of this Act, the Secretary of the Air*  
17    *Force shall procure commercial space domain awareness*  
18    *services by awarding at least two contracts for such services.*

19        *(b) LIMITATION.—Of the funds authorized to be appro-*  
20    *priated by this Act or otherwise made available for fiscal*  
21    *year 2021 for the enterprise space battle management com-*  
22    *mand and control, not more than 75 percent may be obli-*  
23    *gated or expended until the date on which the Secretary*  
24    *of Defense, without delegation, certifies to the congressional*

1 *committees that the Secretary of the Air Force has awarded*  
2 *the contracts under subsection (a).*

3       (c) *REPORT.*—*Not later than January 31, 2021, the*  
4 *Chief of Space Operations, in coordination with the Sec-*  
5 *retary of the Air Force, shall submit to the congressional*  
6 *defense committees a report detailing the commercial space*  
7 *domain awareness services, data, and analytics of objects*  
8 *in low-earth orbit that have been purchased during the two-*  
9 *year period preceding the date of the report. The report*  
10 *shall be submitted in unclassified form.*

11       (d) *COMMERCIAL SPACE DOMAIN AWARENESS SERV-*  
12 *ICES DEFINED.*—*In this section, the term “commercial*  
13 *space domain awareness services” means space domain*  
14 *awareness data, processing software, and analytics derived*  
15 *from best-in-breed commercial capabilities to address*  
16 *warfighter requirements in low-earth orbit and fill gaps in*  
17 *current space domain capabilities of the Space Force, in-*  
18 *cluding commercial capabilities to—*

19               (1) *provide conjunction and maneuver alerts;*

20               (2) *monitor breakup and launch events; and*

21               (2) *detect and track objects smaller than 10 cen-*  
22 *timeters in size.*

23 **SEC. 1604. RESPONSIVE SATELLITE INFRASTRUCTURE.**

24       (a) *IN GENERAL.*—*The Secretary of Defense shall es-*  
25 *tablish a domestic responsive satellite manufacturing capa-*

1 bility for Department of Defense space operations to be  
2 used—

3           (1) for the development of components, systems,  
4 structures, and payloads necessary to reconstitute a  
5 national security space asset that has been destroyed,  
6 failed, or otherwise determined to be incapable of per-  
7 forming mission requirements; and

8           (2) to rapidly acquire and field necessary space-  
9 based capabilities needed to maintain continuity of  
10 national security space missions and limit capability  
11 disruption to the warfighter.

12       (b) *PLAN FOR RESPONSIVE SATELLITE INFRASTRUC-*  
13 *TURE.*—The Secretary of Defense, in consultation with the  
14 Secretary of the Air Force, the Chief of Space Operations,  
15 and the Commander of United States Space Command,  
16 shall develop an operational plan and acquisition strategy  
17 for responsive satellite infrastructure to swiftly identify  
18 need, develop capability, and launch a responsive satellite  
19 to fill a critical capability gap in the event of destruction  
20 or failure of a space asset or otherwise determined need.

21       (c) *MATTERS INCLUDED.*—The plan outlined under  
22 subsection (b) shall include the following:

23           (1) A process for determining whether the recon-  
24 stitution of a space asset is necessary.

1           (2) *The timeframe in which a developed satellite*  
2           *is determined to be “responsive”.*

3           (3) *A plan to leverage domestic commercial enti-*  
4           *ties in the “new space” supply chain that have al-*  
5           *ready demonstrated rapid satellite product develop-*  
6           *ment and delivery capability to meet new “mission*  
7           *responsiveness” requirements being passed down by*  
8           *Department of Defense prime satellite contractors*  
9           *in—*

10                   (A) *power systems and solar arrays;*

11                   (B) *payloads and integration features; and*

12                   (C) *buses and structures.*

13           (4) *An assessment of acquisition requirements*  
14           *and standards necessary for commercial entities to*  
15           *meet Department of Defense validation of supply*  
16           *chains, processes, and technologies while operating*  
17           *under rapid development cycles needed to maintain a*  
18           *responsive timeframe as determined by paragraph*  
19           *(2).*

20           (5) *Such other matters as the Secretary considers*  
21           *appropriate.*

22           (d) *REPORT REQUIRED.—Not later than 180 days*  
23           *after the date of the enactment of this Act, the Secretary*  
24           *of Defense shall submit to Congress a report detailing the*  
25           *plan under subsection (b).*

1 **SEC. 1605. POLICY TO ENSURE LAUNCH OF SMALL-CLASS**  
2 **PAYLOADS.**

3 (a) *IN GENERAL.*—*The Secretary of Defense shall es-*  
4 *tablish a small launch and satellite policy to ensure respon-*  
5 *sive and reliable access to space through the processing and*  
6 *launch of Department of Defense small-class payloads.*

7 (b) *POLICY.*—*The policy under subsection (a) shall in-*  
8 *clude, at a minimum, providing resources and policy guid-*  
9 *ance to sustain—*

10 (1) *the availability of small-class payload launch*  
11 *service providers using launch vehicles capable of de-*  
12 *livering into space small payloads designated by the*  
13 *Secretary of Defense as a national security payload;*

14 (2) *a robust small-class payload space launch in-*  
15 *frastructure and industrial base;*

16 (3) *the availability of rapid, responsive, and re-*  
17 *liable space launches for national security space pro-*  
18 *grams to—*

19 (A) *improve the responsiveness and flexi-*  
20 *bility of a national security space system;*

21 (B) *lower the costs of launching a national*  
22 *security space system; and*

23 (C) *maintain risks of mission success at ac-*  
24 *ceptable levels;*

25 (4) *a minimum number of dedicated launches*  
26 *each year; and*

1           (5) *full and open competition including small*  
2           *launch providers and rideshare opportunities.*

3           (c) *ACQUISITION STRATEGY.*—*The Secretary shall de-*  
4           *velop and carry out a five-year phased acquisition strategy,*  
5           *including near and long term, for the small launch and*  
6           *satellite policy under subsection (a).*

7           (d) *ELEMENTS.*—*The acquisition strategy under sub-*  
8           *section (c) shall—*

9           (1) *provide the necessary—*

10           (A) *stability in budgeting and acquisition*  
11           *of capabilities;*

12           (B) *flexibility to the Federal Government;*  
13           *and*

14           (C) *procedures for fair competition; and*

15           (2) *specifically take into account, as appropriate*  
16           *per competition, the effect of—*

17           (A) *contracts or agreements for launch serv-*  
18           *ices or launch capability entered into by the De-*  
19           *partment of Defense with small-class payload*  
20           *space launch providers;*

21           (B) *the requirements of the Department of*  
22           *Defense, including with respect to launch capa-*  
23           *bilities and pricing data, that are met by such*  
24           *providers;*

1           (C) the cost of integrating a satellite onto a  
2 launch vehicle;

3           (D) launch performance history (at least  
4 three successful launches of the same launch vehi-  
5 cle design) and maturity;

6           (E) ability of a launch provider to provide  
7 the option of dedicated and rideshare launch ca-  
8 pabilities; and

9           (F) any other matters the Secretary con-  
10 siders appropriate.

11       (e) *REPORT.*—Not later than 180 days after the date  
12 of the enactment of this Act, the Secretary shall submit to  
13 the congressional defense committees a report describing a  
14 plan for the policy under subsection (a), including with re-  
15 spect to the cost of launches and an assessment of mission  
16 risk.

17 **SEC. 1606. TACTICALLY RESPONSIVE SPACE LAUNCH OPER-**  
18 **ATIONS.**

19       The Secretary of the Air Force shall implement a  
20 tactically responsive space launch program—

21           (1) to provide long-term continuity for tactically  
22 responsive space launch operations across the future-  
23 years defense program submitted to Congress under  
24 section 221 of title 10, United States Code;

25           (2) to accelerate the development of—



1           (A) responsive launch concepts of oper-  
2           ations;

3           (B) tactics;

4           (C) training; and

5           (D) procedures;

6           (3) to develop appropriate processes for tactically  
7           responsive space launch, including—

8           (A) mission assurance processes; and

9           (B) command and control, tracking, telem-  
10          etry, and communications; and

11          (4) to identify basing capabilities necessary to  
12          enable tactically responsive space launch, including  
13          mobile launch range infrastructure.

14 **SEC. 1607. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
15                   **PROTOTYPE PROGRAM FOR MULTI-GLOBAL**  
16                   **NAVIGATION SATELLITE SYSTEM RECEIVER**  
17                   **DEVELOPMENT.**

18           Of the funds authorized to be appropriated by this Act  
19           or otherwise made available for fiscal year 2021 for incre-  
20           ment 2 of the acquisition of military Global Positioning  
21           System user equipment terminals, not more than 80 percent  
22           may be obligated or expended until the date on which the  
23           Secretary of Defense—

24           (1) certifies to the congressional defense commit-  
25           tees that the Secretary of the Air Force is carrying

1        *out the program required under section 1607 of the*  
2        *National Defense Authorization Act for Fiscal Year*  
3        *2020 (Public Law 116–92; 133 Stat. 1724); and*

4            *(2) provides to the Committees on Armed Serv-*  
5        *ices of the House of Representatives and the Senate a*  
6        *briefing on how the Secretary is implementing such*  
7        *program, including with respect to addressing each*  
8        *element specified in subsection (b) of such section.*

9        **SEC. 1608. LIMITATION ON AWARDING CONTRACTS TO ENTI-**  
10            **TIES OPERATING COMMERCIAL TERRESTRIAL**  
11            **COMMUNICATION NETWORKS THAT CAUSE**  
12            **INTERFERENCE WITH THE GLOBAL POSI-**  
13            **TIONING SYSTEM.**

14        *The Secretary of Defense may not enter into a con-*  
15        *tract, or extend or renew a contract, with an entity that*  
16        *engages in commercial terrestrial operations using the*  
17        *1525–1559 megahertz band or the 1626.5–1660.5 megahertz*  
18        *band unless the Secretary has certified to the congressional*  
19        *defense committees that such operations do not cause harm-*  
20        *ful interference to a Global Positioning System device of*  
21        *the Department of Defense.*

22        **SEC. 1609. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
23            **CERTAIN PURPOSES RELATING TO THE GLOB-**  
24            **AL POSITIONING SYSTEM.**

25        *(a) FINDINGS.—Congress finds the following:*

1           (1) *On April 19, 2020, the Federal Communica-*  
2           *tions Commission issued an order and authorization*  
3           *granting Ligado Networks LLC the authority to oper-*  
4           *ate a nationwide terrestrial communications network*  
5           *using the 1526–1536 megahertz band, the 1627.5–*  
6           *1637.5 megahertz band, or the 1646.5–1656.5 mega-*  
7           *hertz band.*

8           (2) *In an attempt to address interference to the*  
9           *Global Positioning System operating near those*  
10          *bands, Ligado Networks LLC has committed to as-*  
11          *suming the costs mitigating any interference caused*  
12          *by their network.*

13          (3) *In the approval order, the Federal Commu-*  
14          *nications Commission directed that “Ligado takes all*  
15          *necessary mitigation measures to prevent or reme-*  
16          *diate any potential harmful interference to U.S. Gov-*  
17          *ernment devices, including devices used by the mili-*  
18          *tary, that are identified both pre- and post-deploy-*  
19          *ment of Ligado’s network.”.*

20          (4) *In a letter to the Committee on Armed Serv-*  
21          *ices of the House of Representatives dated May 21,*  
22          *2020, Ligado Networks LLC reaffirmed the commit-*  
23          *ment to bear the costs to the Department of Defense,*  
24          *stating that the “FCC directed Ligado to provide pro-*  
25          *tections to GPS devices using its spectrum by impos-*

1        *ing stringent coordination, cooperation, and replace-*  
2        *ment obligations on Ligado, so that Ligado bears the*  
3        *burden” and “Make no mistake: the obligation is*  
4        *ours, and the burden falls solely on our company.”.*

5        *(b) PROHIBITION.—Except as provided by subsection*  
6        *(c), none of the funds authorized to be appropriated by this*  
7        *Act or otherwise made available for fiscal year 2021 or any*  
8        *subsequent fiscal year for the Department of Defense may*  
9        *be obligated or expended to retrofit any Global Positioning*  
10       *System device or system, or network that uses the Global*  
11       *Positioning System, in order to mitigate interference from*  
12       *commercial terrestrial operations using the 1526–1536*  
13       *megahertz band, the 1627.5–1637.5 megahertz band, or the*  
14       *1646.5–1656.5 megahertz band.*

15       *(c) ACTIONS NOT PROHIBITED.—The prohibition in*  
16       *subsection (a) shall not apply to any action taken by the*  
17       *Secretary of Defense relating to—*

18            *(1) conducting technical or information ex-*  
19            *changes with the entity that operates the commercial*  
20            *terrestrial operations in the megahertz bands specified*  
21            *in such subsection;*

22            *(2) seeking compensation for interference from*  
23            *such entity; or*

24            *(3) Global Positioning System receiver upgrades*  
25            *needed to address other resiliency requirements.*

1 **SEC. 1610. REPORT ON RESILIENT PROTECTED COMMU-**  
2 **NICATIONS SATELLITES.**

3 (a) *FINDINGS.*—Congress finds the following:

4 (1) *The national command, control, and commu-*  
5 *nications system of the Department of Defense is es-*  
6 *sential to the national security of the United States.*

7 (2) *The Department of Defense requires the space*  
8 *segments of such system to be resilient and survivable*  
9 *to address advanced threats from Russia and China.*

10 (3) *The next-generation overhead persistent in-*  
11 *frared missile warning satellites are being upgraded*  
12 *with enhanced resiliency features to make them much*  
13 *less vulnerable to attack and will begin launch in*  
14 *2025.*

15 (4) *Because missile warning satellites rely on*  
16 *protected communications satellites to relay warnings*  
17 *and response orders, the next-generation overhead per-*  
18 *sistent infrared missile warning satellites will require*  
19 *protected communications satellites with enhanced re-*  
20 *siliency features, however, the current plan of the*  
21 *Space Force is to provide those capabilities with the*  
22 *evolved strategic satellite communications program*  
23 *that will not be available until 2032 or later.*

24 (5) *As a result, the Chief of Space Operations*  
25 *should implement an accelerated plan to achieve more*

1        *resilient protected communications satellites without*  
2        *delay.*

3        (b) *REPORT.*—*Not later than 60 days after the date*  
4        *of the enactment of this Act, the Chief of Space Operations*  
5        *shall submit to the congressional defense committees a re-*  
6        *port on how the Space Force will address the need for resil-*  
7        *ient protected communications satellites during the years*  
8        *2025 through 2032.*

9        ***Subtitle B—Defense Intelligence***  
10       ***and Intelligence-Related Activities***

11       ***SEC. 1611. VALIDATION OF CAPABILITY REQUIREMENTS OF***  
12                                ***NATIONAL                GEOSPATIAL-INTELLIGENCE***  
13                                ***AGENCY.***

14        *Section 442 of title 10, United States Code, is amended*  
15        *by adding at the end the following new subsection:*

16        “(f) *VALIDATION.*—*The National Geospatial-Intel-*  
17        *ligence Agency shall assist the Joint Chiefs of Staff, combat-*  
18        *ant commands, and the military departments in estab-*  
19        *lishing, coordinating, consolidating, and validating map-*  
20        *ping, charting, geodetic data, and safety of navigation ca-*  
21        *pability requirements through a formal process governed by*  
22        *the Joint Staff. Consistent with validated requirements, the*  
23        *National Geospatial-Intelligence Agency shall provide aero-*  
24        *nautical and nautical charts that are safe for navigation,*  
25        *maps, books, datasets, models, and geodetic products.”.*

1 **SEC. 1612. SAFETY OF NAVIGATION MISSION OF THE NA-**  
2 **TIONAL GEOSPATIAL-INTELLIGENCE AGENCY.**

3 (a) *MISSION OF NATIONAL GEOSPATIAL-INTEL-*  
4 *LIGENCE AGENCY.*—Section 442 of title 10, United States  
5 Code, as amended by section 1611, is further amended—

6 (1) *in subsection (b)—*

7 (A) *by striking “means of navigating vessels*  
8 *of the Navy and the merchant marine” and in-*  
9 *serting “the means for safe navigation”; and*

10 (B) *by striking “and inexpensive nautical*  
11 *charts” and all that follows and inserting*  
12 *“geospatial information for use by the depart-*  
13 *ments and agencies of the United States, the*  
14 *merchant marine, and navigators generally.”;*  
15 *and*

16 (2) *in subsection (c)—*

17 (A) *by striking “shall prepare and” and in-*  
18 *serting “shall acquire, prepare, and”;*

19 (B) *by striking “charts” and inserting*  
20 *“safe-for-navigation charts and datasets”; and*

21 (C) *by striking “geodetic” and inserting*  
22 *“geomatics”.*

23 (b) *MAPS, CHARTS, AND BOOKS.—*

24 (1) *IN GENERAL.*—Section 451 of title 10,  
25 *United States Code, is amended—*

1           (A) *in the heading, by striking “**and***  
2           ***books” and inserting “books, and***  
3           ***datasets”;***

4           (B) *in paragraph (1), by striking “maps,*  
5           *charts, and nautical books” and inserting “nau-*  
6           *tical and aeronautical charts, topographic and*  
7           *geomatics maps, books, models, and datasets”;*  
8           *and*

9           (C) *by amending paragraph (2) to read as*  
10          *follows:*

11          “(2) *acquire (by purchase, lease, license, or bar-*  
12          *ter) all necessary rights, including copyrights and*  
13          *other intellectual property rights, required to prepare,*  
14          *publish, and furnish to navigators the products de-*  
15          *scribed in paragraph (1).”.*

16          (2) *TABLE OF SECTIONS AMENDMENT.—The table*  
17          *of sections at the beginning of subchapter II of chap-*  
18          *ter 22 of title 10, United States Code, is amended by*  
19          *striking the item relating to section 451 and inserting*  
20          *the following new item:*

          “451. *Maps, charts, books, and datasets.”.*

21          (c) *CIVIL ACTIONS BARRED.—Section 456 of title 10,*  
22          *United States Code, is amended by striking subsections (a)*  
23          *and (b) and inserting the following:*

24          “*No civil action may be brought against the United*  
25          *States on the basis of the content of geospatial information*



1 *prepared or disseminated by the National Geospatial-Intel-*  
2 *ligence Agency.”.*

3 (d) *DEFINITIONS.*—Section 467 of title 10, United  
4 States Code, is amended—

5 (1) *in paragraph (4)—*

6 (A) *in the matter preceding subparagraph*  
7 *(A), by inserting “or about” after “boundaries*  
8 *on”;*

9 (B) *in subparagraph (A), by striking “sta-*  
10 *tistical”;* and

11 (C) *in subparagraph (B)—*

12 (i) *by striking “geodetic” and inserting*  
13 *“geomatics”;* and

14 (ii) *by inserting “and services” after*  
15 *“products”;* and

16 (2) *in paragraph (5), by inserting “or about”*  
17 *after “activities on”.*

18 **SEC. 1613. NATIONAL ACADEMIES CLIMATE SECURITY**

19 **ROUNDTABLE.**

20 (a) *IN GENERAL.*—The Under Secretary of Defense for  
21 Intelligence and Security, in coordination with the Director  
22 of National Intelligence, shall enter into a joint agreement  
23 with the Academies to create a new “National Academies  
24 Climate Security Roundtable” (in this section referred to  
25 as the “roundtable”).

1       **(b) PARTICIPANTS.**—*The roundtable shall include—*

2               (1) *the members of the Climate Security Advisory*  
3 *Council established under section 120 of the Na-*  
4 *tional Security Act of 1947 (50 U.S.C. 3060);*

5               (2) *senior representatives and practitioners from*  
6 *Federal science agencies, elements of the intelligence*  
7 *community, and the Department of Defense, who are*  
8 *not members of the Council; and*

9               (3) *key stakeholders in the United States sci-*  
10 *entific enterprise, including institutions of higher*  
11 *education, Federal research laboratories (including*  
12 *the national security laboratories), industry, and*  
13 *nonprofit research organizations.*

14       **(c) PURPOSE.**—*The purpose of the roundtable is—*

15               (1) *to support the duties and responsibilities of*  
16 *the Climate Security Advisory Council under section*  
17 *120(c) of the National Security Act of 1947 (50*  
18 *U.S.C. 3060(c));*

19               (2) *to develop best practices for the exchange of*  
20 *data, knowledge, and expertise among elements of the*  
21 *intelligence community, elements of the Federal Gov-*  
22 *ernment that are not elements of the intelligence com-*  
23 *munity, and non-Federal researchers;*

24               (3) *to facilitate dialogue and collaboration about*  
25 *relevant collection and analytic priorities among par-*

1 *ticipants of the roundtable with respect to climate se-*  
2 *curity;*

3 *(4) to identify relevant gaps in the exchange of*  
4 *data, knowledge, or expertise among participants of*  
5 *the roundtable with respect to climate security, and*  
6 *consider viable solutions to address such gaps; and*

7 *(5) to provide any other assistance, resources, or*  
8 *capabilities that the Director of National Intelligence*  
9 *or the Under Secretary determines necessary with re-*  
10 *spect to the Council carrying out the duties and re-*  
11 *sponsibilities of the Council under such section 120(c).*

12 *(d) MEETINGS.—The roundtable shall meet at least*  
13 *quarterly, in coordination with the meetings of the Climate*  
14 *Security Advisory Council under section 120(c)(1) of the*  
15 *National Security Act of 1947 (50 U.S.C. 3060(c)(1)).*

16 *(e) REPORTS AND BRIEFINGS.—The joint agreement*  
17 *under subsection (a) shall specify that—*

18 *(1) the roundtable shall organize workshops, on*  
19 *at least a biannual basis, that include both partici-*  
20 *pants of the roundtable and persons who are not par-*  
21 *ticipants, and may be conducted in classified or un-*  
22 *classified form in accordance with subsection (f);*

23 *(2) on a regular basis, the roundtable shall*  
24 *produce classified and unclassified reports on the top-*  
25 *ics described in subsection (c) and the activities of the*

1        *roundtable, and other documents in support of the du-*  
2        *ties and responsibilities of the Climate Security Advi-*  
3        *sory Council under section 120(c) of the National Se-*  
4        *curity Act of 1947 (50 U.S.C. 3060(c));*

5                *(3) the Academies shall provide recommendations*  
6        *by consensus to the Council on both the topics de-*  
7        *scribed in subsection (c) and specific topics as identi-*  
8        *fied by participants of the roundtable;*

9                *(4) not later than March 1, 2021, and annually*  
10        *thereafter during the life of the roundtable, the Acad-*  
11        *emies shall provide a briefing to the appropriate con-*  
12        *gressional committees on the progress and activities of*  
13        *the roundtable; and*

14                *(5) not later than September 30, 2025, the Acad-*  
15        *emies shall submit a final report to the appropriate*  
16        *congressional committees on the activities of the*  
17        *roundtable.*

18        *(f) SECURITY CLEARANCES.—Each participant of the*  
19        *roundtable shall have a security clearance at the appro-*  
20        *priate level to carry out the duties of the participant under*  
21        *this section. A person who is not a participant who attends*  
22        *a workshop under subsection (e)(1) is not required to have*  
23        *a security clearance, and the roundtable shall ensure that*  
24        *any such workshop is held at the appropriate classified or*  
25        *unclassified level.*

1       (g) *TERMINATION.*—*The roundtable shall terminate on*  
2 *September 30, 2025.*

3       (h) *DEFINITIONS.*—*In this section:*

4           (1) *The term “Academies” means the National*  
5 *Academies of Sciences, Engineering, and Medicine.*

6           (2) *The term “appropriate congressional com-*  
7 *mittees” means—*

8               (A) *the Committee on Science, Space, and*  
9 *Technology, the Committee on Armed Services,*  
10 *the Committee on Foreign Affairs, and the Per-*  
11 *manent Select Committee on Intelligence of the*  
12 *House of Representatives; and*

13               (B) *the Committee on Commerce, Science,*  
14 *and Transportation, the Committee on Armed*  
15 *Services, the Committee on Foreign Relations,*  
16 *and the Select Committee on Intelligence of the*  
17 *Senate.*

18           (3) *The term “Federal science agency” means*  
19 *any agency or department of the Federal Government*  
20 *with at least \$100,000,000 in basic and applied re-*  
21 *search obligations in fiscal year 2019.*

22           (4) *The term “intelligence community” has the*  
23 *meaning given that term in section 3 of the National*  
24 *Security Act of 1947 (50 U.S.C. 3003).*

1           (5) *The term “national security laboratory” has*  
2           *the meaning given the term in section 4002 of the*  
3           *Atomic Energy Defense Act (50 U.S.C. 2501).*

4 **SEC. 1614. REPORT ON RISK TO NATIONAL SECURITY**  
5           **POSED BY QUANTUM COMPUTING TECH-**  
6           **NOLOGIES.**

7           (a) *REPORT.—*

8           (1) *REQUIREMENT.—Not later than December*  
9           *31, 2021, the Secretary of Defense shall submit to the*  
10           *congressional defense committees a report containing*  
11           *an assessment of the current and potential threats*  
12           *and risks posed by quantum computing technologies.*  
13           *The Secretary shall conduct the assessment in a man-*  
14           *ner that allows the Secretary to better understand*  
15           *and prepare to counter the risks of quantum com-*  
16           *puting to national security.*

17           (2) *MATTERS INCLUDED.—The report under*  
18           *paragraph (1) shall include the following:*

19           (A) *An identification of national security*  
20           *systems that are vulnerable to current and poten-*  
21           *tial threats and risks posed by quantum com-*  
22           *puting technologies.*

23           (B) *An assessment of quantum-resistant*  
24           *cryptographic standards, including a timeline*  
25           *for the development of such standards.*

1           (C) *An assessment of the feasibility of alter-*  
2           *nate quantum-resistant models.*

3           (D) *A description of any funding shortfalls*  
4           *in public and private efforts to develop such*  
5           *standards and models.*

6           (E) *Recommendations to counter the threats*  
7           *and risks posed by quantum computing tech-*  
8           *nologies that prioritize, secure, and resource the*  
9           *defense of national security systems identified*  
10           *under subparagraph (A).*

11       (b) *BRIEFINGS.*—*During the period preceding the date*  
12       *on which the Secretary submits the report under subsection*  
13       *(a), the Secretary shall include in the quarterly briefings*  
14       *under section 484 of title 10, United States Code, an update*  
15       *on the assessment conducted under such subsection.*

16       (c) *FORM.*—*The report under subsection (a) may be*  
17       *submitted in classified form.*

18           ***Subtitle C—Cyberspace-Related***  
19           ***Matters***

20       ***SEC. 1621. CYBER MISSION FORCES AND CYBERSPACE OP-***  
21       ***ERATIONS FORCES.***

22       *Subsection (a) of section 238, title 10, United States*  
23       *Code, is amended—*

24           (1) *in the matter preceding paragraph (1)—*

1           (A) by striking “The Secretary” and insert-  
2           ing “Not later than five days after the submis-  
3           sion by the President under section 1105(a) of  
4           title 31 of the budget, the Secretary”;

5           (B) by inserting “in both electronic and  
6           print formats” after “submit”; and

7           (C) by striking “2017” and inserting  
8           “2021”;

9           (2) in paragraph (1), by inserting “and the  
10          cyberspace operations forces” before the semicolon;  
11          and

12          (3) in paragraph (2), by inserting “and the  
13          cyberspace operations forces” before the period.

14   **SEC. 1622. CYBERSPACE SOLARIUM COMMISSION.**

15          Section 1652 of the John S. McCain National Defense  
16    Authorization Act for Fiscal Year 2019 (Public Law 115–  
17    232), is amended—

18           (1) in subsection (b)(1)—

19           (A) in subparagraph (A), by—

20           (i) striking clauses (i) through (iv);

21           and

22           (ii) redesignating clauses (v) through  
23           (viii) as clauses (i) through (iv), respec-  
24           tively; and



1           (B) in subparagraph (B)(i), by striking  
2           “and who are appointed under clauses (iv)  
3           through (vii) of subparagraph (A)”;

4           (2) in subsection (d)(2), by striking “Seven” and  
5           inserting “Six”;

6           (3) in subsection (h), by—

7                 (A) striking “(1) IN GENERAL.—(A)”;

8                 (B) striking paragraph (2);

9           (4) in subsection (i)(1)(B), by striking “officers  
10           or employees of the United States or”; and

11           (5) in subsection (k)(2)—

12                 (A) in subparagraph (A), by striking “at  
13                 the end of the 120-day period beginning on” and  
14                 inserting “two years after”;

15                 (B) in subparagraph (B), by—

16                         (i) striking “may use the 120-day”  
17                         and inserting “shall use the two year”;

18                         (ii) striking “for the purposes of con-  
19                         cluding its activities, including providing  
20                         testimony to Congress concerning the final  
21                         report referred to in that paragraph and  
22                         disseminating the report” and inserting the  
23                         following: “for the purposes of—”:

24                                 “(i) collecting and assessing comments  
25                                 and feedback from the Executive Branch,

1            *academia, and the public on the analysis*  
2            *and recommendations contained in the*  
3            *Commission's report;*

4            *“(ii) collecting and assessing any de-*  
5            *velopments in cybersecurity that may affect*  
6            *the analysis and recommendations con-*  
7            *tained in the Commission's report;*

8            *“(iii) reviewing the implementation of*  
9            *the recommendations contained in the Com-*  
10           *mission's report;*

11           *“(iv) revising, amending, or making*  
12           *new recommendations based on the assess-*  
13           *ments and reviews required under clauses*  
14           *(i)–(iii);*

15           *“(v) providing an annual update to*  
16           *the congressional defense committees, the*  
17           *congressional intelligence committees, the*  
18           *Committee on Homeland Security of the*  
19           *House of Representatives, the Committee on*  
20           *Homeland Security and Governmental Af-*  
21           *airs of the Senate, the Director of National*  
22           *Intelligence, the Secretary of Defense, and*  
23           *the Secretary of Homeland Security in a*  
24           *manner and format determined by the Com-*

1           *mission regarding any such revisions,*  
2           *amendments, or new recommendations; and*

3           *“(vi) concluding its activities, includ-*  
4           *ing providing testimony to Congress con-*  
5           *cerning the final report referred to in that*  
6           *paragraph and disseminating the report.”;*

7           *and*

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

10          *“(C) If the Commission is extended, and the ef-*  
11          *fective date of such extension is after the date on*  
12          *which the Commission terminated, the Commission*  
13          *shall be deemed reconstituted with the same members*  
14          *and powers that existed on the day before such termi-*  
15          *nation date, except that—*

16                 *“(i) a member of the Commission may serve*  
17                 *only if the member’s position continues to be au-*  
18                 *thorized under subsection (b);*

19                 *“(ii) no compensation or entitlements relat-*  
20                 *ing to a person’s status with the Commission*  
21                 *shall be due for the period between the termi-*  
22                 *nation and reconstitution of the Commission;*

23                 *“(iii) nothing in this subparagraph may be*  
24                 *construed as requiring the extension or reemploy-*

1           *ment of any staff member or contractor working*  
2           *for the Commission;*

3           “(iv) *the staff of the Commission shall be—*

4                   “(I) *selected by the co-chairs of the*  
5                   *Commission in accordance with subsection*  
6                   *(h)(1);*

7                   “(II) *comprised of not more than four*  
8                   *individuals, including a staff director; and*

9                   “(III) *resourced in accordance with*  
10                   *subsection (g)(4)(A);*

11           “(v) *with the approval of the co-chairs, may*  
12           *be provided by contract with a nongovernmental*  
13           *organization;*

14           “(vi) *any unexpended funds made available*  
15           *for the use of the Commission shall continue to*  
16           *be available for use for the life of the Commis-*  
17           *sion, as well as any additional funds appro-*  
18           *riated to the Department of Defense that are*  
19           *made available to the Commission, provided that*  
20           *the total such funds does not exceed \$1,000,000*  
21           *from the reconstitution of the Commission to the*  
22           *completion of the Commission; and*

23           “(vii) *the requirement for an assessment of*  
24           *the final report in subsection (l) shall be updated*  
25           *to require annually for a period of two years*

1           *further assessments of the Federal Government's*  
2           *responses to the Commission's recommendations*  
3           *contained in such final report."*

4 **SEC. 1623. TAILORED CYBERSPACE OPERATIONS ORGANIZA-**  
5           **TIONS.**

6           (a) *IN GENERAL.*—*Not later than 120 days after the*  
7 *date of the enactment of this Act, the Secretary of the Navy,*  
8 *in conjunction with the Chief of Naval Operations, shall*  
9 *submit to the congressional defense committees a study of*  
10 *the Navy Cyber Warfare Development Group (NCWDG).*

11           (b) *ELEMENTS.*—*The study required under subsection*  
12 *(a) shall include the following:*

13                   (1) *An examination of NCWDG's structure,*  
14 *manning, authorities, funding, and operations.*

15                   (2) *A review of organizational relationships both*  
16 *within the Navy and to other Department of Defense*  
17 *organizations, as well as non-Department of Defense*  
18 *organizations.*

19                   (3) *Recommendations for how the NCWDG can*  
20 *be strengthened and improved, without growth in size.*

21           (c) *DESIGNATION.*—*Notwithstanding any other provi-*  
22 *sion of law, the Secretary of the Navy shall designate the*  
23 *NCWDG as a screened command.*

24           (d) *RELEASE.*—*The Secretary of the Navy shall trans-*  
25 *mit the study required under subsection (a) to the secre-*

1 *aries of the military services and the Commander of United*  
2 *States Special Operations Command.*

3       (e) *EXEMPLAR.*—*The service secretaries and the Com-*  
4 *mander of United States Special Operations Command are*  
5 *authorized to establish counterpart tailored cyberspace op-*  
6 *erations organizations of comparable size to the NCWDG*  
7 *within the military service or command, respectively, of*  
8 *each such secretary and Commander. Such counterpart or-*  
9 *ganizations shall have the same authorities as the NCWDG.*  
10 *Not later than 30 days after receipt by each of the service*  
11 *secretaries and the Commander under subsection (d) of the*  
12 *study required under subsection (a), each such service sec-*  
13 *retary and Commander, as the case may be, shall brief the*  
14 *congressional defense committees regarding whether or not*  
15 *each such service secretary or Commander intends to utilize*  
16 *the authority under this subsection.*

17 **SEC. 1624. RESPONSIBILITY FOR THE SECTOR RISK MAN-**  
18 **AGEMENT AGENCY FUNCTION OF THE DE-**  
19 **PARTMENT OF DEFENSE.**

20       (a) *DEFINITIONS.*—

21           (1) *IN GENERAL.*—*In this section:*

22                   (A) *CRITICAL INFRASTRUCTURE.*—*The term*  
23 *“critical infrastructure” has the meaning given*  
24 *such term in section 1016(e) of the Uniting and*  
25 *Strengthening America by Providing Appro-*

1            *priate Tools Required to Intercept and Obstruct*  
2            *Terrorism (USA PATRIOT ACT) Act of 2001*  
3            *(42 U.S.C. 5195c(e)).*

4            (B) *SECTOR RISK MANAGEMENT AGENCY.*—  
5            *The term “Sector Risk Management Agency”*  
6            *means a Federal department or agency des-*  
7            *ignated as a Sector Specific Agency under Presi-*  
8            *dential Policy Directive-21 to be responsible for*  
9            *providing institutional knowledge and special-*  
10           *ized expertise to, as well as leading, facilitating,*  
11           *or supporting, the security and resilience pro-*  
12           *grams and associated activities of its designated*  
13           *critical infrastructure sector in the all-hazards*  
14           *environment.*

15           (2) *REFERENCE.*—*Any reference to a Sector-Spe-*  
16           *cific Agency in any law, regulation, map, document,*  
17           *record, or other paper of the United States shall be*  
18           *deemed to be a reference to the Sector Risk Manage-*  
19           *ment Agency of the Federal Government for the rel-*  
20           *evant critical infrastructure sector.*

21           (b) *DESIGNATION.*—*The Secretary of Defense shall des-*  
22           *ignate the Principal Cyber Advisor of the Department of*  
23           *Defense as the lead official, and the Office of the Principal*  
24           *Cyber Advisor as the lead component, for the Department’s*

1 *role and functions as the Sector Risk Management Agency*  
2 *for the Defense Industrial Base.*

3 *(c) RESPONSIBILITIES.—As the lead official for the De-*  
4 *partment of Defense’s Sector Risk Management Agency*  
5 *functions, the Principal Cyber Advisor of the Department*  
6 *shall be responsible for all activities performed by the De-*  
7 *partment in its support of the Defense Industrial Base, as*  
8 *one of the critical infrastructure sectors of the United*  
9 *States. Such activities shall include the following:*

10 *(1) Synchronization, harmonization, de-conflic-*  
11 *tion, and management for the execution of all Depart-*  
12 *ment programs, initiatives, efforts, and communica-*  
13 *tion related to the Department’s Sector Risk Manage-*  
14 *ment Agency function, including any Department*  
15 *program, initiative, or effort that addresses the cyber-*  
16 *security of the Defense Industrial Base.*

17 *(2) Leadership and management of the Defense*  
18 *Industrial Base Government Coordinating Council.*

19 *(3) Direct interface and sponsorship of the De-*  
20 *fense Industrial Base Sector Coordinating Council.*

21 *(4) Organization of quarterly in-person meetings*  
22 *of both the Defense Industrial Base Government Co-*  
23 *ordinating Council and the Defense Industrial Base*  
24 *Sector Coordinating Council.*



1       (d) *ADDITIONAL FUNCTIONS.*—*In carrying out this*  
2 *section, the Principal Cyber Advisor of the Department of*  
3 *Defense shall—*

4           (1) *coordinate with relevant Federal departments*  
5 *and agencies, and collaborate with critical infrastruc-*  
6 *ture owners and operators, where appropriate with*  
7 *independent regulatory agencies, and with State,*  
8 *local, territorial, and Tribal entities, as appropriate;*

9           (2) *serve as a day-to-day Federal interface for*  
10 *the dynamic prioritization and coordination of sec-*  
11 *tor-specific activities;*

12           (3) *carry out incident management responsibil-*  
13 *ities;*

14           (4) *provide, support, or facilitate technical as-*  
15 *sistance and consultations for the Defense Industrial*  
16 *Base to identify cyber or physical vulnerabilities and*  
17 *help mitigate incidents, as appropriate; and*

18           (5) *support the statutorily required reporting re-*  
19 *quirements of such relevant Federal departments and*  
20 *agencies by providing to such departments and agen-*  
21 *cies on an annual basis sector-specific critical infra-*  
22 *structure information.*

23 **SEC. 1625. DEPARTMENT OF DEFENSE CYBER WORKFORCE**  
24 **EFFORTS.**

25       (a) *RESOURCES FOR CYBER EDUCATION.*—

1           (1) *IN GENERAL.*—*The Chief Information Officer*  
2 *of the Department of Defense, in consultation with the*  
3 *Director of the National Security Agency (NSA), shall*  
4 *examine the current policies permitting National Se-*  
5 *curity Agency employees to use up to 140 hours of*  
6 *paid time toward NSA’s cyber education programs.*

7           (2) *REPORT.*—

8           (A) *IN GENERAL.*—*Not later than 90 days*  
9 *after the date of the enactment of this Act, the*  
10 *Chief Information Officer shall submit to the*  
11 *congressional defense committees and the con-*  
12 *gressional intelligence committees a strategy for*  
13 *expanding the policies described in paragraph*  
14 *(1) to—*

15           (i) *individuals who occupy positions*  
16 *described in section 1599f of title 10, United*  
17 *States Code; and*

18           (ii) *any other individuals who the*  
19 *Chief Information Officer determines appro-*  
20 *priate.*

21           (B) *IMPLEMENTATION PLAN.*—*The report*  
22 *required under subparagraph (A) shall detail the*  
23 *utilization of the policies in place at the Na-*  
24 *tional Security Agency, as well as an implemen-*  
25 *tation plan that describes the mechanisms needed*

1           to expand the use of such policies to accommo-  
2           date wider participation by individuals de-  
3           scribed in such subparagraph. Such implementa-  
4           tion plan shall detail how such individuals  
5           would be able to connect to the instructional and  
6           participatory opportunities available through the  
7           efforts, programs, initiatives, and investments  
8           accounted for in the report required under sec-  
9           tion 1649 of the National Defense Authorization  
10          Act for Fiscal Year 2020 (Public Law 116–92),  
11          including the following programs:

12                   (i) GenCyber.

13                   (ii) Centers for Academic Excellence –  
14                   Cyber Defense.

15                   (iii) Centers for Academic Excellence –  
16                   Cyber Operations.

17           (C) DEADLINE.—Not later than 120 days  
18           after the submission of the report required under  
19           subparagraph (A), the Chief Information Officer  
20           of the Department of Defense shall carry out the  
21           implementation plan contained in such report.

22           (b) IMPROVING THE TRAINING WITH INDUSTRY PRO-  
23           GRAM.—

24                   (1) IN GENERAL.—Not later than 120 days after  
25           the date of the enactment of this Act, the Principal

1        *Cyber Advisor of the Department of Defense, in con-*  
2        *sultation with the Principal Cyber Advisors of the*  
3        *military services and the Under Secretary of Defense*  
4        *for Personnel and Readiness, shall submit to the con-*  
5        *gressional defense committees a review of the current*  
6        *utilization and utility of the Training With Industry*  
7        *(TWI) programs, including relating to the following:*

8                *(A) Recommendations regarding how to im-*  
9                *prove and better utilize such programs, including*  
10              *regarding individuals who have completed such*  
11              *programs.*

12              *(B) An implementation plan to carry out*  
13              *such recommendations.*

14              *(2) ADDITIONAL .—Not later than 90 days after*  
15              *the submission of the report required under para-*  
16              *graph (1), the Principal Cyber Advisor of the Depart-*  
17              *ment of Defense shall carry out the implementation*  
18              *plan required under paragraph (1).*

19              *(c) ALIGNMENT OF CYBERSECURITY TRAINING PRO-*  
20              *GRAMS.—*

21              *(1) IN GENERAL.—Not later than 120 days after*  
22              *the date of the enactment of this Act, the Secretary of*  
23              *Defense shall submit to the congressional defense com-*  
24              *mittees a report containing recommendations on how*  
25              *cybersecurity training programs described in section*

1       1649 of the National Defense Authorization Act for  
2       Fiscal Year 2020 can be better aligned and har-  
3       monized.

4               (2) *REPORT.*—The report required under para-  
5       graph (1) shall provide recommendations concerning  
6       the following topics and information:

7                       (A) *Developing a comprehensive mechanism*  
8                       *for utilizing and leveraging the Cyber Excepted*  
9                       *Service workforce of the Department of Defense*  
10                      *referred to in subsection (a), as well as mecha-*  
11                      *nisms for military participation.*

12                     (B) *Unnecessary redundancies in such pro-*  
13                     *grams, or in any related efforts, initiatives, or*  
14                     *investments.*

15                     (C) *Mechanisms for tracking participation*  
16                     *and transition of participation from one such*  
17                     *program to another.*

18                     (D) *Department level oversight and man-*  
19                     *agement of such programs.*

20               (3) *CYBER WORKFORCE PIPELINE AND EARLY*  
21       *CHILDHOOD EDUCATION.*—

22                     (A) *ELEMENTS.*—The Secretary of Defense  
23                     shall, when completing the report required under  
24                     paragraph (1), take into consideration existing  
25                     Federal childhood cyber education programs, in-

1           cluding the programs identified in the report re-  
2           quired under section 1649 of the National De-  
3           fense Authorization Act for Fiscal Year 2020  
4           (Public Law 116–92) and the Department of  
5           Homeland Security’s Cybersecurity Education  
6           and Training Assistance Program (CETAP),  
7           that can provide opportunities to military-con-  
8           nected students and members of the Armed  
9           Forces to pursue cyber careers.

10           (B) *DEFINITION.*—In this paragraph, the  
11           term “military-connected student” means an in-  
12           dividual who—

13                   (i) is a dependent a member of the  
14                   Armed Forces serving on active duty; and

15                   (ii) is enrolled in a preschool, an ele-  
16                   mentary or secondary school, or an institu-  
17                   tion of higher education.

18 **SEC. 1626. REPORTING REQUIREMENTS FOR CROSS DO-**  
19 **MAIN COMPROMISES AND EXEMPTIONS TO**  
20 **POLICIES FOR INFORMATION TECHNOLOGY.**

21 (a) *COMPROMISE REPORTING.*—

22           (1) *IN GENERAL.*—Effective beginning in October  
23           2020, the Secretary of Defense and the secretaries of  
24           the military services shall submit to the congressional  
25           defense committees a monthly report in writing that

1        *documents each instance or indication of a cross-do-*  
2        *main compromise within the Department of Defense.*

3            (2) *PROCEDURES.—The Secretary of Defense*  
4        *shall submit to the congressional defense committees*  
5        *procedures for complying with the requirements of*  
6        *subsection (a) consistent with the national security of*  
7        *the United States and the protection of operational*  
8        *integrity. The Secretary shall promptly notify such*  
9        *committees in writing of any changes to such proce-*  
10       *dures at least 14 days prior to the adoption of any*  
11       *such changes.*

12           (3) *DEFINITION.—In this subsection, the term*  
13        *“cross domain compromise” means any unauthorized*  
14        *connection between software, hardware, or both de-*  
15        *signed for use on a network or system built for classi-*  
16        *fied data and the public internet.*

17           (b) *EXEMPTIONS TO POLICY FOR INFORMATION TECH-*  
18        *NOLOGY.—Not later than six months after the date of the*  
19        *enactment of this Act and biannually thereafter, the Sec-*  
20        *retary of Defense and the secretaries of the military services*  
21        *shall submit to the congressional defense committees a re-*  
22        *port in writing that enumerates and details each current*  
23        *exemption to information technology policy, interim Au-*  
24        *thority To Operate (ATO) order, or both. Each such report*

1 *shall include other relevant information pertaining to each*  
2 *such exemption, including relating to the following:*

3 *(1) Risk categorization.*

4 *(2) Duration.*

5 *(3) Estimated time remaining.*

6 **SEC. 1627. ASSESSING PRIVATE-PUBLIC COLLABORATION IN**  
7 **CYBERSECURITY.**

8 *(a) REQUIREMENT.—Not later than 120 days after the*  
9 *date of the enactment of this Act, the Secretary of Defense*  
10 *shall—*

11 *(1) conduct a review and assessment of any on-*  
12 *going public-private collaborative initiatives involv-*  
13 *ing the Department of Defense and the private sector*  
14 *related to cybersecurity and defense of critical infra-*  
15 *structure, including—*

16 *(A) the United States Cyber Command’s*  
17 *Pathfinder initiative and any derivative initia-*  
18 *tive;*

19 *(B) the Department’s support to and inte-*  
20 *gration with existing Federal cybersecurity cen-*  
21 *ters and organizations; and*

22 *(C) comparable initiatives led by other Fed-*  
23 *eral departments or agencies that support long-*  
24 *term public-private cybersecurity collaboration;*  
25 *and*



1           (2) *make recommendations for improvements*  
2 *and the requirements and resources necessary to insti-*  
3 *tutionalize and strengthen the initiatives described in*  
4 *subparagraphs (A) through (C) of paragraph (1).*

5           **(b) REPORT.—**

6           (1) *IN GENERAL.—The Secretary of Defense shall*  
7 *submit to the congressional defense committees a re-*  
8 *port on the review, assessment, and recommendations*  
9 *under subsection (a).*

10          (2) *FORM.—The report required under para-*  
11 *graph (1) may be submitted in unclassified or classi-*  
12 *fied form, as necessary.*

13          **(c) DEFINITION.—***In this section, the term “critical in-*  
14 *frastructure” has the meaning given such term in section*  
15 *1016(e) of the Uniting and Strengthening America by Pro-*  
16 *viding Appropriate Tools Required to Intercept and Ob-*  
17 *struct Terrorism (USA PATRIOT ACT) Act of 2001 (42*  
18 *U.S.C. 5195c(e)).*

19 **SEC. 1628. CYBER CAPABILITIES AND INTEROPERABILITY**  
20 **OF THE NATIONAL GUARD.**

21          **(a) EVALUATION.—***Not later than 180 days after the*  
22 *date of the enactment of this Act, the Secretary of Defense,*  
23 *in conjunction with the Chief of the National Guard Bu-*  
24 *reau, shall submit to the congressional defense committees,*  
25 *the Committee on Appropriations of the House of Rep-*

1 *representatives, and the Committee on Appropriations of the*  
2 *Senate a review of the statutes, rules, regulations, and*  
3 *standards that pertain to the use of the National Guard*  
4 *for the response to and recovery from significant cyber inci-*  
5 *dents.*

6 (b) *RECOMMENDATIONS.—The review required under*  
7 *subsection (a) shall address the following::*

8 (1) *Regulations promulgated under section 903*  
9 *of title 32, United States Code, to allow the National*  
10 *Guard to conduct homeland defense activities that the*  
11 *Secretary of Defense determines to be necessary and*  
12 *appropriate in accordance with section 902 of such*  
13 *title in response to a cyber attack.*

14 (2) *Compulsory guidance from the Chief of the*  
15 *National Guard Bureau regarding how the National*  
16 *Guard shall collaborate with the Cybersecurity and*  
17 *Infrastructure Security Agency of the Department of*  
18 *Homeland Security and the Federal Bureau of Inves-*  
19 *tigation of the Department of Justice through multi-*  
20 *agency task forces, information-sharing groups, inci-*  
21 *dent response planning and exercises, and other rel-*  
22 *evant forums and activities.*

23 (3) *A plan for how the Chief of the National*  
24 *Guard Bureau will collaborate with the Secretary of*  
25 *Homeland Security to develop an annex to the Na-*

1 *tional Cyber Incident Response Plan that details the*  
2 *regulations and guidance described in paragraphs (1)*  
3 *and (2).*

4 (c) *DEFINITION.*—*The term “significant cyber inci-*  
5 *dent” means a cyber incident that results, or several related*  
6 *cyber incidents that result, in demonstrable harm to—*

7 (1) *the national security interests, foreign rela-*  
8 *tions, or economy of the United States; or*

9 (2) *the public confidence, civil liberties, or public*  
10 *health and safety of the American people.*

11 **SEC. 1629. EVALUATION OF NON-TRADITIONAL CYBER SUP-**  
12 **PORT TO THE DEPARTMENT OF DEFENSE.**

13 (a) *REQUIREMENT.*—*Not later than 270 days after the*  
14 *date of the enactment of this Act, the Principal Cyber Advi-*  
15 *sor to the Secretary of Defense, in conjunction with the*  
16 *Under Secretary for Personnel and Readiness of the Depart-*  
17 *ment of Defense and the Principal Cyber Advisors of the*  
18 *military services, shall complete an assessment and evalua-*  
19 *tion of reserve models tailored to the support of cyberspace*  
20 *operations for the Department.*

21 (b) *EVALUATION COMPONENTS.*—*The assessment and*  
22 *evaluation required under subsection (a) shall include the*  
23 *following components:*

24 (1) *A current assessment of reserve and National*  
25 *Guard support to Cyber Operations Forces.*

1           (2) *An enumeration and evaluation of various*  
2 *reserve, National Guard, auxiliary, and non-tradi-*  
3 *tional support models which are applicable to cyber-*  
4 *space operations, including a consideration of models*  
5 *utilized domestically and internationally.*

6           (3) *A utility assessment of a dedicated reserve*  
7 *cadre specific to United States Cyber Command and*  
8 *Cyber Operations Forces.*

9           (4) *An analysis of the costs associated with the*  
10 *models evaluated pursuant to paragraph (2).*

11           (5) *An assessment of the recruitment programs*  
12 *necessary for implementation of the models evaluated*  
13 *pursuant to paragraph (2).*

14       (b) *REPORT.—*

15           (1) *IN GENERAL.—The Secretary of Defense, act-*  
16 *ing through the Principal Cyber Advisor of the De-*  
17 *partment of Defense, shall submit to the congressional*  
18 *defense committees a report on the assessment and*  
19 *evaluation required under subsection (a).*

20           (2) *FORM.—The report required under para-*  
21 *graph (1) may be submitted in classified or unclassi-*  
22 *fied form, as necessary.*

1 **SEC. 1630. ESTABLISHMENT OF INTEGRATED CYBER CEN-**  
2 **TER.**

3 (a) *IN GENERAL.*—Not later than 180 days after the  
4 date of the enactment of this Act, the Secretary of Homeland  
5 Security, in coordination with the Secretary of Defense, the  
6 Attorney General, the Director of the Federal Bureau of In-  
7 vestigation, and the Director of National Intelligence, shall  
8 submit to the relevant congressional committees a report on  
9 Federal cybersecurity centers and the potential for better  
10 coordination of Federal cyber efforts at an integrated cyber  
11 center within the national cybersecurity and communica-  
12 tions integration center of the Department of Homeland Se-  
13 curity established pursuant to section 2209 of the Homeland  
14 Security Act of 2002 (6 U.S.C. 659).

15 (b) *CONTENTS.*—To prepare the report required by  
16 subsection (a), the Secretary of Homeland Security shall  
17 aggregate information from components of the Department  
18 of Homeland Security with information provided to the  
19 Secretary of Homeland Security by the Secretary of De-  
20 fense, the Attorney General, the Director of the Federal Bu-  
21 reau of Investigation, and the Director of National Intel-  
22 ligence. Such aggregated information shall relate to the fol-  
23 lowing topics:

24 (1) *Any challenges regarding capacity and fund-*  
25 *ing identified by the Secretary of Homeland Security,*  
26 *the Director of the Federal Bureau of Investigation,*

1 *the Attorney General, the Secretary of Defense, or the*  
2 *Director of National Intelligence that negatively im-*  
3 *part coordination with the national cybersecurity and*  
4 *communications integration center of the Department*  
5 *of Homeland Security in furtherance of the security*  
6 *and resilience of critical infrastructure.*

7 (2) *Distinct statutory authorities identified by*  
8 *the Secretary of Homeland Security, the Attorney*  
9 *General, the Director of the Federal Bureau of Inves-*  
10 *tigation, the Secretary of Defense, or the Director of*  
11 *National Intelligence that should not be leveraged by*  
12 *an integrated cyber center within the national cyber-*  
13 *security and communications integration center.*

14 (3) *Any challenges associated with effective mis-*  
15 *sion coordination and deconfliction between the Cy-*  
16 *bersecurity and Infrastructure Security Agency of the*  
17 *Department of Homeland Security and other Federal*  
18 *agencies that could be addressed with the creation of*  
19 *an integrated cyber center within the national cyber-*  
20 *security and communications integration center.*

21 (4) *How capabilities or missions of existing Fed-*  
22 *eral cyber centers could benefit from greater integra-*  
23 *tion or collocation to support cybersecurity collabora-*  
24 *tion with critical infrastructure at an integrated*  
25 *cyber center within the national cybersecurity and*

1        *communications integration center, including the fol-*  
2        *lowing Federal cyber centers:*

3                *(A) The National Security Agency's Cyber*  
4                *Threat Operations Center.*

5                *(B) United States Cyber Command's Joint*  
6                *Operations Center.*

7                *(C) The Office of the Director of National*  
8                *Intelligence's Cyber Threat Intelligence Integra-*  
9                *tion Center.*

10               *(D) The Federal Bureau of Investigation's*  
11               *National Cyber Investigative Joint Task Force.*

12               *(E) The Department of Defense's Defense*  
13               *Cyber Crime Center.*

14               *(F) The Office of the Director of National*  
15               *Intelligence's Intelligence Community Security*  
16               *Coordination Center.*

17        *(c) ELEMENTS.—The report required under subsection*

18 *(a) shall—*

19               *(1) identify any challenges regarding the Cyber-*  
20               *security and Infrastructure Security Agency's current*  
21               *authorities, structure, resources, funding, ability to*  
22               *recruit and retain its workforce, or interagency co-*  
23               *ordination that negatively impact the ability of the*  
24               *Agency to fulfill its role as the central coordinator for*  
25               *critical infrastructure cybersecurity and resilience*

1        *pursuant to its authorities under the Homeland Security Act of 2002, and information on how establishing*  
2        *an integrated cyber center within the national cyber-*  
3        *security and communications integration center*  
4        *would address such challenges;*

6            *(2) identify any facility needs for the Cybersecurity and Infrastructure Security Agency to adequately host personnel, maintain sensitive compartmented information facilities, and other resources to*  
7        *serve as the primary coordinating body charged with*  
8        *forging whole-of-government, public-private collabora-*  
9        *tion in cybersecurity, pursuant to such authorities;*

13           *(3) identify any lessons from the United Kingdom's National Cybersecurity Center model to determine whether an integrated cyber center within the*  
14        *Cybersecurity and Infrastructure Security Agency*  
15        *should be similarly organized into an unclassified environment and a classified environment;*

19           *(4) recommend any changes to procedures and*  
20        *criteria for increasing and expanding the participa-*  
21        *tion and integration of public- and private-sector per-*  
22        *sonnel into Federal cyber defense and security efforts,*  
23        *including continuing limitations or hurdles in the se-*  
24        *curity clearance program for private sector partners*  
25        *and integrating private sector partners into a Cyber-*



1       *security and Infrastructure Security Agency inte-*  
2       *grated cyber center; and*

3           (5) *propose policies, programs, or practices that*  
4       *could overcome challenges identified in the aggregated*  
5       *information under subsection (b), including the cre-*  
6       *ation of an integrated cyber center within the na-*  
7       *tional cybersecurity and communications integration*  
8       *center, accompanied by legislative proposals, as ap-*  
9       *propriate.*

10       (d) *PLAN.*—*Upon submitting the report pursuant to*  
11       *subsection (a), the Secretary of Homeland Security, in co-*  
12       *ordination with the Secretary of Defense, the Attorney Gen-*  
13       *eral, the Director of the Federal Bureau of Investigation,*  
14       *and the Director of National Intelligence, shall develop a*  
15       *plan to establish an integrated cyber center within the na-*  
16       *tional cybersecurity and communications integration cen-*  
17       *ter.*

18       (e) *ESTABLISHMENT.*—*Not later than one year after*  
19       *the submission of the report required under subsection (a),*  
20       *the Secretary of Homeland Security, in coordination with*  
21       *the Secretary of Defense, the Attorney General, the Director*  
22       *of the Federal Bureau of Investigation, and the Director*  
23       *of National Intelligence, shall begin establishing an inte-*  
24       *grated cyber center in the national cybersecurity and com-*  
25       *munications integration center.*

1           (f) *ANNUAL UPDATES.*—Beginning one year after the  
2 submission of the report required under subsection (a) and  
3 annually thereafter, the Secretary of Homeland Security,  
4 in coordination with the Secretary of Defense, the Attorney  
5 General, the Director of the Federal Bureau of Investiga-  
6 tion, and the Director of National Intelligence, shall submit  
7 to the relevant congressional committees updates regarding  
8 efforts to establish and operate an integrated cyber center  
9 in the national cybersecurity and communications integra-  
10 tion center pursuant to subsection (e), including informa-  
11 tion on progress made toward overcoming any challenges  
12 identified in the report required by subsection (a).

13           (g) *PRIVACY REVIEW.*—The Privacy Officers of the De-  
14 partment of Homeland Security, the Department of De-  
15 fense, the Department of Justice, and the Federal Bureau  
16 of Investigation, and the Director of National Intelligence  
17 shall review and provide to the relevant congressional com-  
18 mittees comment, as appropriate, on each report and legis-  
19 lative proposal submitted under this section.

20           (h) *DEFINITION.*—In this section, the term “relevant  
21 congressional committees” means—

22                   (1) *in the House of Representatives—*

23                                   (A) *the Committee on Armed Services;*

24                                   (B) *the Committee on the Judiciary;*

1                   (C) the Permanent Select Committee on In-  
2                   telligence; and

3                   (D) the Committee on Homeland Security;  
4                   and

5                   (2) in the Senate—

6                   (A) the Committee on Armed Services;

7                   (B) the Committee on the Judiciary;

8                   (C) the Select Committee on Intelligence;  
9                   and

10                  (D) the Committee on Homeland Security  
11                  and Governmental Affairs.

12 **SEC. 1631. CYBER THREAT INFORMATION COLLABORATION**  
13 **ENVIRONMENT.**

14                  (a) *IN GENERAL.*—In consultation with the Cyber  
15 Threat Data Standards and Interoperability Council estab-  
16 lished pursuant to subsection (d), the Secretary of Home-  
17 land Security, in coordination with the Secretary of De-  
18 fense and the Director of National Intelligence (acting  
19 through the Director of the National Security Agency), shall  
20 develop an information collaboration environment and as-  
21 sociated analytic tools that enable entities to identify, miti-  
22 gate, and prevent malicious cyber activity to—

23                   (1) provide limited access to appropriate oper-  
24                   ationally relevant data about cybersecurity risks and  
25                   cybersecurity threats, including malware forensics

1 *and data from network sensor programs, on a plat-*  
2 *form that enables query and analysis;*

3 *(2) allow such tools to be used in classified and*  
4 *unclassified environments drawing on classified and*  
5 *unclassified data sets;*

6 *(3) enable cross-correlation of data on cybersecu-*  
7 *rity risks and cybersecurity threats at the speed and*  
8 *scale necessary for rapid detection and identification;*

9 *(4) facilitate a comprehensive understanding of*  
10 *cybersecurity risks and cybersecurity threats; and*

11 *(5) facilitate collaborative analysis between the*  
12 *Federal Government and private sector critical infra-*  
13 *structure entities and information and analysis orga-*  
14 *nizations.*

15 *(b) IMPLEMENTATION OF INFORMATION COLLABORA-*  
16 *TION ENVIRONMENT.—*

17 *(1) EVALUATION.—Not later than 180 days after*  
18 *the date of the enactment of this Act, the Secretary of*  
19 *Homeland Security, acting through the Director of*  
20 *the Cybersecurity and Infrastructure Security Agency*  
21 *of the Department of Homeland Security, in coordi-*  
22 *nation with the Secretary of Defense and the Director*  
23 *of National Intelligence (acting through the Director*  
24 *of the National Security Agency), shall—*

1           (A) identify, inventory, and evaluate exist-  
2           ing Federal sources of classified and unclassified  
3           information on cybersecurity threats;

4           (B) evaluate current programs, applica-  
5           tions, or platforms intended to detect, identify,  
6           analyze, and monitor cybersecurity risks and cy-  
7           bersecurity threats; and

8           (C) coordinate with private sector critical  
9           infrastructure entities and, as determined appro-  
10          priate by the Secretary of Homeland Security,  
11          in consultation with the Secretary of Defense,  
12          other private sector entities, to identify private  
13          sector cyber threat capabilities, needs, and gaps.

14          (2) IMPLEMENTATION.—Not later than one year  
15          after the evaluation required under paragraph (1),  
16          the Secretary of Homeland Security, acting through  
17          the Director of the Cybersecurity and Infrastructure  
18          Security Agency, in coordination with the Secretary  
19          of Defense and the Director of National Intelligence  
20          (acting through the Director of the National Security  
21          Agency), shall begin implementation of the informa-  
22          tion collaboration environment developed pursuant to  
23          subsection (a) to enable participants in such environ-  
24          ment to develop and run analytic tools referred to in  
25          such subsection on specified data sets for the purpose

1 *of identifying, mitigating, and preventing malicious*  
2 *cyber activity that is a threat to government and crit-*  
3 *ical infrastructure. Such environment and use of such*  
4 *tools shall—*

5 *(A) operate in a manner consistent with*  
6 *relevant privacy, civil rights, and civil liberties*  
7 *policies and protections, including such policies*  
8 *and protections established pursuant to section*  
9 *1016 of the Intelligence Reform and Terrorism*  
10 *Prevention Act of 2004 (6 U.S.C. 485);*

11 *(B) account for appropriate data standards*  
12 *and interoperability requirements, consistent*  
13 *with the standards set forth in subsection (d);*

14 *(C) enable integration of current applica-*  
15 *tions, platforms, data, and information, includ-*  
16 *ing classified information, in a manner that*  
17 *supports integration of unclassified and classi-*  
18 *fied information on cybersecurity risks and cy-*  
19 *bersecurity threats;*

20 *(D) incorporate tools to manage access to*  
21 *classified and unclassified data, as appropriate;*

22 *(E) ensure accessibility by entities the Sec-*  
23 *retary of Homeland Security, in consultation*  
24 *with the Secretary of Defense and the Director of*  
25 *National Intelligence (acting through the Direc-*

1           *tor of the National Security Agency), determines*  
2           *appropriate;*

3           *(F) allow for access by critical infrastruc-*  
4           *ture stakeholders and other private sector part-*  
5           *ners, at the discretion of the Secretary of Home-*  
6           *land Security, in consultation with the Secretary*  
7           *of Defense;*

8           *(G) deploy analytic tools across classifica-*  
9           *tion levels to leverage all relevant data sets, as*  
10          *appropriate;*

11          *(H) identify tools and analytical software*  
12          *that can be applied and shared to manipulate,*  
13          *transform, and display data and other identified*  
14          *needs; and*

15          *(I) anticipate the integration of new tech-*  
16          *nologies and data streams, including data from*  
17          *government-sponsored network sensors or net-*  
18          *work-monitoring programs deployed in support*  
19          *of State, local, Tribal, and territorial govern-*  
20          *ments or private sector entities.*

21          *(c) ANNUAL REVIEW OF IMPACTS ON PRIVACY, CIVIL*  
22          *RIGHTS, AND CIVIL LIBERTIES.—The Secretary of Home-*  
23          *land Security and the Director of National Intelligence*  
24          *(acting through the Director of the Cybersecurity and Infra-*  
25          *structure Security Agency and the Director of the National*

1 *Security Agency, respectively) shall direct the Privacy,*  
2 *Civil Rights, and Civil Liberties Officers of their respective*  
3 *agencies, in consultation with Privacy, Civil Rights, and*  
4 *Civil Liberties Officers of other Federal agencies partici-*  
5 *pating in the information collaboration environment, to*  
6 *conduct an annual review of the information collaboration*  
7 *environment for compliance with fair information practices*  
8 *and civil rights and civil liberties policies. Each such report*  
9 *shall be—*

10           (1) *unclassified, to the maximum extent possible,*  
11           *but may contain a non-public or classified annex to*  
12           *protect sources or methods and any other sensitive in-*  
13           *formation restricted by Federal law;*

14           (2) *with respect to the unclassified portions of*  
15           *each such report, made available on the public inter-*  
16           *net websites of the Department of Homeland Security*  
17           *and the Office of the Director of National Intel-*  
18           *ligence—*

19                   (A) *not later than 30 days after submission*  
20                   *to the appropriate congressional committees; and*

21                   (B) *in an electronic format that is fully in-*  
22                   *dexed and searchable; and*

23           (3) *with respect to a classified annex, submitted*  
24           *to the appropriate congressional committees in an*  
25           *electronic format that is fully indexed and searchable.*



1           (d) *POST-DEPLOYMENT ASSESSMENT.*—Not later than  
2 two years after the implementation of the information col-  
3 laboration environment under subsection (b), the Secretary  
4 of Homeland Security, the Secretary of Defense, and the  
5 Director of National Intelligence (acting through the Direc-  
6 tor of the National Security Agency) shall jointly submit  
7 to the appropriate congressional committees an assessment  
8 of whether to include additional entities, including critical  
9 infrastructure information sharing and analysis organiza-  
10 tions, in such environment.

11           (e) *CYBER THREAT DATA STANDARDS AND INTER-*  
12 *OPERABILITY COUNCIL.*—

13           (1) *ESTABLISHMENT.*—There is established an  
14 interagency council, to be known as the “Cyber  
15 Threat Data Standards and Interoperability Council”  
16 (in this subsection referred to as the “council”),  
17 chaired by the Secretary of Homeland Security, to es-  
18 tablish data standards and requirements for public  
19 and private sector entities to participate in the infor-  
20 mation collaboration environment developed pursuant  
21 to subsection (a).

22           (2) *OTHER MEMBERSHIP.*—

23           (A) *PRINCIPAL MEMBERS.*—In addition to  
24 the Secretary of Homeland Security, the council  
25 shall be composed of the Director of the Cyberse-

1           *curity and Infrastructure Security Agency of the*  
2           *Department of Homeland Security, the Secretary*  
3           *of Defense, and the Director of National Intel-*  
4           *ligence (acting through the Director of the Na-*  
5           *tional Security Agency).*

6           *(B) ADDITIONAL MEMBERS.—The President*  
7           *shall identify and appoint council members from*  
8           *public and private sector entities who oversee*  
9           *programs that generate, collect, or disseminate*  
10          *data or information related to the detection,*  
11          *identification, analysis, and monitoring of cy-*  
12          *bersecurity risks and cybersecurity threats, based*  
13          *on recommendations submitted by the Secretary*  
14          *of Homeland Security, the Secretary of Defense,*  
15          *and the Director of National Intelligence (acting*  
16          *through the Director of the National Security*  
17          *Agency).*

18          *(3) DATA STREAMS.—The council shall identify,*  
19          *designate, and periodically update programs that*  
20          *shall participate in or be interoperable with the infor-*  
21          *mation collaboration environment developed pursuant*  
22          *to subsection (a), which may include the following:*

23                  *(A) Network-monitoring and intrusion de-*  
24                  *tection programs.*

1           (B) *Cyber threat indicator sharing pro-*  
2           *grams.*

3           (C) *Certain government-sponsored network*  
4           *sensors or network-monitoring programs.*

5           (D) *Incident response and cybersecurity*  
6           *technical assistance programs.*

7           (E) *Malware forensics and reverse-engineer-*  
8           *ing programs.*

9           (F) *The defense industrial base threat intel-*  
10          *ligence program of the Department of Defense.*

11          (4) *DATA GOVERNANCE.*—*The council shall estab-*  
12          *lish a committee comprised of the privacy officers of*  
13          *the Department of Homeland Security, the Depart-*  
14          *ment of Defense, and the National Security Agency.*  
15          *Such committee shall establish procedures and data*  
16          *governance structures, as necessary, to protect sen-*  
17          *sitive data, comply with Federal regulations and stat-*  
18          *utes, and respect existing consent agreements with*  
19          *private sector critical infrastructure entities that*  
20          *apply to critical infrastructure information.*

21          (5) *RECOMMENDATIONS.*—*The council shall, as*  
22          *appropriate, submit recommendations to the Presi-*  
23          *dent to support the operation, adaptation, and secu-*  
24          *rity of the information collaboration environment de-*  
25          *veloped pursuant to subsection (a).*

1           (f) *NO ADDITIONAL ACTIVITIES AUTHORIZED.*—*Noth-*  
2 *ing in section may be construed to—*

3                   (1) *alter the responsibility of entities to follow*  
4 *guidelines issued pursuant to section 105(b) of the*  
5 *Cybersecurity Act of 2015 (6 U.S.C. 1504(b); enacted*  
6 *as division N of the Consolidated Appropriations Act,*  
7 *2016 (Public Law 114–113)) with respect to data ob-*  
8 *tained by an entity in connection with activities au-*  
9 *thorized under the Cybersecurity Act of 2015 and*  
10 *shared through the information collaboration environ-*  
11 *ment developed pursuant to subsection (a); or*

12                   (2) *authorize Federal or private entities to share*  
13 *information in a manner not already permitted by*  
14 *law.*

15           (g) *DEFINITIONS.*—*In this section:*

16                   (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
17 *TEES.*—*The term “appropriate congressional commit-*  
18 *tees” means—*

19                           (A) *in the House of Representatives—*

20                                   (i) *the Permanent Select Committee on*  
21 *Intelligence;*

22                                   (ii) *the Committee on Homeland Secu-*  
23 *rity;*

24                                   (iii) *the Committee on the Judiciary;*

25                                   *and*

1                   *(iv) the Committee on Armed Services;*

2                   *and*

3                   *(B) in the Senate—*

4                   *(i) the Select Committee on Intel-*  
5                   *ligence;*

6                   *(ii) the Committee on Homeland Secu-*  
7                   *rity and Governmental Affairs;*

8                   *(iii) the Committee on the Judiciary;*

9                   *and*

10                   *(iv) the Committee on Armed Services.*

11                   (2) *CRITICAL INFRASTRUCTURE.—The term*  
12                   *“critical infrastructure” has the meaning given such*  
13                   *term in section 1016(e) of Public Law 107–56 (42*  
14                   *U.S.C. 5195c(e)).*

15                   (3) *CRITICAL INFRASTRUCTURE INFORMATION.—*  
16                   *The term “critical infrastructure information” has*  
17                   *the meaning given such term in section 2222 of the*  
18                   *Homeland Security Act of 2002 (6 U.S.C. 671).*

19                   (4) *CYBER THREAT INDICATOR.—The term*  
20                   *“cyber threat indicator” has the meaning given such*  
21                   *term in section 102(6) of the Cybersecurity Act of*  
22                   *2015 (enacted as division N of the Consolidated Ap-*  
23                   *propriations Act, 2016 (Public Law 114–113; 6*  
24                   *U.S.C. 1501(6))).*

1           (5) *CYBERSECURITY RISK*.—The term “cyberse-  
2           curity risk” has the meaning given such term in sec-  
3           tion 2209 of the Homeland Security Act of 2002 (6  
4           U.S.C. 659).

5           (6) *CYBERSECURITY THREAT*.—The term “cyber-  
6           security threat” has the meaning given such term in  
7           section 102(5) of the Cybersecurity Act of 2015 (en-  
8           acted as division N of the Consolidated Appropria-  
9           tions Act, 2016 (Public Law 114–113; 6 U.S.C.  
10          1501(5))).

11          (7) *INFORMATION SHARING AND ANALYSIS ORGA-*  
12          *NIZATION*.—The term “information sharing and anal-  
13          ysis organization” has the meaning given such term  
14          in section 2222 of the Homeland Security Act of 2002  
15          (6 U.S.C. 671).

16 **SEC. 1632. DEFENSE INDUSTRIAL BASE PARTICIPATION IN**  
17                   **A THREAT INTELLIGENCE SHARING PRO-**  
18                   **GRAM.**

19          (a) *DEFINITION*.—In this section, the term “defense in-  
20          dustrial base” means the worldwide industrial complex  
21          with capabilities to perform research and development, de-  
22          sign, produce, deliver, and maintain military weapon sys-  
23          tems, subsystems, components, or parts to meet military re-  
24          quirements.

1       (b) *DEFENSE INDUSTRIAL BASE THREAT INTEL-*  
2 *LIGENCE PROGRAM.*—

3           (1) *IN GENERAL.*—*The Secretary of Defense shall*  
4 *establish a threat intelligence program to share with*  
5 *and obtain from the defense industrial base informa-*  
6 *tion and intelligence on threats to national security.*

7           (2) *PROGRAM REQUIREMENTS.*—*At a minimum,*  
8 *the Secretary of Defense shall ensure the threat intel-*  
9 *ligence sharing program established pursuant to*  
10 *paragraph (1) includes the following:*

11           (A) *Cybersecurity incident reporting re-*  
12 *quirements that—*

13                   (i) *extend beyond current mandatory*  
14 *incident reporting requirements;*

15                   (ii) *set specific timeframes for all cat-*  
16 *egories of such mandatory incident report-*  
17 *ing; and*

18                   (iii) *create a single clearinghouse for*  
19 *all such mandatory incident reporting to*  
20 *the Department of Defense, including cov-*  
21 *ered unclassified information, covered de-*  
22 *fense information, and classified informa-*  
23 *tion.*

24           (B) *A mechanism for developing a shared*  
25 *and real-time picture of the threat environment.*

1           (C) *Joint, collaborative, and co-located ana-*  
2           *lytics.*

3           (D) *Investments in technology and capabili-*  
4           *ties to support automated detection and analysis*  
5           *across the defense industrial base.*

6           (E) *Coordinated intelligence sharing with*  
7           *relevant domestic law enforcement and counter-*  
8           *intelligence agencies, in coordination, respec-*  
9           *tively, with the Director of the Federal Bureau*  
10          *of Investigation and the Director of National In-*  
11          *telligence.*

12          (F) *A process for direct sharing of threat*  
13          *intelligence related to a specific defense indus-*  
14          *trial base entity with such entity.*

15          (3) *EXISTING INFORMATION SHARING PRO-*  
16          *GRAMS.—The Secretary of Defense may utilize an ex-*  
17          *isting Department of Defense information sharing*  
18          *program to satisfy the requirement under paragraph*  
19          *(1) if such existing program includes, or is modified*  
20          *to include, two-way sharing of threat information*  
21          *that is specifically relevant to the defense industrial*  
22          *base, including satisfying the requirements specified*  
23          *in paragraph (2).*

24          (4) *INTELLIGENCE QUERIES.—As part of a*  
25          *threat intelligence sharing program under this sub-*



1        *section, the Secretary of Defense shall require defense*  
2        *industrial base entities holding a Department of De-*  
3        *fense contract to consent to queries of foreign intel-*  
4        *ligence collection databases related to such entity as*  
5        *a condition of such contract.*

6        *(c) THREAT INTELLIGENCE PROGRAM PARTICIPA-*  
7        *TION.—*

8                *(1) PROHIBITION ON PROCUREMENT.—Beginning*  
9        *on the date that is than one year after the date of the*  
10        *enactment of this Act, the Secretary of Defense may*  
11        *not procure or acquire, or extend or renew a contract*  
12        *to procure or acquire, any item, equipment, system,*  
13        *or service from any entity that is not a participant*  
14        *in—*

15                *(A) the threat intelligence sharing program*  
16        *established pursuant paragraph (1) of subsection*  
17        *(b); or*

18                *(B) a comparably widely-utilized threat in-*  
19        *telligence sharing program described in para-*  
20        *graph (3) of such subsection.*

21                *(2) APPLICATION TO SUBCONTRACTORS.—No en-*  
22        *tity holding a Department of Defense contract may*  
23        *subcontract any portion of such contract to another*  
24        *entity unless that second entity—*

1           (A) is a participant in a threat intelligence  
2 sharing program under this section; or

3           (B) has received a waiver pursuant to sub-  
4 section (d).

5           (3) *IMPLEMENTATION.*—In implementing the  
6 prohibition under paragraph (1), the Secretary of De-  
7 fense—

8           (A) may create tiers of requirements and  
9 participation within the applicable threat intel-  
10 ligence sharing program referred to in such  
11 paragraph based on—

12           (i) an evaluation of the role of and rel-  
13 ative threats related to entities within the  
14 defense industrial base; and

15           (ii) cybersecurity maturity model cer-  
16 tification level; and

17           (B) shall prioritize available funding and  
18 technical support to assist entities as is reason-  
19 ably necessary for such entities to participate in  
20 a threat intelligence sharing program under this  
21 section.

22           (d) *WAIVER AUTHORITY.*—

23           (1) *WAIVER.*—The Secretary of Defense may  
24 waive the prohibition under subsection (b)—

1           (A) with respect to an entity or class of en-  
2           tities, if the Secretary determines that the re-  
3           quirement to participate in a threat intelligence  
4           sharing program under this section is unneces-  
5           sary to protect the interests of the United States;  
6           or

7           (B) at the request of an entity, if the Sec-  
8           retary determines there is compelling justifica-  
9           tion for such waiver.

10          (2) *PERIODIC REEVALUATION.*—The Secretary of  
11          Defense shall periodically reevaluate any waiver  
12          issued pursuant to paragraph (1) and promptly re-  
13          voke any waiver the Secretary determines is no longer  
14          warranted.

15          (e) *REGULATIONS.*—

16          (1) *RULEMAKING AUTHORITY.*—Not later than  
17          180 days after the date of the enactment of this Act,  
18          the Secretary of Defense shall promulgate such rules  
19          and regulations as are necessary to carry out this sec-  
20          tion.

21          (2) *CMMC HARMONIZATION.*—The Secretary of  
22          Defense shall ensure that the threat intelligence shar-  
23          ing program requirements set forth in the rules and  
24          regulations promulgated pursuant to paragraph (1)  
25          consider an entity’s maturity and role within the de-

1        *fense industrial base, in accordance with the maturity*  
2        *certification levels established in the Department of*  
3        *Defense Cybersecurity Maturity Model Certification*  
4        *program.*

5        **SEC. 1633. ASSISTANCE FOR SMALL MANUFACTURERS IN**  
6                                **THE DEFENSE INDUSTRIAL SUPPLY CHAIN**  
7                                **ON MATTERS RELATING TO CYBERSECURITY.**

8            *(a) IN GENERAL.—Subject to the availability of appro-*  
9        *priations, the Secretary of Defense, in consultation with the*  
10        *Director of the National Institute of Standards and Tech-*  
11        *nology, may award financial assistance to a Center for the*  
12        *purpose of providing cybersecurity services to small manu-*  
13        *facturers.*

14            *(b) CRITERIA.—If the Secretary carries out subsection*  
15        *(a), the Secretary, in consultation with the Director, shall*  
16        *establish and publish on the grants.gov website, or successor*  
17        *website, criteria for selecting recipients for financial assist-*  
18        *ance under this section.*

19            *(c) USE OF FINANCIAL ASSISTANCE.—Financial as-*  
20        *sistance under this section—*

21                                *(1) shall be used by a Center to provide small*  
22        *manufacturers with cybersecurity services relating*  
23        *to—*

24                                        *(A) compliance with the cybersecurity re-*  
25        *quirements of the Department of Defense Supple-*

1           *ment to the Federal Acquisition Regulation, in-*  
2           *cluding awareness, assessment, evaluation, prep-*  
3           *aration, and implementation of cybersecurity*  
4           *services; and*

5                   *(B) achieving compliance with the Cyberse-*  
6           *curity Maturity Model Certification framework*  
7           *of the Department of Defense; and*

8           *(2) may be used by a Center to employ trained*  
9           *personnel to deliver cybersecurity services to small*  
10          *manufacturers.*

11          *(d) BIENNIAL REPORTS.—*

12                   *(1) IN GENERAL.—Not less frequently than once*  
13          *every two years, the Secretary shall submit to the con-*  
14          *gressional defense committees, the Committee on Com-*  
15          *merce, Science, and Transportation of the Senate,*  
16          *and the Committee on Science, Space, and Technology*  
17          *of the House of Representatives a biennial report on*  
18          *financial assistance awarded under this section.*

19                   *(2) CONTENTS.—To the extent practicable, each*  
20          *report submitted under paragraph (1) shall include*  
21          *the following with respect to the years covered by the*  
22          *report:*

23                           *(A) The number of small manufacturing*  
24                   *companies assisted.*

1           (B) A description of the cybersecurity serv-  
2           ices provided.

3           (C) A description of the cybersecurity mat-  
4           ters addressed.

5           (D) An analysis of the operational effective-  
6           ness and cost-effectiveness of the cybersecurity  
7           services provided.

8           (e) *TERMINATION.*—The authority of the Secretary to  
9           award of financial assistance under this section shall termi-  
10          nate on the date that is five years after the date of the enact-  
11          ment of this Act.

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

13           (1) The term “Center” has the meaning given  
14           such term in section 25(a) of the National Institute  
15           of Standards and Technology Act (15 U.S.C.  
16           278k(a)).

17           (2) The term “small manufacturer” has the  
18           meaning given that term in section 1644(g) of the  
19           John S. McCain National Defense Authorization Act  
20           for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C.  
21           2224 note).

22   **SEC. 1634. DEFENSE INDUSTRIAL BASE CYBERSECURITY**  
23                           **THREAT HUNTING AND SENSING, DISCOVERY,**  
24                           **AND MITIGATION.**

25          (a) *DEFINITION.*—In this section:

1           (1) *DEFENSE INDUSTRIAL BASE.*—*The term “de-*  
2 *fense industrial base” means the worldwide industrial*  
3 *complex with capabilities to perform research and de-*  
4 *velopment, design, produce, deliver, and maintain*  
5 *military weapon systems, subsystems, components, or*  
6 *parts to meet military requirements.*

7           (2) *ADVANCED DEFENSE INDUSTRIAL BASE.*—  
8 *The term “advanced defense industrial base” means*  
9 *any entity in the defense industrial base holding a*  
10 *Department of Defense contract that requires a cyber-*  
11 *security maturity model certification of level 4 or*  
12 *higher.*

13       (b) *DEFENSE INDUSTRIAL BASE CYBERSECURITY*  
14 *THREAT HUNTING STUDY.*—

15           (1) *IN GENERAL.*—*Not later than 120 days after*  
16 *the date of the enactment of this Act, the Secretary of*  
17 *Defense shall submit to the congressional defense com-*  
18 *mittees a study of the feasibility and resourcing re-*  
19 *quired to establish the Defense Industrial Base Cyber-*  
20 *security Threat Hunting Program (in this section re-*  
21 *ferred to as the “Program”) described in subsection*  
22 *(c).*

23           (2) *ELEMENTS.*—*The study required under para-*  
24 *graph (1) shall—*

1           (A) *establish the resources necessary, gov-*  
2           *ernance structures, and responsibility for execu-*  
3           *tion of the Program, as well as any other rel-*  
4           *evant considerations determined by the Sec-*  
5           *retary;*

6           (B) *include a conclusive determination of*  
7           *the Department of Defense's capacity to establish*  
8           *the Program by the end of fiscal year 2021; and*

9           (C) *identify any barriers that would pre-*  
10          *vent such establishment.*

11          (c) *DEFENSE INDUSTRIAL BASE CYBERSECURITY*  
12          *THREAT HUNTING PROGRAM.—*

13           (1) *IN GENERAL.—Upon a positive determina-*  
14           *tion of the Program's feasibility pursuant to the*  
15           *study required under subsection (b), the Secretary of*  
16           *Defense shall establish the Program to actively iden-*  
17           *tify cybersecurity threats and vulnerabilities within*  
18           *the information systems, including covered defense*  
19           *networks containing controlled unclassified informa-*  
20           *tion, of entities in the defense industrial base.*

21           (2) *PROGRAM LEVELS.—In establishing the Pro-*  
22           *gram in accordance with paragraph (1), the Sec-*  
23           *retary of Defense shall develop a tiered program that*  
24           *takes into account the following:*



1           (A) *The cybersecurity maturity of entities*  
2           *in the defense industrial base.*

3           (B) *The role of such entities.*

4           (C) *Whether each such entity possesses con-*  
5           *trolled unclassified information and covered de-*  
6           *fense networks.*

7           (D) *The covered defense information to*  
8           *which such an entity has access as a result of*  
9           *contracts with the Department of Defense.*

10          (3) *PROGRAM REQUIREMENTS.—The Program*  
11          *shall—*

12               (A) *include requirements for mitigating any*  
13               *vulnerabilities identified pursuant to the Pro-*  
14               *gram;*

15               (B) *provide a mechanism for the Depart-*  
16               *ment of Defense to share with entities in the de-*  
17               *fense industrial base malicious code, indicators*  
18               *of compromise, and insights on the evolving*  
19               *threat landscape;*

20               (C) *provide incentives for entities in the de-*  
21               *fense industrial base to share with the Depart-*  
22               *ment of Defense, including the National Security*  
23               *Agency’s Cybersecurity Directorate, threat and*  
24               *vulnerability information collected pursuant to*  
25               *threat monitoring and hunt activities; and*

1           (D) mandate a minimum level of program  
2           participation for any entity that is part of the  
3           advanced defense industrial base.

4           (d) *THREAT IDENTIFICATION PROGRAM PARTICIPA-*  
5 *TION.—*

6           (1) *PROHIBITION ON PROCUREMENT.—If the*  
7 *Program is established pursuant to subsection (c), be-*  
8 *ginning on the date that is one year after the date of*  
9 *the enactment of this Act, the Secretary of Defense*  
10 *may not procure or obtain, or extend or renew a con-*  
11 *tract to procure or obtain, any item, equipment, sys-*  
12 *tem, or service from any entity in the defense indus-*  
13 *trial base that is not in compliance with the require-*  
14 *ments of the Program.*

15           (2) *IMPLEMENTATION.—In implementing the*  
16 *prohibition under paragraph (1), the Secretary of De-*  
17 *fense shall prioritize available funding and technical*  
18 *support to assist affected entities in the defense indus-*  
19 *trial base as is reasonably necessary for such affected*  
20 *entities to commence participation in the Program*  
21 *and satisfy Program requirements.*

22           (3) *WAIVER AUTHORITY.—*

23           (A) *WAIVER.—The Secretary of Defense*  
24 *may waive the prohibition under paragraph*  
25 *(1)—*

1                   (i) with respect to an entity or class of  
2                   entities in the defense industrial base, if the  
3                   Secretary determines that the requirement  
4                   to participate in the Program is unneces-  
5                   sary to protect the interests of the United  
6                   States; or

7                   (ii) at the request of such an entity, if  
8                   the Secretary determines there is a compel-  
9                   ling justification for such waiver.

10                  (B) *PERIODIC REEVALUATION.*—The Sec-  
11                  retary of Defense shall periodically reevaluate  
12                  any waiver issued pursuant to subparagraph (A)  
13                  and revoke any such waiver the Secretary deter-  
14                  mines is no longer warranted.

15                  (e) *USE OF PERSONNEL AND THIRD-PARTY THREAT*  
16                  *HUNTING AND SENSING CAPABILITIES.*—In carrying out  
17                  the Program, the Secretary of Defense may—

18                       (1) utilize Department of Defense personnel to  
19                       hunt for threats and vulnerabilities within the infor-  
20                       mation systems of entities in the defense industrial  
21                       base that have an active contract with Department of  
22                       Defense;

23                       (2) certify third-party providers to hunt for  
24                       threats and vulnerabilities on behalf of the Depart-  
25                       ment of Defense;

1           (3) *require the deployment of network sensing*  
2 *technologies capable of identifying and filtering mali-*  
3 *cious network traffic; or*

4           (4) *employ a combination of Department of De-*  
5 *fense personnel and third-party providers and tools,*  
6 *as the Secretary determines necessary and appro-*  
7 *priate, for the entity described in paragraph (1).*

8           (f) *REGULATIONS.—*

9           (1) *RULEMAKING AUTHORITY.—Not later than*  
10 *180 days after the date of the enactment of this Act,*  
11 *the Secretary of Defense shall promulgate such rules*  
12 *and regulations as are necessary to carry out this sec-*  
13 *tion.*

14           (2) *CMMC HARMONIZATION.—In promulgating*  
15 *rules and regulations pursuant to paragraph (1), the*  
16 *Secretary of Defense shall consider how best to inte-*  
17 *grate the requirements of this section with the Depart-*  
18 *ment of Defense Cybersecurity Maturity Model Cer-*  
19 *tification program.*

20 **SEC. 1635. DEFENSE DIGITAL SERVICE.**

21           (a) *RELATIONSHIP WITH UNITED STATES DIGITAL*  
22 *SERVICE.—Not later than 120 days after the date of the*  
23 *enactment of this Act, the Secretary of Defense and the Ad-*  
24 *ministrator of the United States Digital Service shall estab-*  
25 *lish a direct relationship between the Department of Defense*

1 *and the United States Digital Service to address authori-*  
2 *ties, hiring processes, roles, and responsibilities.*

3 (b) *CERTIFICATION.*—*Not later than 120 days after the*  
4 *date of the enactment of this Act, the Secretary of Defense*  
5 *and the Administrator of the United States Digital Service*  
6 *shall jointly certify to the congressional defense committees*  
7 *that the skills and qualifications of the Department of De-*  
8 *fense personnel assigned to and supporting the core func-*  
9 *tions of the Defense Digital Service are consistent with the*  
10 *skills and qualifications United States Digital Service per-*  
11 *sonnel.*

12 **SEC. 1636. LIMITATION OF FUNDING FOR NATIONAL DE-**  
13 **FENSE UNIVERSITY.**

14 *Of the funds authorized to be appropriated by this Act*  
15 *for fiscal year 2021 for the National Defense University,*  
16 *not more than 60 percent of such funds may be obligated*  
17 *or expended until the Joint Staff and the National Defense*  
18 *University present to the congressional defense committees*  
19 *the following:*

20 (1) *A comprehensive plan for resourcing and*  
21 *growing the student population of the College of Infor-*  
22 *mation and Cyberspace, including by—*

23 (A) *enrolling a minimum of 350 cyber*  
24 *workforce students per academic year; and*

1           *(B) graduating a minimum of 42 students*  
2           *(including a minimum of 28 United States mili-*  
3           *tary students) in the Joint Professional Military*  
4           *Education Phase II War College 10- month resi-*  
5           *dent program in fiscal year 2021, and imple-*  
6           *menting a plan to graduate a minimum of 70*  
7           *students (including a minimum of 50 United*  
8           *States military and civilian students) in fiscal*  
9           *year 2023 and in each year thereafter through*  
10          *the Future Year Defense Program.*

11          *(2) Budget documents for the Future Year De-*  
12          *fense Program which show funding for the College of*  
13          *Information and Cyberspace to support the com-*  
14          *prehensive plan described in subsection (a).*

15          *(3) A comprehensive presentation of how pro-*  
16          *grams of study on cyber-related matters are being ex-*  
17          *panded and integrated into Joint Professional Mili-*  
18          *tary Education at all National Defense University*  
19          *constituent colleges.*

1           ***Subtitle D—Nuclear Forces***

2   ***SEC. 1641. COORDINATION IN TRANSFER OF FUNDS BY DE-***  
3                   ***PARTMENT OF DEFENSE TO NATIONAL NU-***  
4                   ***CLEAR SECURITY ADMINISTRATION.***

5           (a) *IN GENERAL.*—Section 179(f)(3) of title 10, United  
6 States Code, is amended by adding at the end the following  
7 new subparagraph:

8           “(D) *The Secretary of Defense and the Secretary of*  
9 *Energy shall ensure that a transfer of estimated nuclear*  
10 *budget request authority is carried out in a manner that*  
11 *provides for coordination between the Secretary of Defense*  
12 *and the Administrator for Nuclear Security using appro-*  
13 *priate interagency processes during the process in which the*  
14 *Secretaries develop the budget materials of the Department*  
15 *of Defense and the National Nuclear Security Administra-*  
16 *tion, including by beginning such coordination by not later*  
17 *than June 30 for such budget materials that will be sub-*  
18 *mitted during the following year.”.*

19           (b) *REPORTS.*—Subparagraph (B) of such section is  
20 amended by adding at the end the following new clause:

21           “(iv) *A description of the total amount of the*  
22 *proposed estimated nuclear budget request authority*  
23 *to be transferred by the Secretary of Defense to the*  
24 *Secretary of Energy to support the weapons activities*

1       *of the National Nuclear Security Administration, in-*  
2       *cluding—*

3               “(A) *identification of any trade-offs made*  
4               *within the budget of the Department of Defense*  
5               *as part of such proposed transfer; and*

6               “(B) *a certification made jointly by the*  
7               *Secretaries that such proposed transfer was de-*  
8               *veloped in a manner that allowed for the coordi-*  
9               *nation described in subparagraph (D).”.*

10 **SEC. 1642. EXERCISES OF NUCLEAR COMMAND, CONTROL,**  
11 **AND COMMUNICATIONS SYSTEM.**

12       (a) *REQUIREMENT.—Chapter 24 of title 10, United*  
13 *States Code, is amended by adding at the end the following*  
14 *new section:*

15 **“§499b. Exercises of nuclear command, control, and**  
16 **communications system**

17       “(a) *REQUIRED EXERCISES.—Except as provided by*  
18 *subsection (b), beginning 2021, the President shall partici-*  
19 *pate in a large-scale exercise of the nuclear command, con-*  
20 *trol, and communications system during the first year of*  
21 *each term of the President, and may participate in such*  
22 *additional exercises as the President determines appro-*  
23 *priate.*



1       “(b) *WAIVER.*—*The President may waive, on a case-*  
2 *by-case basis, the requirement to participate in an exercise*  
3 *under subsection (a) if the President—*

4               “(1) *determines that participating in such an*  
5 *exercise is infeasible by reason of a war declared by*  
6 *Congress, a national emergency declared by the Presi-*  
7 *dent or Congress, a public health emergency declared*  
8 *by the Secretary of Health and Human Services*  
9 *under section 319 of the Public Health Service Act*  
10 *(42 U.S.C. 247d), or other similar exigent cir-*  
11 *cumstance; and*

12               “(2) *submits to the congressional defense commit-*  
13 *tees a notice of the waiver and a description of such*  
14 *determination.*”.

15       “(b) *CLERICAL AMENDMENT.*—*The table of sections at*  
16 *the beginning of such chapter is amended by adding at the*  
17 *end the following new item:*

      “499b. *Exercises of nuclear command, control, and communications system.*”.

18       **SEC. 1643. INDEPENDENT STUDIES ON NUCLEAR WEAPONS**  
19               **PROGRAMS OF CERTAIN FOREIGN STATES.**

20       “(a) *STUDY.*—*Not later than 60 days after the date of*  
21 *the enactment of this Act, the Secretary of Defense shall seek*  
22 *to enter into a contract with a federally funded research*  
23 *and development center to conduct a study on the nuclear*  
24 *weapons programs of covered foreign countries.*

1           (b) *MATTERS INCLUDED.*—*The study under subsection*  
2 *(a) shall compile open-source data to conduct an analysis*  
3 *of the following for each covered foreign country:*

4           (1) *The activities, budgets, and policy docu-*  
5 *ments, regarding the nuclear weapons program.*

6           (2) *The known research and development activi-*  
7 *ties with respect to nuclear weapons.*

8           (3) *The inventories of nuclear weapons and de-*  
9 *livery vehicles with respect to both deployed and non-*  
10 *deployed weapons.*

11           (4) *The capabilities of such nuclear weapons and*  
12 *delivery vehicles.*

13           (5) *The physical sites used for nuclear proc-*  
14 *essing, testing, and weapons integration.*

15           (6) *The human capital of the scientific and tech-*  
16 *nical workforce involved in nuclear programs, includ-*  
17 *ing with respect to matters relating to the education,*  
18 *knowledge, and technical capabilities of that work-*  
19 *force.*

20           (7) *The known deployment areas for nuclear*  
21 *weapons.*

22           (8) *Information with respect to the nuclear com-*  
23 *mand and control system.*

1           (9) *The factors and motivations driving the nu-*  
2           *clear weapons program and the nuclear command*  
3           *and control system.*

4           (10) *Any other information that the federally*  
5           *funded research and development center determines*  
6           *appropriate.*

7           (c) *SUBMISSION TO DOD.—Not later than 14 months*  
8           *after the date of the enactment of this Act, and each year*  
9           *thereafter for the following two years, the federally funded*  
10           *research and development center shall submit to the Sec-*  
11           *retary the study under subsection (a) and any updates to*  
12           *the study.*

13           (d) *SUBMISSION TO CONGRESS.—Not later than 30*  
14           *days after the date on which the Secretary receives the study*  
15           *under subsection (a) or updates to the study, the Secretary*  
16           *shall submit to the appropriate congressional committees*  
17           *the study or such updates, without change.*

18           (e) *PUBLIC RELEASE.—The federally funded research*  
19           *and development center shall maintain an internet website*  
20           *on which the center—*

21           (1) *publishes the study under subsection (a) by*  
22           *not later than 30 days after the date on which the*  
23           *Secretary receives the study under subsection (c); and*

1           (2) *provides on an ongoing basis commentaries,*  
2           *analyses, updates, and other information regarding*  
3           *the nuclear weapons of covered foreign countries.*

4           (f) *FORM.—The study under subsection (a) shall be in*  
5           *unclassified form.*

6           (g) *MODIFICATION TO REPORT ON NUCLEAR FORCES*  
7           *OF THE UNITED STATES AND NEAR-PEER COUNTRIES.—*  
8           *Section 1676 of the National Defense Authorization Act for*  
9           *Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1778) is*  
10          *amended—*

11           (1) *in subsection (a), by striking “Not later than*  
12           *February 15, 2020, the Secretary of Defense, in co-*  
13           *ordination with the Director of National Intelligence,*  
14           *shall” and inserting “Not later than February 15,*  
15           *2020, and each year thereafter through 2023, the Sec-*  
16           *retary of Defense and the Director of National Intel-*  
17           *ligence shall jointly”;* and

18           (2) *in subsection (b), by adding at the end the*  
19           *following new paragraph:*

20           “(4) *With respect to the current and planned nu-*  
21           *clear systems specified in paragraphs (1) through (3),*  
22           *the factors and motivations driving the development*  
23           *and deployment of the systems.”.*

24           (h) *DEFINITIONS.—In this section:*

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

3                   (A) *the congressional defense committees;*

4                   (B) *the Committee on Foreign Affairs and*  
5 *the Permanent Select Committee on Intelligence*  
6 *of the House of Representatives; and*

7                   (C) *the Committee on Foreign Relations*  
8 *and the Select Committee on Intelligence of the*  
9 *Senate.*

10          (2) *The term “covered foreign country” means*  
11 *each of the following:*

12                   (A) *China.*

13                   (B) *North Korea.*

14                   (C) *Russia.*

15          (3) *The term “open-source data” includes data*  
16 *derived from, found in, or related to any of the fol-*  
17 *lowing:*

18                   (A) *Geospatial information.*

19                   (B) *Seismic sensors.*

20                   (C) *Commercial data.*

21                   (D) *Public government information.*

22                   (E) *Academic journals and conference pro-*  
23 *ceedings.*

24                   (F) *Media reports.*

25                   (G) *Social media.*

1                   **Subtitle E—Missile Defense**  
2                   **Programs**

3 **SEC. 1651. EXTENSION AND MODIFICATION OF REQUIRE-**  
4                   **MENT FOR COMPTROLLER GENERAL OF THE**  
5                   **UNITED STATES REVIEW AND ASSESSMENT**  
6                   **OF MISSILE DEFENSE ACQUISITION PRO-**  
7                   **GRAMS.**

8           *Section 232(a) of the National Defense Authorization*  
9 *Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat.*  
10 *1339), as amended by section 1688 of the National Defense*  
11 *Authorization Act for Fiscal Year 2016 (Public Law 114–*  
12 *92; 129 Stat. 1144), is amended—*

13                   (1) *in paragraph (1), by striking “through*  
14 *2020” and inserting “through 2025”; and*

15                   (2) *in paragraph (2)—*

16                           (A) *by striking “through 2021” and insert-*  
17 *ing “through 2026”; and*

18                           (B) *by adding at the end the following new*  
19 *sentence: “In carrying out this subsection, the*  
20 *Comptroller General shall review emergent issues*  
21 *relating to such programs and accountability*  
22 *and, in consultation with the congressional de-*  
23 *fense committees, either include any findings*  
24 *from the review in the reports submitted under*

1            *this paragraph or provide to such committees a*  
2            *briefing on the findings.”.*

3    **SEC. 1652. EXTENSION OF TRANSITION OF BALLISTIC MIS-**  
4            **SILE DEFENSE PROGRAMS TO MILITARY DE-**  
5            **PARTMENTS.**

6            *Section 1676(b)(1) of the National Defense Authoriza-*  
7            *tion Act for Fiscal Year 2018 (Public Law 115–91; 10*  
8            *U.S.C. 2431 note) is amended by striking “2021” and in-*  
9            *serting “2023”.*

10    **SEC. 1653. DEVELOPMENT OF HYPERSONIC AND BALLISTIC**  
11            **MISSILE TRACKING SPACE SENSOR PAYLOAD.**

12            *(a) FINDINGS; SENSE OF CONGRESS.—*

13                    *(1) FINDINGS.—Congress finds the following:*

14                            *(A) Subsection (d) of section 1683 of the*  
15                            *National Defense Authorization Act for Fiscal*  
16                            *Year 2018 (Public Law 115–91; 10 U.S.C. 2431*  
17                            *note), as amended by section 1683 of the Na-*  
18                            *tional Defense Authorization Act for Fiscal Year*  
19                            *2020 (Public Law 116–92), requires the Director*  
20                            *of the Missile Defense Agency to develop a*  
21                            *hypersonic and ballistic tracking space sensor*  
22                            *payload to address missile defense tracking re-*  
23                            *quirements.*

24                            *(B) The budget of the President for fiscal*  
25                            *year 2021 submitted under section 1105 of title*

1           31, *United States Code*, did not provide any  
2           *funding for the Missile Defense Agency to con-*  
3           *tinue the development of such sensor payload.*

4           (2) *SENSE OF CONGRESS.—It is the sense of*  
5           *Congress that—*

6                   (A) *regardless of the overall architecture for*  
7                   *a missile defense tracking space layer, the Direc-*  
8                   *tor of the Missile Defense Agency should remain*  
9                   *the material developer for the hypersonic and*  
10                  *ballistic tracking space sensor payload to ensure*  
11                  *that—*

12                           (i) *unique hypersonic and ballistic*  
13                           *missile tracking requirements are met; and*

14                           (ii) *the system can be integrated into*  
15                           *the existing missile defense system command*  
16                           *and control, battle management, and com-*  
17                           *munications system; and*

18                   (B) *the Secretary of Defense should ensure*  
19                   *transparency of funding for this effort to ensure*  
20                   *proper oversight can be conducted on this critical*  
21                   *capability.*

22           (b) *LIMITATION.—Subsection (d) of section 1683 of the*  
23           *National Defense Authorization Act for Fiscal Year 2018*  
24           *(Public Law 115–91; 10 U.S.C. 2431 note), as amended by*  
25           *section 1683 of the National Defense Authorization Act for*



1 *Fiscal Year 2020 (Public Law 116–92), is amended by add-*  
2 *ing at the end the following new paragraph:*

3           “(3) *LIMITATION.*—*Of the funds authorized to be*  
4 *appropriated by the National Defense Authorization*  
5 *Act for Fiscal Year 2021 or otherwise made available*  
6 *for fiscal year 2021 for operation and maintenance,*  
7 *Defense-wide, for the Space Defense Agency, not more*  
8 *than 50 percent may be obligated or expended until*  
9 *the date on which the Secretary submits the certifi-*  
10 *cation under paragraph (2)(B).”.*

11           *(c) COORDINATION.*—*Subsection (a) of such section is*  
12 *amended by striking “the Commander of the Air Force*  
13 *Space Command and” and inserting “the Chief of Space*  
14 *Operations, the Commander of the United States Space*  
15 *Command, the Commander of the United States Northern*  
16 *Command, and”.*

17 **SEC. 1654. ANNUAL CERTIFICATION ON HYPERSONIC AND**  
18 **BALLISTIC MISSILE TRACKING SPACE SEN-**  
19 **SOR PAYLOAD.**

20           *(a) FINDING; SENSE OF CONGRESS.*—

21           (1) *FINDING.*—*Congress finds that the budget*  
22 *submitted by the President under section 1105(a) of*  
23 *title 31, United States Code, for fiscal year 2021 does*  
24 *not fully fund an operational capability for the*  
25 *hypersonic and ballistic missile tracking space sensor*

1        *within the tracking layer of the persistent space-based*  
2        *sensor architecture of the Space Development Agency,*  
3        *despite such space sensor being a requirement by the*  
4        *combatant commanders and being highlighted as a*  
5        *needed capability against both hypersonic and bal-*  
6        *listic threats in the Missile Defense Review published*  
7        *in 2019.*

8            (2) *SENSE OF CONGRESS.—It is the sense of*  
9        *Congress that the Missile Defense Agency hypersonic*  
10        *and ballistic missile tracking space sensor must be*  
11        *prioritized within the persistent space-based sensor*  
12        *architecture of the Space Development Agency to en-*  
13        *sure the delivery of capabilities to the warfighter as*  
14        *soon as possible.*

15        (b) *ANNUAL CERTIFICATION.—Subsection (d) of sec-*  
16        *tion 1683 of the National Defense Authorization Act for Fis-*  
17        *cal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note),*  
18        *as amended by section 1653, is further amended by adding*  
19        *at the end the following new paragraph:*

20            “(4) *ANNUAL CERTIFICATION.—On an annual*  
21        *basis until the date on which the hypersonic and bal-*  
22        *listic tracking space sensor payload achieves full oper-*  
23        *ational capability, the Secretary of Defense, without*  
24        *delegation, shall submit to the appropriate congres-*  
25        *sional committees a certification that—*

1           “(A) the most recent future-years defense  
2           program submitted under section 221 of title 10,  
3           United States Code, includes estimated expendi-  
4           tures and proposed appropriations in amounts  
5           necessary to ensure the development and deploy-  
6           ment of such space sensor payload as a compo-  
7           nent of the sensor architecture developed under  
8           subsection (a); and

9           “(B) the Commander of the United States  
10          Space Command has validated both the ballistic  
11          and hypersonic tracking requirements of, and the  
12          timeline to deploy, such space sensor payload.”.

13 **SEC. 1655. ALIGNMENT OF THE MISSILE DEFENSE AGENCY**  
14 **WITHIN THE DEPARTMENT OF DEFENSE.**

15           (a) *FINDINGS.*—Congress finds the following:

16           (1) *Since the Missile Defense Agency was aligned*  
17           *to be under the authority, direction, and control of the*  
18           *Under Secretary of Defense for Research and Engi-*  
19           *neering pursuant to section 205(b) of title 10, United*  
20           *States Code, the advanced technology development*  
21           *budget requests in the defense budget materials (as de-*  
22           *fined in section 231(f) of title 10, United States Code)*  
23           *have decreased by more than 650 percent, from a re-*  
24           *quest for \$292,000,000 for fiscal year 2018 (the high-*

1        *est such request) to a request for \$45,000,000 for fiscal*  
2        *year 2021.*

3            *(2) The overwhelming majority of the budget of*  
4        *the Missile Defense Agency is invested in programs*  
5        *that would be categorized as acquisition category 1 ef-*  
6        *forts if such programs were administered under the*  
7        *acquisition standards under Department of Defense*  
8        *Directive 5000.*

9        *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
10       *that, in light of the findings under subsection (a), upon the*  
11       *completion of the independent review of the organization*  
12       *of the Missile Defense Agency required by section 1688 of*  
13       *the National Defense Authorization Act for Fiscal Year*  
14       *2020 (Public Law 116–92; 133 Stat. 1787), the Secretary*  
15       *of Defense should reassess the alignment of the Agency with-*  
16       *in the Department of Defense to ensure that missile defense*  
17       *efforts are being given proper oversight and that the Agency*  
18       *is focused on delivering capability to address current and*  
19       *future threats.*

20       *(c) REPORT.—Not later than February 28, 2021, the*  
21       *Secretary of Defense shall submit to the congressional de-*  
22       *fense committees a report on the alignment of the Missile*  
23       *Defense Agency within the Department of Defense. The re-*  
24       *port shall include—*

1           (1) *a description of the risks and benefits of*  
2 *both—*

3                   (A) *continuing the alignment of the Agency*  
4 *under the authority, direction, and control of the*  
5 *Under Secretary of Defense for Research and En-*  
6 *gineering pursuant to section 205(b) of title 10,*  
7 *United States Code; and*

8                   (B) *realigning the Agency to be under the*  
9 *authority, direction, and control of the Under*  
10 *Secretary of Defense for Acquisition and*  
11 *Sustainment; and*

12           (2) *if the Agency were to be realigned, the ac-*  
13 *tions that would need to be taken to realign the Agen-*  
14 *cy to be under the authority, direction, and control of*  
15 *the Under Secretary of Defense for Acquisition and*  
16 *Sustainment or another element of the Department of*  
17 *Defense.*

18 **SEC. 1656. ANALYSIS OF ALTERNATIVES FOR HOMELAND**

19                   **MISSILE DEFENSE MISSIONS.**

20           (a) *ANALYSIS OF ALTERNATIVES.—*

21                   (1) *REQUIREMENT.—Not later than 90 days*  
22 *after the date of the enactment of this Act, the Direc-*  
23 *tor of Cost Assessment and Program Evaluation, in*  
24 *coordination with the Secretary of the Navy, the Sec-*  
25 *retary of the Army, and the Director of the Missile*

1       *Defense Agency, shall conduct an analysis of alter-*  
2       *natives with respect to a complete architecture for*  
3       *using the regional terminal high altitude area defense*  
4       *system and the Aegis ballistic missile defense system*  
5       *to conduct homeland defense missions.*

6               (2) *SCOPE.—The analysis of alternatives under*  
7       *paragraph (1) shall include the following:*

8                       (A) *The sensors needed for the architecture*  
9                       *described in such paragraph.*

10                      (B) *An assessment of the locations of each*  
11                      *system included in the analysis to provide simi-*  
12                      *lar coverage as the ground-based midcourse de-*  
13                      *fense system, including, with respect to such sys-*  
14                      *tems that are land-based, by giving preference to*  
15                      *locations with completed environmental impact*  
16                      *analyses conducted pursuant to section 227 of*  
17                      *the National Defense Authorization Act for Fis-*  
18                      *cal Year 2013 (Public Law 112– 239; 126 Stat.*  
19                      *1678), to the extent practicable.*

20                      (C) *The acquisition objectives for intercep-*  
21                      *tors of the terminal high altitude area defense*  
22                      *system and standard missile–3 interceptors for*  
23                      *homeland defense purposes.*

1           (D) Any improvements needed to the missile  
2 defense system command and control, battle  
3 management, and communications system.

4           (E) The manning, training, and  
5 sustainment needed to support such architecture.

6           (F) A detailed schedule for the development,  
7 testing, production, and deployment of such sys-  
8 tems.

9           (G) A lifecycle cost estimate of such archi-  
10 tecture.

11           (H) A comparison of the capabilities, costs,  
12 schedules, and policies with respect to—

13                 (i) deploying regional systems de-  
14 scribed in subsection (a) to conduct home-  
15 land defense missions; and

16                 (ii) deploying future ground-based  
17 midcourse defense systems for such missions.

18           (3) SUBMISSION.—Not later than 90 days after  
19 the date of the enactment of this Act, the Secretary of  
20 Defense shall submit to the congressional defense com-  
21 mittees a report containing—

22                 (A) the analysis of alternatives under para-  
23 graph (1); and

24                 (B) a certification by the Secretary that  
25 such analysis is sufficient.

1       **(b) ASSESSMENT.**—*Not later than February 28, 2021,*  
2 *the Director of the Defense Intelligence Agency, and the*  
3 *head of any other element of the intelligence community*  
4 *that the Secretary of Defense determines appropriate, shall*  
5 *submit to the congressional defense committees an assess-*  
6 *ment of the following:*

7           **(1)** *How the development and deployment of re-*  
8 *gional terminal high altitude area defense systems*  
9 *and Aegis ballistic missile defense systems to conduct*  
10 *longer-range missile defense missions would be per-*  
11 *ceived by near-peer foreign countries and rogue na-*  
12 *tions.*

13           **(2)** *How such near-peer foreign countries and*  
14 *rogue nations would likely respond to such deploy-*  
15 *ments.*

16 **SEC. 1657. NEXT GENERATION INTERCEPTORS.**

17       **(a) NOTIFICATION OF CHANGED REQUIREMENTS.**—  
18 *During the acquisition and development process of the next*  
19 *generation interceptor program, not later than seven days*  
20 *after the date on which any changes are made to the re-*  
21 *quirements for such program that are established in the*  
22 *equivalent to capability development documentation, the*  
23 *Director of the Missile Defense Agency shall notify the con-*  
24 *gressional defense committees of such changes.*



1           (b) *BRIEFING ON CONTRACT.*—Not later than 14 days  
2 after the date on which the Director awards a contract for  
3 the next generation interceptor, the Director shall provide  
4 the congressional defense committees a briefing on such con-  
5 tract, including with respect to the cost, schedule, perform-  
6 ance, and requirements of the contract.

7           (c) *REPORT ON GROUND-BASED MIDCOURSE DEFENSE*  
8 *SYSTEM.*—

9           (1) *REQUIREMENT.*—Not later than 90 days  
10 after the date of the enactment of this Act, the Sec-  
11 retary of Defense, in coordination with the Under  
12 Secretary of Defense for Policy, the Director of the  
13 Missile Defense Agency, and the Commander of the  
14 United States Northern Command, shall submit to the  
15 congressional defense committees a report on the  
16 ground-based midcourse defense system.

17           (2) *MATTERS INCLUDED.*—The report under  
18 paragraph (1) shall include the following:

19           (A) An explanation of how contracts in ex-  
20 istence as of the date of the report could be used  
21 to reestablish improvements and sustainment for  
22 kill vehicles and boosters for the ground-based  
23 midcourse defense system.

24           (B) An explanation of how such system  
25 could be improved through service life extensions

1            *or pre-planned product improvements to address*  
2            *some of the requirements of the next generation*  
3            *interceptor by 2026, including an identification*  
4            *of the costs, schedule, and any risks.*

5            *(C) A description of the costs and schedule*  
6            *with respect to restarting booster production to*  
7            *field 20 additional interceptors by 2026.*

8            *(D) An analysis of policy implications with*  
9            *respect to the requirements for the ground-based*  
10           *midcourse defense system.*

11 **SEC. 1658. OVERSIGHT OF NEXT GENERATION INTER-**  
12 **CEPTOR PROGRAM.**

13 *(a) FINDINGS; SENSE OF CONGRESS.—*

14            *(1) FINDINGS.—Congress finds that the Sec-*  
15            *retary of Defense discovered major technical problems*  
16            *with the redesigned kill vehicle program, which led to*  
17            *cancelling the program in August 2019 and caused*  
18            *significant delays to the improved defense of the*  
19            *United States against rogue nation ballistic missile*  
20            *threats and wasted \$1,200,000,000.*

21            *(2) SENSE OF CONGRESS.—It is the sense of*  
22            *Congress that the Secretary of Defense should ensure*  
23            *robust oversight and accountability for the acquisition*  
24            *of the future next generation interceptor program to*

1        *avoid making the same errors that were experienced*  
2        *in the redesigned kill vehicle effort.*

3        *(b) INDEPENDENT COST ASSESSMENT AND VALIDA-*  
4        *TION.—*

5                *(1) ASSESSMENT.—The Director of Cost Assess-*  
6                *ment and Program Evaluation shall conduct an inde-*  
7                *pendent cost assessment of the next generation inter-*  
8                *ceptor program.*

9                *(2) VALIDATION.—The Under Secretary of De-*  
10               *fense for Acquisition and Sustainment shall validate*  
11               *the preliminary cost assessment conducted under*  
12               *paragraph (1) that will be used to inform the award*  
13               *of the contract for the next generation interceptor.*

14               *(3) SUBMISSION.—Not later than the date on*  
15               *which the Director of the Missile Defense Agency*  
16               *awards a contract for the next generation interceptor,*  
17               *the Secretary of Defense shall submit to the congres-*  
18               *sional defense committees a report containing the pre-*  
19               *liminary independent cost assessment under para-*  
20               *graph (1) and the validation under paragraph (2).*

21               *(c) FLIGHT TESTS.—In addition to the requirements*  
22               *of section 2399 of title 10, United States Code, the Director*  
23               *of the Missile Defense Agency may not make any decision*  
24               *regarding the initial production, or equivalent, of the next*  
25               *generation interceptor unless the Director has—*

1           (1) *certified to the congressional defense commit-*  
2           *tees that the Director has conducted not fewer than*  
3           *two successful intercept flight tests of the next genera-*  
4           *tion interceptor; and*

5           (2) *provided to such committees a briefing on the*  
6           *details of such tests, including with respect to the*  
7           *operational realism of such tests.*

8   **SEC. 1659. MISSILE DEFENSE COOPERATION BETWEEN THE**  
9                                   **UNITED STATES AND ISRAEL.**

10          (a) *SENSE OF CONGRESS.—It is the sense of Congress*  
11          *that—*

12               (1) *the strong and enduring relationship between*  
13               *the United States and Israel is in the national secu-*  
14               *rity interest of both countries;*

15               (2) *the memorandum of understanding signed by*  
16               *the United States and Israel on September 14, 2016,*  
17               *including the provisions of the memorandum relating*  
18               *to missile and rocket defense cooperation, continues to*  
19               *be a critical component of the bilateral relationship;*

20               (3) *the United States and Israel should continue*  
21               *government-to-government collaboration and informa-*  
22               *tion sharing of technical data to investigate the po-*  
23               *tential operational use of Israeli missile defense sys-*  
24               *tems for United States purposes; and*

1           (4) *in addition to the existing Israeli missile de-*  
2           *fense interceptor systems, there is potential for devel-*  
3           *oping and incorporating directed energy platforms to*  
4           *assist the missile defense capabilities of both the*  
5           *United States and Israel.*

6           (b) *COOPERATION.*—*The Secretary of Defense may seek*  
7           *to extend existing cooperation with Israel to carry out, on*  
8           *a joint basis with Israel, research, development, test, and*  
9           *evaluation activities to establish directed energy capabili-*  
10          *ties that address missile threats to the United States, the*  
11          *deployed members of the Armed Forces of the United States,*  
12          *or Israel. The Secretary shall ensure that any such activi-*  
13          *ties are conducted—*

14                 (1) *in accordance with Federal law and the Con-*  
15                 *vention on Prohibitions or Restrictions on the Use of*  
16                 *Certain Conventional Weapons which may be deemed*  
17                 *to be Excessively Injurious or to have Indiscriminate*  
18                 *Effects, signed at Geneva October 10, 1980; and*

19                 (2) *in a manner that appropriately protects sen-*  
20                 *sitive information and the national security interests*  
21                 *of the United States and the national security inter-*  
22                 *ests of Israel.*

1 **SEC. 1660. REPORT ON DEFENSE OF GUAM FROM INTE-**  
2 **GRATED AIR AND MISSILE THREATS.**

3 (a) *REPORT.*—Not later than 120 days after the date  
4 of the enactment of this Act, the Secretary of Defense shall  
5 submit to the congressional defense committees a report con-  
6 taining a study on the defense of Guam from integrated  
7 air and missile threats, including such threats from bal-  
8 listic, hypersonic, and cruise missiles.

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

11 (1) *The identification of existing deployed land-*  
12 *and sea-based air and missile defense programs of*  
13 *record within the military departments and Defense*  
14 *Agencies, including with respect to interceptors, ra-*  
15 *dars, and ground-, ship-, air-, and space-based sen-*  
16 *sors that could be used either alone or in coordination*  
17 *with other systems to counter the threats specified in*  
18 *subsection (a) with an initial operational capability*  
19 *by 2025.*

20 (2) *A plan of how such programs would be used*  
21 *to counter such threats with an initial operational ca-*  
22 *pability by 2025.*

23 (3) *A plan of which programs currently in devel-*  
24 *opment but not yet deployed could enhance or sub-*  
25 *stitute for existing programs in countering such*

1        *threats with an initial operational capability by*  
2        *2025.*

3            (4) *An analysis of which military department,*  
4        *Defense Agency, or combatant command would have*  
5        *operational control of the mission to counter such*  
6        *threats.*

7            (5) *A cost analysis of the various options de-*  
8        *scribed in paragraphs (1) and (3), including a break-*  
9        *down of the cost of weapons systems considered under*  
10       *the various scenarios (including any costs to modify*  
11       *the systems), the cost benefits gained through econo-*  
12       *mies of scale, and the cost of any military construc-*  
13       *tion required.*

14           (6) *An analysis of the policy implications re-*  
15       *garding deploying additional missile defense systems*  
16       *on Guam, and how such deployments could affect*  
17       *strategic stability, including likely responses from*  
18       *both rogue nations and near-peer competitors.*

19        (c) *CONSULTATION.—The Secretary shall carry out*  
20       *this section in consultation with each of the following:*

21            (1) *The Director of the Missile Defense Agency.*

22            (2) *The Commander of the United States Indo-*  
23        *Pacific Command.*

24            (3) *The Commander of the United States North-*  
25        *ern Command.*

1           (4) *Any other official whom the Secretary of De-*  
2           *fense determines for purposes of this section has sig-*  
3           *nificant technical, policy, or military expertise.*

4           (d) *FORM.—The report submitted under subsection (a)*  
5           *shall be in unclassified form, but may contain a classified*  
6           *annex.*

7           (e) *BRIEFING.—Not later than 30 days after the date*  
8           *on which the Secretary submits to the congressional defense*  
9           *committees the report under subsection (a), the Secretary*  
10          *shall provide to such committees a briefing on the report.*

11          **SEC. 1661. REPORT ON CRUISE MISSILE DEFENSE.**

12          *Not later than January 15, 2021, the Commander of*  
13          *the United States Northern Command, in coordination with*  
14          *the Director of the Missile Defense Agency, shall submit to*  
15          *the congressional defense committees a report containing—*

16                 (1) *an identification of any vulnerability of the*  
17                 *contiguous United States to known cruise missile*  
18                 *threats; and*

19                 (2) *a plan to mitigate any such vulnerability.*

20                 **Subtitle F—Other Matters**

21          **SEC. 1671. CONVENTIONAL PROMPT GLOBAL STRIKE.**

22                 (a) *INTEGRATION.—Section 1697(a) of the National*  
23                 *Defense Authorization Act for Fiscal Year 2020 (Public*  
24                 *Law 116–92; 133 Stat. 1791) is amended by adding at the*  
25                 *end the following new sentence: “The Secretary shall ini-*



1 *tiate such transfer of technologies to DDG-1000 class de-*  
2 *stroyers by not later than January 1, 2021.”.*

3 *(b) REPORT ON STRATEGIC HYPERSONIC WEAPONS.—*

4 *(1) REQUIREMENT.—Not later than 120 days*  
5 *after the date of the enactment of this Act, the Chair-*  
6 *man of the Joint Chiefs of Staff, in coordination with*  
7 *the Under Secretary of Defense for Policy, shall sub-*  
8 *mit to the congressional defense committees a report*  
9 *on strategic hypersonic weapons.*

10 *(2) MATTERS INCLUDED.—The report under*  
11 *paragraph (1) shall include the following:*

12 *(A) A discussion of the authority to use*  
13 *strategic hypersonic weapons and if, and how,*  
14 *such authorities would be delegated to the com-*  
15 *manders of the combatant commands or to the*  
16 *Chiefs of the Armed Forces.*

17 *(B) An assessment of escalation and mis-*  
18 *calculation risks (including the risk that adver-*  
19 *saries may detect initial launch but not reliably*  
20 *detect the entire boost-glide trajectory), how such*  
21 *risks will be addressed and minimized with re-*  
22 *gards to the use of strategic hypersonic weapons,*  
23 *and whether any risk escalation exercises have*  
24 *been conducted or are planned for the potential*  
25 *use of hypersonic weapons.*

1           (C) A description of any updates needed to  
2 war plans with the introduction of strategic  
3 hypersonic weapons.

4           (D) Identification of the element of the De-  
5 partment of Defense that has responsibility for  
6 establishing targeting requirements for strategic  
7 hypersonic weapons.

8           (E) A description of how the requirements  
9 for land- and sea-based strategic hypersonic  
10 weapons will be addressed with the Joint Re-  
11 quirements Oversight Council, and how such re-  
12 quirements will be formally provided to the mili-  
13 tary departments procuring such weapons  
14 through an acquisition program described under  
15 section 804 of the National Defense Authoriza-  
16 tion Act for Fiscal Year 2016 (10 U.S.C. 2302  
17 note).

18           (F) A basing strategy for land-based launch  
19 platforms and a description of the actions needed  
20 to be taken for future deployment of such plat-  
21 forms.

22           (3) FORM.—The report under paragraph (1)  
23 shall be submitted in unclassified form, but may in-  
24 clude a classified annex.

25           (c) ANNUAL REPORTS ON ACQUISITION.—

1           (1) *ARMY AND NAVY PROGRAMS.*—*Except as pro-*  
2 *vided by paragraph (3), not later than 30 days after*  
3 *the date on which the budget of the President for each*  
4 *of fiscal years 2022 through 2025 is submitted to Con-*  
5 *gress pursuant to section 1105 of title 31, United*  
6 *States Code, the Secretary of the Army and the Sec-*  
7 *retary of the Navy shall jointly submit to the congres-*  
8 *sional defense committees a report on the conventional*  
9 *prompt global strike programs of the Army and the*  
10 *Navy, including—*

11                   (A) *the total costs to the respective military*  
12 *departments for such programs;*

13                   (B) *the strategy for such programs with re-*  
14 *spect to manning, training, and equipping, in-*  
15 *cluding cost estimates; and*

16                   (C) *a testing strategy and schedule for such*  
17 *programs.*

18           (2) *CERTIFICATIONS.*—*Not later than 60 days*  
19 *after the date on which the budget of the President for*  
20 *each of fiscal years 2022 through 2025 is submitted*  
21 *to Congress pursuant to section 1105 of title 31,*  
22 *United States Code, the Director of Cost Assessment*  
23 *and Program Evaluation shall submit to the congres-*  
24 *sional defense committees a certification regarding the*

1       *sufficiency, including any anomalies, with respect*  
2       *to—*

3               *(A) the total program costs of the conven-*  
4               *tional prompt global strike programs of the*  
5               *Army and the Navy; and*

6               *(B) the testing strategy for such programs.*

7               (3) *TERMINATION.*—*The requirement to submit a*  
8       *report under paragraph (1) shall terminate on the*  
9       *date on which the Secretary of Defense determines*  
10       *that the conventional prompt global strike programs*  
11       *of the Army and the Navy are unable to be acquired*  
12       *under the authority of section 804 of the National De-*  
13       *fense Authorization Act for Fiscal Year 2016 (10*  
14       *U.S.C. 2302 note).*

15       **SEC. 1672. SUBMISSION OF REPORTS UNDER MISSILE DE-**  
16               **FENSE REVIEW AND NUCLEAR POSTURE RE-**  
17               **VIEW.**

18       *Not later than 30 days after the date of the enactment*  
19       *of this Act, the Secretary of Defense shall submit to the con-*  
20       *gressional defense committees—*

21               (1) *each report produced by the Department of*  
22       *Defense pursuant to the Missile Defense Review pub-*  
23       *lished in 2019; and*

1           (2) *each report produced by the Department pur-*  
2           *suant to the Nuclear Posture Review published in*  
3           *2018.*

4 **SEC. 1673. REPORT ON CONSIDERATION OF RISKS OF INAD-**  
5           **VERTENT ESCALATION TO NUCLEAR WAR.**

6           (a) *REPORT.*—*Not later than January 31, 2021, the*  
7           *Under Secretary of Defense for Policy shall submit to the*  
8           *Committees on Armed Services of the House of Representa-*  
9           *tives and the Senate a report—*

10           (1) *detailing the efforts of the Department of De-*  
11           *fense with respect to developing and implementing*  
12           *guidance to ensure that the risks of inadvertent esca-*  
13           *lation to a nuclear war are considered within the de-*  
14           *cision-making processes of the Department regarding*  
15           *relevant activities (such as developing contingency*  
16           *plans, managing military crises and conflicts, and*  
17           *supporting the Department of State in the develop-*  
18           *ment, negotiation, and implementation of cooperative*  
19           *risk-reduction measures); and*

20           (2) *identifying the capabilities and factors taken*  
21           *into account in developing such guidance.*

22           (b) *FORM.*—*The report under subsection (a) shall be*  
23           *submitted in unclassified form, but may include a classified*  
24           *annex.*

1           (c) *BRIEFING*.—Not later than December 1, 2020, the  
2 Under Secretary shall provide to the Committees on Armed  
3 Services of the House of Representatives and the Senate a  
4 briefing on the progress and findings made in carrying out  
5 subsection (a).

6                   **TITLE XVII—REPORTS AND**  
7                   **OTHER MATTERS**  
8           **Subtitle A—Studies and Reports**

9   **SEC. 1701. REVIEW OF SUPPORT OF SPECIAL OPERATIONS**  
10                   **TO COMBAT TERRORISM.**

11           (a) *REVIEW*.—The Comptroller General of the United  
12 States shall conduct a review of all support provided, or  
13 planned to be provided, under section 127e of title 10,  
14 United States Code. Such review shall include an analysis  
15 of each of the following:

16                   (1) *The strategic alignment between such support*  
17                   *and relevant Executive Orders, global campaign*  
18                   *plans, theatre campaign plans, execute orders, and*  
19                   *other guiding documents for currency, relevancy, and*  
20                   *efficacy.*

21                   (2) *The extent to which United States Special*  
22                   *Operations Command has the processes and proce-*  
23                   *dures to manage, integrate, and synchronize the au-*  
24                   *thority under section 127e of title 10, United States*  
25                   *Code, in support of the objectives and priorities speci-*

1 *fied by the documents listed in (a)(1) as well as the*  
2 *objectives and priorities of—*

3 *(A) the geographic combatant commands;*

4 *(B) theatre elements of United States Spe-*  
5 *cial Operations Command;*

6 *(C) relevant chiefs of mission and other ap-*  
7 *propriate positions in the Department of State;*  
8 *and*

9 *(D) any other interagency organization af-*  
10 *ected by the use of such authority.*

11 *(3) For the activities carried out pursuant to*  
12 *such authority, the extent to which United States*  
13 *Special Operations Command has the processes and*  
14 *procedures to—*

15 *(A) determine the professionalism, cohesion,*  
16 *and institutional capacity of the military in the*  
17 *country where forces receiving support are based;*

18 *(B) determine the adherence of the forces re-*  
19 *ceiving support to human rights norms and the*  
20 *laws of armed conflict;*

21 *(C) establish measures of effectiveness;*

22 *(D) assess such activities against established*  
23 *measures of effectiveness as identified in sub-*  
24 *paragraph (C);*

1           (E) establish criteria to determine the suc-  
2           cessful completion of such activities;

3           (F) deconflict and synchronize activities  
4           conducted under such authority with other rel-  
5           evant funding authorities;

6           (G) deconflict and synchronize activities  
7           conducted under such authorities with other rel-  
8           evant activities conducted by organizations re-  
9           lated to, but outside the purview of, the Depart-  
10          ment of Defense; and

11          (H) track the training, support, and facili-  
12          tation provided to forces receiving support, and  
13          the significant activities undertaken by such  
14          forces as a result of such training, support, and  
15          facilitation.

16          (4) The extent to which United States Special  
17          Operations Command has processes and procedures to  
18          manage the sunset, termination, or transition of ac-  
19          tivities carried out pursuant to such authority, in-  
20          cluding—

21                 (A) accountability with respect to equip-  
22                 ment provided; and

23                 (B) integrity of the tactics, techniques, and  
24                 procedures developed.



1           (5) *The extent to which United States Special*  
2           *Operations Command has and uses processes and pro-*  
3           *cedures to—*

4                   (A) *report to Congress biannually on the*  
5                   *matters referred to in paragraph (3); and*

6                   (B) *notify Congress with respect to the in-*  
7                   *tent to sunset, terminate, or transition activities*  
8                   *carried out pursuant to such authority.*

9           (6) *Any other issues the Comptroller General de-*  
10           *termines appropriate with respect to the authority*  
11           *under section 127e of title 10, United States Code.*

12           (b) *BRIEFING.—Not later than 180 days after the date*  
13           *of the enactment of this Act, the Comptroller General shall*  
14           *provide for the Committees on Armed Services of the Senate*  
15           *and House of Representatives a briefing on the progress of*  
16           *the review required under subsection (a).*

17           (c) *REPORT.—Not later than one year after the date*  
18           *of the enactment of this Act, the Comptroller General shall*  
19           *submit to the Committees on Armed Services of the Senate*  
20           *and House of Representatives a report on the findings of*  
21           *the review required under subsection (a) and the rec-*  
22           *ommendations of the Comptroller General pursuant to such*  
23           *review.*

24           (d) *SUPPORT DEFINED.—In this section, the term*  
25           *“support” includes—*

- 1           (1) *personnel who provide capacity for—*  
2                 (A) *training and equipment;*  
3                 (B) *training, advice, and assistance; or*  
4                 (C) *advice, assistance, and accompaniment*  
5           *capacity;*  
6           (2) *financial assistance; and*  
7           (3) *equipment and weapons.*

8   **SEC. 1702. FFRDC STUDY OF EXPLOSIVE ORDNANCE DIS-**  
9                           **POSAL AGENCIES.**

10           (a) *IN GENERAL.—The Secretary of Defense shall enter*  
11 *into an agreement with a federally funded research and de-*  
12 *velopment corporation under which such corporation shall*  
13 *conduct a study of the responsibilities, authorities, policies,*  
14 *programs, resources, organization, and activities of the ex-*  
15 *plosive ordnance disposal agencies of the Department of De-*  
16 *fense, Defense Agencies, and military departments.*

17           (b) *ELEMENTS OF STUDY.—The study conducted*  
18 *under subsection (a) shall include, for the Department of*  
19 *Defense, each Defense Agency, and each the military depart-*  
20 *ments, each of the following:*

- 21                 (1) *An identification and evaluation of—*  
22                         (A) *technology research, development, and*  
23                         *acquisition activities related to explosive ord-*  
24                         *nance disposal, including an identification and*  
25                         *evaluation of—*

1                   (i) *current and future technology and*  
2                   *related industrial base gaps; and*

3                   (ii) *any technical or operational risks*  
4                   *associated with such technology or related*  
5                   *industrial base gaps;*

6                   (B) *recruiting, training, education, assign-*  
7                   *ment, promotion, and retention of military and*  
8                   *civilian personnel with responsibilities relating*  
9                   *to explosive ordnance disposal;*

10                  (C) *administrative and operational force*  
11                  *structure with respect to explosive ordnance dis-*  
12                  *posal, including an identification and assess-*  
13                  *ment of risk associated with force structure ca-*  
14                  *capacity or capability gaps, if any; and*

15                  (D) *the demand for, and activities con-*  
16                  *ducted in support of, domestic and international*  
17                  *military explosive ordnance disposal operations,*  
18                  *including—*

19                         (i) *support provided to Department of*  
20                         *Defense agencies and other Federal agencies;*  
21                         *and*

22                         (ii) *an identification and assessment of*  
23                         *risk associated with the prioritization and*  
24                         *availability of explosive ordnance disposal*

1            *support among supported agencies and op-*  
2            *erations.*

3            *(2) Recommendations, if any, for changes to—*

4            *(A) the organization and distribution of re-*  
5            *sponsibilities and authorities relating to explo-*  
6            *sive ordnance disposal;*

7            *(B) the explosive ordnance disposal force*  
8            *structure, management, prioritization, and oper-*  
9            *ating concepts in support of the explosive ord-*  
10           *nance disposal requirements of the Armed Forces*  
11           *and other Federal agencies; and*

12           *(C) resource investment strategies and tech-*  
13           *nology prioritization for explosive ordnance dis-*  
14           *posal, including science and technology, proto-*  
15           *typing, experimentation, test and evaluation,*  
16           *and related five-year funding profiles.*

17           *(c) REPORT TO CONGRESS.—*

18           *(1) IN GENERAL.—Not later than August 31,*  
19           *2021, the Secretary of Defense shall submit to the con-*  
20           *gressional defense committees a report on the study*  
21           *conducted under subsection (a). Such report shall in-*  
22           *clude the comments on the study, if any, of the Sec-*  
23           *retary of Defense, the directors of each of the Defense*  
24           *Agencies, and the Secretaries of each of the military*  
25           *departments.*

1           (2) *FORM OF REPORT.*—*The report submitted*  
2           *under paragraph (1) shall be submitted in unclassi-*  
3           *fied form, but may contain a classified annex.*

4 **SEC. 1703. REPORT ON THE HUMAN RIGHTS OFFICE AT**  
5           **UNITED STATES SOUTHERN COMMAND.**

6           (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
7           *that—*

8                   (1) *the promotion of human rights and the pro-*  
9                   *tection of civilians abroad is an ethical, legal, and*  
10                  *strategic interest of the United States;*

11                  (2) *the Human Rights Office at the United*  
12                  *States Southern Command plays an essential role in*  
13                  *the promotion of human rights and the*  
14                  *professionalization of foreign security forces in the*  
15                  *area of responsibility of the United States Southern*  
16                  *Command;*

17                  (3) *the Secretary of Defense should ensure the*  
18                  *status of the Human Rights Office at the United*  
19                  *States Southern Command and, to the extent possible,*  
20                  *ensure the United States Southern Command has the*  
21                  *assets necessary to support the activities of the*  
22                  *Human Rights Office; and*

23                  (4) *the Secretary of Defense should ensure the de-*  
24                  *velopment, at each of the combatant commands, of an*  
25                  *office responsible for—*

1           (A) *advising the commander of the combat-*  
2           *ant command on the promotion of human rights*  
3           *and protection of civilians; and*

4           (B) *integrating such promotion and protec-*  
5           *tion into command strategy.*

6           (b) *REPORT.*—*Not later than 90 days after the date*  
7           *of the enactment of this Act, the Secretary of Defense shall*  
8           *submit to the congressional defense committees a report*  
9           *on—*

10           (1) *the activities of the Human Rights Office at*  
11           *the United States Southern Command to provide and*  
12           *promote—*

13           (A) *analysis and policy support to the Com-*  
14           *mander of the United States Southern Command*  
15           *regarding human rights and the protection of ci-*  
16           *vilians;*

17           (B) *education of employees of the Depart-*  
18           *ment of Defense regarding human rights and*  
19           *protection of civilians pursuant to the document*  
20           *promulgated by the United States Southern*  
21           *Command on July 1, 1998, titled “Regulation 1-*  
22           *20” (relating to policy and procedures for*  
23           *human rights administration);*

24           (C) *integration of the promotion of human*  
25           *rights and protection of civilians into the strat-*

1           egy, planning, training, and exercises of the  
2           United States Southern Command, including  
3           into programs of the armed forces of partner  
4           countries through the Human Rights Initiative  
5           program of such Command;

6           (D) promotion of human rights and the  
7           protection of civilians through security coopera-  
8           tion activities;

9           (E) implementation of section 362 of title  
10          10, United States Code; and

11          (F) countering trafficking in persons; and

12          (2) the resources necessary over the period of the  
13          future years defense plan for fiscal year 2022 under  
14          section 221 of title 10, United States Code, for the  
15          United States Southern Command to support the ac-  
16          tivities of the Human Rights Office at such Com-  
17          mand.

18          (c) *FORM.*—The report under subsection (b) shall be  
19          submitted in unclassified form.

20   **SEC. 1704. REPORT ON JOINT TRAINING RANGE EXERCISES**  
21                           **FOR THE PACIFIC REGION.**

22          (a) *REPORT.*—Not later than March 15, 2021, the  
23          Chairman of the Joint Chiefs of Staff, in coordination with  
24          the Commander of United States Indo-Pacific Command,  
25          the Secretary of the Army, the Secretary of the Navy, and

1 *the Secretary of the Air Force, shall submit to the congres-*  
2 *sional defense committees a report containing a plan to in-*  
3 *tegrate combined, joint, and multi-domain, training and*  
4 *experimentation in the Pacific region, including existing*  
5 *ranges, training areas, and test facilities, to achieve the fol-*  
6 *lowing objectives:*

7           (1) *Support future combined and joint exercises*  
8 *and training to test operational capabilities and*  
9 *weapon systems.*

10           (2) *Employ multi-domain training to validate*  
11 *joint operational concepts.*

12           (3) *Integrate allied and partner countries into*  
13 *national-level exercises.*

14           (b) *MATTERS.—The report under subsection (a) shall*  
15 *address the following:*

16           (1) *Integration of cyber, space, and electro-*  
17 *magnetic spectrum domains.*

18           (2) *Mobile and fixed range instrumentation*  
19 *packages for experimentation and training.*

20           (3) *Digital, integrated command and control for*  
21 *air defense systems.*

22           (4) *Command, control, communications, com-*  
23 *puter, and information (C4I) systems.*

24           (5) *War gaming, modeling, and simulations*  
25 *packages.*



1           (6) *Intelligence support systems.*

2           (7) *Manpower management, execution, collection,*  
3 *and analysis required for the incorporation of space*  
4 *and cyber activities into the training range exercise*  
5 *plan contained in such report.*

6           (8) *Connectivity requirements to support all do-*  
7 *main integration and training.*

8           (9) *Any training range upgrades or infrastruc-*  
9 *ture improvements necessary to integrate legacy*  
10 *training and exercise facilities into integrated, oper-*  
11 *ational sites.*

12           (10) *Exercises led by the United States Indo-Pa-*  
13 *cific Command, within the area of operations of the*  
14 *Command, that integrate allied and partnered coun-*  
15 *tries and link to the national-level exercises of the*  
16 *United States.*

17           (11) *Incorporation of any other functional and*  
18 *geographic combatant commands required to support*  
19 *the United States Indo-Pacific Command.*

20           (c) *FORM.—The report under subsection (a) may be*  
21 *submitted in classified form, and shall include an unclassi-*  
22 *fied summary.*

1 **SEC. 1705. STUDY ON CHINESE POLICIES AND INFLUENCE**  
2 **IN THE DEVELOPMENT OF INTERNATIONAL**  
3 **STANDARDS FOR EMERGING TECHNOLOGIES.**

4 (a) *IN GENERAL.*—Not later than 180 days after the  
5 date of the enactment of this Act, the Director of the Na-  
6 tional Institute of Standards and Technology shall enter  
7 into an agreement with an appropriate non-governmental  
8 entity with relevant expertise, as determined by the Direc-  
9 tor, to conduct a study and make recommendations with  
10 respect to the impact of the policies of the People’s Republic  
11 of China and coordination among industrial entities within  
12 the People’s Republic of China on international bodies en-  
13 gaged in developing and setting international standards for  
14 emerging technologies. The study may include—

15 (1) *an assessment of how the role of the People’s*  
16 *Republic of China in international standards setting*  
17 *organizations has grown over the previous 10 years,*  
18 *including in leadership roles in standards-drafting*  
19 *technical committees, and the quality or value of that*  
20 *participation;*

21 (2) *an assessment of the impact of the standard-*  
22 *ization strategy of the People’s Republic of China, as*  
23 *identified in the “Chinese Standard 2035” on inter-*  
24 *national bodies engaged in developing and setting*  
25 *standards for select emerging technologies, such as ad-*

1 *vanced communication technologies or cloud com-*  
2 *puting and cloud services;*

3 *(3) an examination of whether international*  
4 *standards for select emerging technologies are being*  
5 *designed to promote interests of the People’s Republic*  
6 *of China that are expressed in the “Made in China*  
7 *2025” plan to the exclusion of other participants;*

8 *(4) an examination of how the previous practices*  
9 *that the People’s Republic of China has utilized while*  
10 *participating in international standards setting orga-*  
11 *nizations may foretell how the People’s Republic of*  
12 *China will engage in international standardization*  
13 *activities of critical technologies like artificial intel-*  
14 *ligence and quantum information science, and what*  
15 *may be the consequences;*

16 *(5) recommendations on how the United States*  
17 *can take steps to mitigate influence of the People’s*  
18 *Republic of China and bolster United States public*  
19 *and private sector participation in international*  
20 *standards-setting bodies; and*

21 *(6) any other areas the Director, in consultation*  
22 *with the entity selected to conduct the study, believes*  
23 *is important to address.*

24 *(b) REPORT TO CONGRESS.—The agreement entered*  
25 *into under subsection (a) shall require the entity conducting*

1 *the study to, not later than two years after the date of the*  
2 *enactment of this Act—*

3           (1) *submit to the Committee on Science, Space,*  
4 *and Technology of the House of Representatives and*  
5 *the Committee on Commerce, Science, and Transpor-*  
6 *tation of the Senate a report containing the findings*  
7 *and recommendations of the review conducted under*  
8 *subsection (a); and*

9           (2) *make a copy of such report available on a*  
10 *publicly accessible website.*

11           ***Subtitle B—Electronic Message***  
12                                   ***Preservation***

13           ***SEC. 1711. SHORT TITLE.***

14           *This subtitle may be cited as the “Electronic Message*  
15 *Preservation Act”.*

16           ***SEC. 1712. PRESERVATION OF ELECTRONIC MESSAGES AND***  
17                                   ***OTHER RECORDS.***

18           (a) *REQUIREMENT FOR PRESERVATION OF ELEC-*  
19 *TRONIC MESSAGES.*—*Chapter 29 of title 44, United States*  
20 *Code, is amended by adding at the end the following new*  
21 *section:*

22           ***“§ 2912. Preservation of electronic messages and other***  
23                                   ***records***

24           ***“(a) REGULATIONS REQUIRED.***—*The Archivist shall*  
25 *promulgate regulations governing Federal agency preserva-*

1 *tion of electronic messages that are determined to be records.*

2 *Such regulations shall, at a minimum—*

3           “(1) *require the electronic capture, management,*  
4 *and preservation of such electronic records in accord-*  
5 *ance with the records disposition requirements of*  
6 *chapter 33;*

7           “(2) *require that such electronic records are*  
8 *readily accessible for retrieval through electronic*  
9 *searches; and*

10           “(3) *include timelines for Federal agency imple-*  
11 *mentation of the regulations that ensure compliance*  
12 *as expeditiously as practicable.*

13           “(b) *ENSURING COMPLIANCE.—The Archivist shall*  
14 *promulgate regulations that—*

15           “(1) *establish mandatory minimum functional*  
16 *requirements for electronic records management sys-*  
17 *tems to ensure compliance with the requirements in*  
18 *paragraphs (1) and (2) of subsection (a); and*

19           “(2) *establish a process to ensure that the elec-*  
20 *tronic records management system of each Federal*  
21 *agency meets the functional requirements established*  
22 *under paragraph (1).*

23           “(c) *COVERAGE OF OTHER ELECTRONIC RECORDS.—*  
24 *To the extent practicable, the regulations promulgated*  
25 *under subsections (a) and (b) shall also include require-*

1 *ments for the capture, management, and preservation of*  
2 *other electronic records.*

3       “(d) *COMPLIANCE BY FEDERAL AGENCIES.—Each*  
4 *Federal agency shall comply with the regulations promul-*  
5 *gated under subsections (a) and (b).*”

6       “(e) *REVIEW OF REGULATIONS REQUIRED.—The Ar-*  
7 *chivist shall periodically review and, as necessary, amend*  
8 *the regulations promulgated under subsections (a) and*  
9 *(b).*”

10       (b) *DEADLINE FOR REGULATIONS.—*

11               (1) *PRESERVATION OF ELECTRONIC MES-*  
12 *SAGES.—Not later than 120 days after the date of the*  
13 *enactment of this Act, the Archivist shall promulgate*  
14 *the regulations required under section 2912(a) of title*  
15 *44, United States Code, as added by subsection (a).*

16               (2) *ENSURING COMPLIANCE.—Not later than 2*  
17 *years after the date of the enactment of this Act, the*  
18 *Archivist shall promulgate the regulations required*  
19 *under section 2912(b) of title 44, United States Code,*  
20 *as added by subsection (a).*

21       (c) *REPORTS ON IMPLEMENTATION OF REGULA-*  
22 *TIONS.—*

23               (1) *AGENCY REPORT TO ARCHIVIST.—Not later*  
24 *than 1 year after the date of the enactment of this*  
25 *Act, the head of each Federal agency shall submit to*

1 *the Archivist a report on the agency's compliance*  
2 *with the regulations promulgated under section 2912*  
3 *of title 44, United States Code, as added by subsection*  
4 *(a), and shall make the report publicly available on*  
5 *the website of the agency.*

6 (2) *ARCHIVIST REPORT TO CONGRESS.—Not*  
7 *later than 90 days after receipt of all reports required*  
8 *by paragraph (1), the Archivist shall submit to the*  
9 *Committee on Homeland Security and Governmental*  
10 *Affairs of the Senate and the Committee on Oversight*  
11 *and Reform of the House of Representatives a report*  
12 *on Federal agency compliance with the regulations*  
13 *promulgated under section 2912(a) of title 44, United*  
14 *States Code, as added by subsection (a), and shall*  
15 *make the report publicly available on the website of*  
16 *the agency.*

17 (3) *FEDERAL AGENCY DEFINED.—In this sub-*  
18 *section, the term “Federal agency” has the meaning*  
19 *given that term in section 2901 of title 44, United*  
20 *States Code.*

21 (d) *CLERICAL AMENDMENT.—The table of sections at*  
22 *the beginning of chapter 29 of title 44, United States Code,*  
23 *is amended by adding after the item relating to section 2911*  
24 *the following new item:*

*“2912. Preservation of electronic messages and other records.”.*

1       (e) *DEFINITIONS.*—Section 2901 of title 44, United  
2 States Code, is amended—

3           (1) by striking “and” at the end of paragraph  
4 (14); and

5           (2) by striking paragraph (15) and inserting the  
6 following new paragraphs:

7           “(15) the term ‘electronic messages’ means elec-  
8 tronic mail and other electronic messaging systems  
9 that are used for purposes of communicating between  
10 individuals; and

11           “(16) the term ‘electronic records management  
12 system’ means software designed to manage electronic  
13 records, including by—

14                   “(A) categorizing and locating records;

15                   “(B) ensuring that records are retained as  
16 long as necessary;

17                   “(C) identifying records that are due for  
18 disposition; and

19                   “(D) ensuring the storage, retrieval, and  
20 disposition of records.”.

21 **SEC. 1713. PRESIDENTIAL RECORDS.**

22       (a) *ADDITIONAL REGULATIONS RELATING TO PRESI-*  
23 *DENTIAL RECORDS.*—

24           (1) *IN GENERAL.*—Section 2206 of title 44,  
25 United States Code, is amended—



1           (A) by striking “and” at the end of para-  
2 graph (3);

3           (B) by striking the period at the end of  
4 paragraph (4) and inserting “; and”; and

5           (C) by adding at the end the following:

6           “(5) provisions for establishing standards nec-  
7 essary for the economical and efficient management of  
8 electronic Presidential records during the President’s  
9 term of office, including—

10           “(A) records management controls necessary  
11 for the capture, management, and preservation  
12 of electronic messages;

13           “(B) records management controls necessary  
14 to ensure that electronic messages are readily ac-  
15 cessible for retrieval through electronic searches;  
16 and

17           “(C) a process to ensure the electronic  
18 records management system to be used by the  
19 President for the purposes of complying with the  
20 requirements in subparagraphs (A) and (B).”.

21           (2) *DEFINITIONS.*—Section 2201 of title 44,  
22 United States Code, is amended by adding at the end  
23 the following new paragraphs:

24           “(6) The term ‘electronic messages’ has the  
25 meaning given that term under section 2901(15).

1           “(7) *The term ‘electronic records management*  
2           *system’ has the meaning given that term under sec-*  
3           *tion 2901(16).’.*”

4           ***(b) CERTIFICATION OF PRESIDENT’S MANAGEMENT OF***  
5           ***PRESIDENTIAL RECORDS.—***

6           ***(1) CERTIFICATION REQUIRED.—Chapter 22 of***  
7           ***title 44, United States Code, is amended by adding***  
8           ***at the end the following new section:***

9           **“§2210. *Certification of the President’s management***  
10           ***of Presidential records***

11           ***“(a) ANNUAL CERTIFICATION.—The Archivist shall***  
12           ***annually certify whether the electronic records management***  
13           ***controls established by the President meet requirements***  
14           ***under sections 2203(a) and 2206(5).***

15           ***“(b) REPORT TO CONGRESS.—The Archivist shall re-***  
16           ***port annually to the Committee on Homeland Security and***  
17           ***Governmental Affairs of the Senate and the Committee on***  
18           ***Oversight and Reform of the House of Representatives on***  
19           ***the status of the certification.’.***

20           ***(2) CLERICAL AMENDMENT.—The table of sec-***  
21           ***tions at the beginning of chapter 22 of title 44,***  
22           ***United States Code, is amended by adding at the end***  
23           ***the following new item:***

          “2210. *Certification of the President’s management of Presidential records.’.*”

1       (c) *REPORT TO CONGRESS.*—Section 2203(g) of title  
2 44, United States Code, is amended by adding at the end  
3 the following new paragraph:

4       “(5) One year following the conclusion of a President’s  
5 term of office, or if a President serves consecutive terms 1  
6 year following the conclusion of the last term, the Archivist  
7 shall submit to the Committee on Homeland Security and  
8 Governmental Affairs of the Senate and the Committee on  
9 Oversight and Reform of the House of Representatives a re-  
10 port on—

11           “(A) the volume and format of electronic Presi-  
12 dential records deposited into that President’s Presi-  
13 dential archival depository; and

14           “(B) whether the electronic records management  
15 controls of that President met the requirements under  
16 sections 2203(a) and 2206(5).”.

17       (d) *EFFECTIVE DATE.*—The amendments made by this  
18 section shall take effect 1 year after the date of the enact-  
19 ment of this Act.

20 ***Subtitle C—Space Technology Ad-***  
21 ***vancement Report (STAR) Act of***  
22 ***2020***

23 ***SEC. 1721. SHORT TITLE.***

24       This subtitle may be cited as the “Space Technology  
25 Advancement Report (STAR) Act of 2020”.

1 **SEC. 1722. FINDINGS.**

2 *Congress finds the following:*

3 *(1) As stated in the United States-China Eco-*  
4 *nomics and Security Commission's 2019 Report to*  
5 *Congress, the United States retains many advantages*  
6 *over the People's Republic of China (PRC) in space,*  
7 *including—*

8 *(A) the organization and technical expertise*  
9 *of its space program;*

10 *(B) the capabilities of the National Aero-*  
11 *nautics and Space Administration for human*  
12 *spaceflight and exploration;*

13 *(C) its vibrant commercial space sector;*

14 *(D) its long history of space leadership; and*

15 *(E) many international partnerships.*

16 *(2) The PRC seeks to establish a leading position*  
17 *in the economic and military use of outer space and*  
18 *views space as critical to its future security and eco-*  
19 *nomics interests.*

20 *(3) The PRC's national-level commitment to es-*  
21 *tablishing itself as a global space leader harms United*  
22 *States interests and threatens to undermine many of*  
23 *the advantages the United States has worked so long*  
24 *to establish.*

25 *(4) For over 60 years, the United States has led*  
26 *the world in space exploration and human space*

1 *flight through a robust national program that ensures*  
2 *NASA develops and maintains critical spaceflight*  
3 *systems to enable this leadership, including the Apollo*  
4 *program's Saturn V rocket, the Space Shuttle, the*  
5 *International Space Station and the Space Launch*  
6 *System and Orion today.*

7 *(5) The Defense Intelligence Agency noted in its*  
8 *2019 "Challenges to U.S. Security in Space" report*  
9 *that the PRC was developing a national super-heavy*  
10 *lift rocket comparable to NASA's Space Launch Sys-*  
11 *tem.*

12 *(6) The United States space program and com-*  
13 *mercial space sector risks being hollowed out by the*  
14 *PRC's plans to attain leadership in key technologies.*

15 *(7) It is in the economic and security interest of*  
16 *the United States to remain the global leader in space*  
17 *power.*

18 *(8) A recent report by the Air Force Research*  
19 *Laboratory and the Defense Innovation Unit found*  
20 *that China's strategy to bolster its domestic space in-*  
21 *dustry includes a global program of theft and other*  
22 *misappropriation of intellectual property, direct inte-*  
23 *gration of state-owned entities and their technology*  
24 *with commercial start-ups, the use of front companies*

1 *to invest in United States space companies, vertical*  
2 *control of supply chains, and predatory pricing.*

3 *(9) The United States Congress passed the Wolf*  
4 *Amendment as part of the Fiscal Year 2012 Consoli-*  
5 *dated and Further Continuing Appropriations Act*  
6 *(Public Law 112–55) and every year thereafter in re-*  
7 *sponse to the nefarious and offensive nature of Chi-*  
8 *nese activities in the space industry.*

9 **SEC. 1723. REPORT; STRATEGY.**

10 *(a) REPORT.—*

11 *(1) IN GENERAL.—Not later than 1 year after*  
12 *the date of enactment of this section, and annually*  
13 *thereafter in fiscal years 2022 and 2023, the National*  
14 *Space Council shall submit to the appropriate con-*  
15 *gressional committees an interagency assessment of*  
16 *the ability of the United States to compete with for-*  
17 *oreign space programs and in the emerging commercial*  
18 *space economy.*

19 *(2) CONTENT OF REPORT.—The report shall in-*  
20 *clude information on the following:*

21 *(A) An assessment of the human exploration*  
22 *and spaceflight capabilities of the national space*  
23 *program of the United States relative to national*  
24 *programs of the PRC.*

25 *(B) An assessment of—*

1           (i) the viability of extraction of space-  
2           based precious minerals, onsite exploitation  
3           of space-based natural resources, and utili-  
4           zation of space-based solar power;

5           (ii) the programs of the United States  
6           and the PRC that are related to the issues  
7           described in clause (i); and

8           (iii) any potential terrestrial or space  
9           environmental impacts of space-based solar  
10          power.

11          (C) An assessment of United States strategic  
12          interests in or related to cislunar space.

13          (D) A comparative assessment of future  
14          United States space launch capabilities and  
15          those of the PRC.

16          (E) The extent of foreign investment in the  
17          commercial space sector of the United States, es-  
18          pecially in venture capital and other private eq-  
19          uity investments that seek to work with the Fed-  
20          eral government.

21          (F) The steps by which the National Aero-  
22          nautics and Space Administration, the Depart-  
23          ment of Defense, and other United States Federal  
24          agencies conduct the necessary due diligence and  
25          security reviews prior to investing in private

1           *space entities that may have received funding*  
2           *from foreign investment.*

3           *(G) Current steps that the United States is*  
4           *taking to identify and help mitigate threats to*  
5           *domestic space industry from influence of the*  
6           *PRC.*

7           *(H) An assessment of the current ability,*  
8           *role, costs, and authorities of the Department of*  
9           *Defense to mitigate the threats of commercial*  
10          *communications and navigation in space from*  
11          *the PRC's growing counterspace capabilities,*  
12          *and any actions required to improve this capa-*  
13          *bility.*

14          *(I) An assessment of how the PRC's activi-*  
15          *ties are impacting United States national secu-*  
16          *rity, including—*

17                  *(i) theft by the PRC of United States*  
18                  *intellectual property through technology*  
19                  *transfer requirements or otherwise; and*

20                  *(ii) efforts of the PRC to seize control*  
21                  *of critical elements of the United States*  
22                  *space industry supply chain and United*  
23                  *States space industry companies or sister*  
24                  *companies with shared leadership; and gov-*  
25                  *ernment cybersecurity capabilities.*



1           *(J) An assessment of efforts of the PRC to*  
2           *pursue cooperative agreements with other nations*  
3           *to advance space development.*

4           *(K) Recommendations to Congress, includ-*  
5           *ing recommendations with respect to—*

6                   *(i) any legislative proposals to address*  
7                   *threats by the PRC to the United States na-*  
8                   *tional space programs as well as domestic*  
9                   *commercial launch and satellite industries;*

10                   *(ii) how the United States Government*  
11                   *can best utilize existing Federal entities to*  
12                   *investigate and prevent potentially harmful*  
13                   *investment by the PRC in the United States*  
14                   *commercial space industry;*

15           *(3) FORM.—The report required under para-*  
16           *graph (1) shall be submitted in unclassified form, but*  
17           *may include a classified annex.*

18           *(b) STRATEGY.—*

19                   *(1) IN GENERAL.—Not later than 1 year after*  
20                   *the submission of the report required in subsection*  
21                   *(a), the President, in consultation with the National*  
22                   *Space Council, shall develop and submit to the appro-*  
23                   *priate congressional committees a strategy to ensure*  
24                   *the United States can—*

1           (A) *compete with other national space pro-*  
2           *grams;*

3           (B) *maintain leadership in the emerging*  
4           *commercial space economy;*

5           (C) *identify market, regulatory, and other*  
6           *means to address unfair competition from the*  
7           *PRC based on the findings of in the report re-*  
8           *quired in subsection (a);*

9           (D) *leverage commercial space capabilities*  
10          *to ensure United States national security and*  
11          *the security of United States interests in space;*

12          (E) *protect United States supply chains*  
13          *and manufacturing critical to competitiveness in*  
14          *space; and*

15          (F) *coordinate with international allies and*  
16          *partners in space.*

17          (3) *FORM.—The strategy required under para-*  
18          *graph (1) shall be submitted in unclassified form, but*  
19          *may include a classified annex.*

20          (c) *DEFINITIONS.—In this section, the following defi-*  
21          *nitions apply:*

22               (1) *APPROPRIATE CONGRESSIONAL COMMITTEES*  
23               *OF CONGRESS.—The term “appropriate congressional*  
24               *committees” means—*

1           (A) the Committee on Armed services, the  
2           Committee on Foreign Relations, and the Com-  
3           mittee on Commerce, Science, and Transpor-  
4           tation of the Senate; and

5           (B) the Committee on Armed Services, the  
6           Committee on Foreign Affairs, and the Com-  
7           mittee on Science, Space, and Technology of the  
8           House of Representatives.

9           (2) PRC.—The term “PRC” means the “People’s  
10          Republic of China”.

11                           **Subtitle D—AMBER Alert**  
12                                   **Nationwide**

13   **SEC. 1731. COOPERATION WITH DEPARTMENT OF HOME-**  
14                           **LAND SECURITY.**

15           Subtitle A of title III of the PROTECT Act (34 U.S.C.  
16   20501 et seq.) is amended—

17                   (1) in section 301—

18                           (A) in subsection (b)—

19                                   (i) in paragraph (1), by inserting  
20                                   “(including airports, maritime ports, border  
21                                   crossing areas and checkpoints, and ports of  
22                                   exit from the United States)” after “gaps in  
23                                   areas of interstate travel”; and

1                   (ii) in paragraphs (2) and (3), by in-  
 2                   serting “, territories of the United States,  
 3                   and tribal governments” after “States”; and  
 4                   (B) in subsection (d), by inserting “, the  
 5                   Secretary of Homeland Security,” after “Sec-  
 6                   retary of Transportation”; and

7                   (2) in section 302—

8                   (A) in subsection (b), in paragraphs (2),  
 9                   (3), and (4) by inserting “, territorial, tribal,”  
 10                  after “State”; and

11                  (B) in subsection (c)—

12                   (i) in paragraph (1), by inserting “,  
 13                   the Secretary of Homeland Security,” after  
 14                   “Secretary of Transportation”; and

15                   (ii) in paragraph (2), by inserting “,  
 16                   territorial, tribal,” after “State”.

17 **SEC. 1732. AMBER ALERTS ALONG MAJOR TRANSPOR-**  
 18 **TATION ROUTES.**

19                   (a) *IN GENERAL.*—Section 303 of the *PROTECT Act*  
 20 (*34 U.S.C. 20503*) is amended—

21                   (1) in the section heading, by inserting “**AND**  
 22                   **MAJOR TRANSPORTATION ROUTES**” after  
 23                   “**ALONG HIGHWAYS**”;

24                   (2) in subsection (a)—

1           (A) by inserting “(referred to in this section  
2 as the ‘Secretary’)” after “Secretary of Trans-  
3 portation”; and

4           (B) by inserting “and at airports, maritime  
5 ports, border crossing areas and checkpoints, and  
6 ports of exit from the United States” after  
7 “along highways”;

8 (3) in subsection (b)—

9           (A) in paragraph (1)—

10           (i) by striking “other motorist infor-  
11 mation systems to notify motorists” and in-  
12 serting “other information systems to notify  
13 motorists, aircraft passengers, ship pas-  
14 sengers, and travelers”; and

15           (ii) by inserting “, aircraft passengers,  
16 ship passengers, and travelers” after “nec-  
17 essary to notify motorists”; and

18           (B) in paragraph (2)—

19           (i) in subparagraph (A), by striking  
20 “other motorist information systems to no-  
21 tify motorists” and inserting “other infor-  
22 mation systems to notify motorists, aircraft  
23 passengers, ship passengers, and travelers”;

24           (ii) in subparagraph (D), by inserting  
25 “, aircraft passengers, ship passengers, and

1 *travelers” after “support the notification of*  
2 *motorists”;*

3 *(iii) in subparagraph (E), by inserting*  
4 *“, aircraft passengers, ship passengers, and*  
5 *travelers” after “motorists”, each place it*  
6 *appears;*

7 *(iv) in subparagraph (F), by inserting*  
8 *“, aircraft passengers, ship passengers, and*  
9 *travelers” after “motorists”; and*

10 *(v) in subparagraph (G), by inserting*  
11 *“, aircraft passengers, ship passengers, and*  
12 *travelers” after “motorists”;*

13 *(4) in subsection (c), by striking “other motorist*  
14 *information systems to notify motorists”, each place*  
15 *it appears, and inserting “other information systems*  
16 *to notify motorists, aircraft passengers, ship pas-*  
17 *sengers, and travelers”;*

18 *(5) by amending subsection (d) to read as fol-*  
19 *lows:*

20 *“(d) FEDERAL SHARE.—*

21 *“(1) IN GENERAL.—Except as provided in para-*  
22 *graph (2), the Federal share of the cost of any activi-*  
23 *ties funded by a grant under this section may not ex-*  
24 *ceed 80 percent.*

1           “(2) *WAIVER.*—*If the Secretary determines that*  
2           *American Samoa, Guam, the Northern Mariana Is-*  
3           *lands, Puerto Rico, or the Virgin Islands of the*  
4           *United States is unable to comply with the require-*  
5           *ment under paragraph (1), the Secretary shall waive*  
6           *such requirement.*”;

7           (6) *in subsection (g)*—

8                   (A) *by striking “In this section” and insert-*  
9                   *ing “In this subtitle”;* and

10                   (B) *by striking “or Puerto Rico” and in-*  
11                   *serting “American Samoa, Guam, Puerto Rico,*  
12                   *the Northern Mariana Islands, the Virgin Is-*  
13                   *lands of the United States, and any other terri-*  
14                   *tory of the United States”;* and

15           (7) *in subsection (h), by striking “fiscal year*  
16           *2004” and inserting “each of fiscal years 2019*  
17           *through 2023”.*

18           (b) *TECHNICAL AND CONFORMING AMENDMENT.*—*The*  
19           *table of contents in section 1(b) of the PROTECT Act (Pub-*  
20           *lic Law 108–21) is amended by striking the item relating*  
21           *to section 303 and inserting the following:*

          “*Sec. 303. Grant program for notification and communications systems along*  
          *highways and major transportation routes for recovery of ab-*  
          *ducted children.*”.

1 **SEC. 1733. AMBER ALERT COMMUNICATION PLANS IN THE**  
2 **TERRITORIES.**

3 *Section 304 of the PROTECT Act (34 U.S.C. 20504)*  
4 *is amended—*

5 *(1) in subsection (b)(4), by inserting “a terri-*  
6 *torial government or” after “with”;*

7 *(2) by amending subsection (c) to read as fol-*  
8 *lows:*

9 *“(c) FEDERAL SHARE.—*

10 *“(1) IN GENERAL.—Except as provided in para-*  
11 *graph (2), the Federal share of the cost of any activi-*  
12 *ties funded by a grant under this section may not ex-*  
13 *ceed 50 percent.*

14 *“(2) WAIVER.—If the Attorney General deter-*  
15 *mines that American Samoa, Guam, the Northern*  
16 *Mariana Islands, Puerto Rico, the Virgin Islands of*  
17 *the United States, or an Indian tribe is unable to*  
18 *comply with the requirement under paragraph (1),*  
19 *the Attorney General shall waive such requirement.”;*  
20 *and*

21 *(3) in subsection (d), by inserting “, including*  
22 *territories of the United States” before the period at*  
23 *the end.*



1 **SEC. 1734. GOVERNMENT ACCOUNTABILITY OFFICE RE-**  
2 **PORT.**

3 (a) *IN GENERAL.*—Not later than 5 years after the  
4 date of the enactment of this Act, the Comptroller General  
5 shall conduct a study assessing—

6 (1) *the implementation of the amendments made*  
7 *by this Act;*

8 (2) *any challenges related to integrating the ter-*  
9 *ritories of the United States into the AMBER Alert*  
10 *system;*

11 (3) *the readiness, educational, technological, and*  
12 *training needs of territorial law enforcement agencies*  
13 *in responding to cases involving missing, abducted, or*  
14 *exploited children; and*

15 (4) *any other related matters the Attorney Gen-*  
16 *eral or the Secretary of Transportation determines*  
17 *appropriate.*

18 (b) *REPORT REQUIRED.*—The Comptroller General  
19 shall submit a report on the findings of the study required  
20 under subsection (a) to—

21 (1) *the Committee on the Judiciary and the*  
22 *Committee on Environment and Public Works of the*  
23 *Senate;*

24 (2) *the Committee on the Judiciary and the*  
25 *Committee on Transportation and Infrastructure of*  
26 *the House of Representatives; and*

1           (3) *each of the delegates or resident commissioner*  
2 *to the House of Representatives from American*  
3 *Samoa, Guam, the Northern Mariana Islands, Puerto*  
4 *Rico, and the Virgin Islands of the United States.*

5           (c) *PUBLIC AVAILABILITY.—The Comptroller General*  
6 *shall make the report required under subsection (b) avail-*  
7 *able on a public Government website.*

8           (d) *OBTAINING OFFICIAL DATA.—*

9           (1) *IN GENERAL.—The Comptroller General may*  
10 *secure information necessary to conduct the study*  
11 *under subsection (a) directly from any Federal agen-*  
12 *cy and from any territorial government receiving*  
13 *grant funding under the PROTECT Act. Upon re-*  
14 *quest of the Comptroller General, the head of a Fed-*  
15 *eral agency or territorial government shall furnish the*  
16 *requested information to the Comptroller General.*

17           (2) *AGENCY RECORDS.—Notwithstanding para-*  
18 *graph (1), nothing in this subsection shall require a*  
19 *Federal agency or any territorial government to*  
20 *produce records subject to a common law evidentiary*  
21 *privilege. Records and information shared with the*  
22 *Comptroller General shall continue to be subject to*  
23 *withholding under sections 552 and 552a of title 5,*  
24 *United States Code. The Comptroller General is obli-*  
25 *gated to give the information the same level of con-*

1 *fidentiality and protection required of the Federal*  
2 *agency or territorial government. The Comptroller*  
3 *General may be requested to sign a nondisclosure or*  
4 *other agreement as a condition of gaining access to*  
5 *sensitive or proprietary data to which the Comp-*  
6 *troller General is entitled.*

7 (3) *PRIVACY OF PERSONAL INFORMATION.—The*  
8 *Comptroller General, and any Federal agency and*  
9 *any territorial government that provides information*  
10 *to the Comptroller General, shall take such actions as*  
11 *are necessary to ensure the protection of the personal*  
12 *information of a minor.*

### 13 ***Subtitle E—Other Matters***

#### 14 ***SEC. 1741. TECHNICAL, CONFORMING, AND CLERICAL*** 15 ***AMENDMENTS.***

16 (a) *TITLE 10, UNITED STATES CODE.—Title 10,*  
17 *United States Code, is amended as follows:*

18 (1) *Section 127e(g) is amended by striking*  
19 *“Low-Intensity” and inserting “Low Intensity”.*

20 (2) *Section 142 is amended—*

21 (A) *by striking subsection (d); and*

22 (B) *by redesignating the second subsection*

23 *(c) as subsection (d).*

24 (3) *Section 192(c) is amended by striking the*  
25 *first paragraph (1).*

1           (4) *Section 231 is amended—*

2                   (A) *in subsection (a)(1), by striking “and”*  
3 *after the colon;*

4                   (B) *by striking “quadrennial defense re-*  
5 *view” each place it appears and inserting “na-*  
6 *tional defense strategy”; and*

7                   (C) *in subsection (f)(3), by striking “section*  
8 *118” and inserting “section 113(g)”.*

9           (5) *Section 1073c(a) is amended by redesign-*  
10 *ating the second paragraph (6) as paragraph (7).*

11           (6) *Section 1044e is amended by striking “sub-*  
12 *section (h)” each place it appears and inserting “sub-*  
13 *section (i)”.*

14           (7) *The table of sections at the beginning of*  
15 *chapter 58 is amended by striking the item relating*  
16 *to section 1142 and inserting the following:*

*“1142. Preseparation counseling; transmittal of certain records to Department of  
Veterans Affairs.”.*

17           (8) *Section 1564(c)(2) is amended in the matter*  
18 *preceding subparagraph (A) by striking “in” and in-*  
19 *serting “is”.*

20           (9) *The table of sections at the beginning of*  
21 *chapter 113 is amended by striking “Sec.” each place*  
22 *it appears, except for the first “Sec.” preceding the*  
23 *item relating to section 2200g.*

1           (10) *The table of sections at the beginning of*  
2 *chapter 135 is amended by striking the item relating*  
3 *to section 2279c.*

4           (11) *The table of sections at the beginning of*  
5 *chapter 142 is amended by striking the item relating*  
6 *to section 2417 and inserting the following:*

*“2417. Administrative and other costs.”.*

7           (12) *The table of sections at the beginning of*  
8 *chapter 152 is amended by striking the item relating*  
9 *to section 2568a and inserting the following:*

*“2568a. Damaged personal protective equipment: award to members separating  
from the Armed Forces and veterans.”.*

10           (13) *Section 2417(2) is amended by striking “en-*  
11 *tities -” and inserting “entities—”.*

12           (14) *Section 2641b(a)(3)(B) is amended by strik-*  
13 *ing “subsection (c)(5)” and inserting “subsection*  
14 *(c)(6)”.*

15           (15) *Section 2804(b) is amended in the third*  
16 *sentence by striking “; and”.*

17           (16) *Section 2890(e)(2) is amended by inserting*  
18 *“a” before “landlord” in the matter preceding sub-*  
19 *paragraph (A).*

20           (17) *Section 2891(e)(1) is amended—*

21                   *(A) by inserting “unit” after “housing” the*  
22 *third place it appears; and*

1           (B) in subparagraph (B), by inserting  
2           “the” before “tenant”.

3           (18) Section 2891a is amended—

4           (A) in subsection (b), by adding a period at  
5           the end of paragraph (2); and

6           (B) in subsection (e)(2)(B), by striking  
7           “the” before “any basic”.

8           (19) Section 2894(c)(3) is amended by inserting  
9           “; the office” after “installation housing management  
10          office”.

11          (b) TITLE 38, UNITED STATES CODE.—Section  
12          1967(a)(3)(D) of title 38, United States Code, is amended  
13          in the matter preceding clause (i) by inserting a comma  
14          after “theater of operations”.

15          (c) NDAA FOR FISCAL YEAR 2019.—Effective as of  
16          August 13, 2018, and as if included therein as enacted, the  
17          John S. McCain National Defense Authorization Act for  
18          Fiscal Year 2019 (Public Law 115–232) is amended as fol-  
19          lows:

20               (1) Section 226(b)(3)(C) (132 Stat. 1686) is  
21               amended by striking “commercial-off the-shelf” and  
22               inserting “commercially available off-the-shelf items  
23               (as defined in section 104 of title 41, United States  
24               Code) that may serve as”.

1           (2) *Section 809(b)(3) (132 Stat. 1840) is amend-*  
2           *ed by striking “Section 598(d)(4) of the National De-*  
3           *fense Authorization Act of for Fiscal Year 2010 (Pub-*  
4           *lic Law 111–84; 10 U.S.C. 1561 note)” and inserting*  
5           *“Section 563(d)(4) of the Duncan Hunter National*  
6           *Defense Authorization Act for Fiscal Year 2009 (Pub-*  
7           *lic Law 110–417; 10 U.S.C. 1561 note)”.*

8           (3) *Section 836(a)(2)(B) (132 Stat. 1860) is*  
9           *amended by inserting “of such title” after “Section*  
10           *104(1)(A)”.*

11           (4) *Section 836(c)(8) is amended by striking*  
12           *subparagraphs (A) and (B) and inserting the fol-*  
13           *lowing new subparagraphs:*

14                   *“(A) by striking ‘commercial items’ and in-*  
15                   *serting ‘commercial products’; and*

16                   *“(B) by striking ‘the item’ both places it*  
17                   *appears and inserting ‘commercial product’.”.*

18           (5) *Section 889(f) (132 Stat. 1918) is amended*  
19           *by striking “appropriate congressional committees”*  
20           *and inserting “appropriate congressional commit-*  
21           *tees”.*

22           (6) *Section 1286(e)(2)(D) (10 U.S.C. 2358 note;*  
23           *132 Stat. 2080) is amended by striking “improve”*  
24           *and inserting “improved”.*

1           (7) *Section 1757(a) (50 U.S.C. 4816; 132 Stat.*  
2           *2218) is amended by inserting “to persons” before*  
3           *“who are potential”.*

4           (8) *Section 1759(a)(2) (50 U.S.C. 4818; 132*  
5           *Stat. 2223) is amended by striking the semicolon at*  
6           *the end and inserting a period.*

7           (9) *Section 1763(c) (50 U.S.C. 4822; 132 Stat.*  
8           *2231) is amended by striking “December 5, 1991”*  
9           *and inserting “December 5, 1995”.*

10          (10) *Section 1773(b)(1) (50 U.S.C. 4842; 132*  
11          *Stat. 2235) is amended by striking “section*  
12          *1752(1)(D)” and inserting “section 1752(2)(D)”.*

13          (11) *Section 1774(a) (50 U.S.C. 4843; 132 Stat.*  
14          *2237) is amended in the matter preceding paragraph*  
15          *(1) by inserting “under” before “section 1773”.*

16          (12) *Section 2827(b)(1) (132 Stat. 2270) is*  
17          *amended by inserting “in the matter preceding the*  
18          *paragraphs” after “amended”.*

19          (d) *NDAA FOR FISCAL YEAR 2016.—Effective as of*  
20          *December 23, 2016, and as if included therein as enacted,*  
21          *section 856(a)(1) the National Defense Authorization Act*  
22          *for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2377*  
23          *note) is amended by inserting “United States Code,” after*  
24          *“title 41,”.*



1       (e) *COORDINATION WITH OTHER AMENDMENTS MADE*  
2 *BY THIS ACT.*—For purposes of applying amendments  
3 made by provisions of this Act other than this section, the  
4 amendments made by this section shall be treated as having  
5 been enacted immediately before any such amendments by  
6 other provisions of this Act.

7 **SEC. 1742. ADDITION OF CHIEF OF THE NATIONAL GUARD**  
8                   **BUREAU TO THE LIST OF OFFICERS PRO-**  
9                   **VIDING REPORTS OF UNFUNDED PRIORITIES.**

10       Section 222a(b) of title 10, United States Code, is  
11 amended—

12               (1) by redesignating paragraph (5) as para-  
13 graph (6); and

14               (2) by inserting after paragraph (4) the fol-  
15 lowing new paragraph:

16               “(5) *The Chief of the National Guard Bureau.*”.

17 **SEC. 1743. ACCEPTANCE OF PROPERTY BY MILITARY ACAD-**  
18                   **EMIES AND MUSEUMS.**

19       (a) *ACCEPTANCE OF PROPERTY.*—Section 2601 of title  
20 10, United States Code, is amended—

21               (1) in subsection (a)(2), by inserting after sub-  
22 paragraph (B) the following new subparagraph:

23               “(C) *The Secretary concerned may display, at a mili-*  
24 *tary museum, recognition for an individual or organization*  
25 *that contributes money to a nonprofit entity described in*

1 *subparagraph (A), or an individual or organization that*  
 2 *contributes a gift directly to the armed force concerned for*  
 3 *the benefit of a military museum, whether or not the con-*  
 4 *tribution is subject to the condition that recognition be pro-*  
 5 *vided. The Secretary of Defense shall prescribe uniform reg-*  
 6 *ulations governing the circumstances under which contrib-*  
 7 *utor recognition may be provided, appropriate forms of rec-*  
 8 *ognition, and suitable display standards.”; and*

9 *(2) in subsection (e)(1)—*

10 *(A) by inserting “or personal” after “real”*  
 11 *both places it appears; and*

12 *(B) by striking “or the Coast Guard Acad-*  
 13 *emy” and inserting “the Coast Guard Academy,*  
 14 *the National Defense University, the Defense Ac-*  
 15 *quisition University, the Air University, the*  
 16 *Army War College, the Army Command and*  
 17 *General Staff College, the Naval War College, the*  
 18 *Naval Postgraduate School, or the Marine Corps*  
 19 *University”.*

20 *(b) LEASE OF NON-EXCESS PROPERTY TO MILITARY*  
 21 *MUSEUMS.—*

22 *(1) IN GENERAL.—Section 2667 of title 10,*  
 23 *United States Code, is amended—*

24 *(A) in subsection (b)—*

1                   (i) in paragraph (7), by striking  
2                   “and” at the end;

3                   (ii) in paragraph (8), by striking the  
4                   period at the end and inserting “; and”;  
5                   and

6                   (iii) by adding at the end the following  
7                   new paragraph:

8                   “(9) in the case of a lease of a museum facility  
9                   to a museum foundation, may provide for use in gen-  
10                  erating revenue for activities of the museum facility  
11                  and for such administrative purposes as may be nec-  
12                  essary to support the facility.”;

13                  (B) in subsection (i), by adding at the end  
14                  the following new paragraph:

15                  “(6) The term ‘museum foundation’ means any  
16                  entity—

17                         “(A) qualifying as an exempt organization  
18                         under section 501(c)(3) of the Internal Revenue  
19                         Code of 1986; and

20                         “(B) incorporated for the primary purpose  
21                         of supporting a Department of Defense mu-  
22                         seum.”; and

23                         (C) in subsection (k)—

1                   (i) *in the subsection heading, by insert-*  
 2                   *ing “AND MUSEUMS” after “LEASES FOR*  
 3                   *EDUCATION”; and*

4                   (ii) *by inserting “or to a museum*  
 5                   *foundation” before the period at the end.*

6                   (2) *REPEALS.—*

7                   (A) *LEASE OR LICENSE OF UNITED STATES*  
 8                   *NAVY MUSEUM FACILITIES AT WASHINGTON NAVY*  
 9                   *YARD, DISTRICT OF COLUMBIA.—The National*  
 10                   *Defense Authorization Act for Fiscal Year 2006*  
 11                   *(Public Law 109–163) is amended by striking*  
 12                   *section 2852.*

13                   (B) *LEASE OF FACILITY TO MARINE CORPS*  
 14                   *HERITAGE FOUNDATION.—Section 2884 of the*  
 15                   *Floyd D. Spence National Defense Authorization*  
 16                   *Act for Fiscal Year 2001 (Public Law 106–398;*  
 17                   *114 Stat. 1654A-440) is amended by striking*  
 18                   *subsection (e).*

19 **SEC. 1744. REAUTHORIZATION OF NATIONAL OCEANO-**  
 20 **GRAPHIC PARTNERSHIP PROGRAM.**

21                   (a) *NATIONAL OCEANOGRAPHIC PARTNERSHIP PRO-*  
 22                   *GRAM.—Section 8931 of title 10, United States Code, is*  
 23                   *amended to read as follows:*

1 **“SEC. 8931. NATIONAL OCEANOGRAPHIC PARTNERSHIP**  
2 **PROGRAM.**

3 “(a) *ESTABLISHMENT.*—*The Secretary of the Navy*  
4 *shall establish a program to be known as the ‘National*  
5 *Oceanographic Partnership Program’.*

6 “(b) *PURPOSES.*—*The purposes of the program are as*  
7 *follows:*

8 “(1) *To promote the national goals of assuring*  
9 *national security, advancing economic development,*  
10 *protecting quality of life, ensuring environmental*  
11 *stewardship, and strengthening science education and*  
12 *communication through improved knowledge of the*  
13 *ocean.*

14 “(2) *To coordinate and strengthen oceanographic*  
15 *efforts in support of those goals by—*

16 “(A) *creating and carrying out partner-*  
17 *ships among Federal agencies, academia, indus-*  
18 *try, and other members of the oceanographic*  
19 *community in the areas of science, data, re-*  
20 *sources, education, and communication; and*

21 “(B) *accepting, planning, and executing*  
22 *oceanographic research projects funded by*  
23 *grants, contracts, cooperative agreements, or*  
24 *other vehicles as appropriate, that contribute to*  
25 *assuring national security, advancing economic*  
26 *development, protecting quality of life, ensuring*

1 *environmental stewardship, and strengthening*  
2 *science education and communication through*  
3 *improved knowledge of the ocean.”.*

4 *(b) OCEAN POLICY COMMITTEE.—*

5 *(1) IN GENERAL.—Section 8932 of such title is*  
6 *amended to read as follows:*

7 **“§ 8932. Ocean Policy Committee**

8 *“(a) COMMITTEE.—There is established an Ocean Pol-*  
9 *icy Committee (hereinafter referred to as the ‘Committee’).*  
10 *The Committee shall retain the membership, co-chairs, and*  
11 *subcommittees outlined in Executive Order 13840.*

12 *“(b) RESPONSIBILITIES.—The Committee shall con-*  
13 *tinue the activities of that Committee as it was in existence*  
14 *on the day before the date of the enactment of the National*  
15 *Defense Authorization Act for Fiscal Year 2021. In dis-*  
16 *charging its responsibilities and to assist in the execution*  
17 *of the activities delineated in this subsection, the Committee*  
18 *may delegate to a subcommittee, as appropriate. The Com-*  
19 *mittee shall—*

20 *“(1) prescribe policies and procedures to imple-*  
21 *ment the National Oceanographic Partnership Pro-*  
22 *gram;*

23 *“(2) engage and collaborate, pursuant to existing*  
24 *laws and regulations, with stakeholders, including re-*  
25 *gional ocean partnerships, to address ocean-related*

1        *matters that may require interagency or intergovern-*  
2        *mental solutions;*

3            *“(3) facilitate coordination and integration of*  
4        *Federal activities in ocean and coastal waters to in-*  
5        *form ocean policy and identify priority ocean re-*  
6        *search, technology, and data needs; and*

7            *“(4) review, select, and identify partnership*  
8        *projects for implementation under the program, based*  
9        *on—*

10            *“(A) whether the project addresses impor-*  
11        *tant research objectives or operational goals;*

12            *“(B) whether the project has, or is designed*  
13        *to have, appropriate participation within the*  
14        *oceanographic community of public, academic,*  
15        *commercial, private participation or support;*

16            *“(C) whether the partners have a long-term*  
17        *commitment to the objectives of the project;*

18            *“(D) whether the resources supporting the*  
19        *project are shared among the partners; and*

20            *“(E) whether the project has been subjected*  
21        *to adequate review according to each of the sup-*  
22        *porting agencies.*

23        *“(c) ANNUAL REPORT AND BRIEFING.—(1) Not later*  
24        *than March 1 of each year, the Committee shall post a re-*

1 *port on the National Oceanographic Partnership Program*  
2 *on a publicly available website and brief—*

3           “(A) *the Committee on Commerce, Science, and*  
4 *Transportation of the Senate;*

5           “(B) *the Committee on Armed Services of the*  
6 *Senate;*

7           “(C) *the Committee on Natural Resources of the*  
8 *House of Representatives;*

9           “(D) *the Committee on Science, Space, and*  
10 *Technology of the House of Representatives; and*

11           “(E) *the Committee on Armed Services of the*  
12 *House of Representatives.*

13           “(2) *The report and all briefing materials shall be*  
14 *posted to a publicly available website not later than 30 days*  
15 *after the briefing.*

16           “(3) *The report and briefing shall include the fol-*  
17 *lowing:*

18           “(A) *A description of activities of the program*  
19 *carried out during the prior fiscal year.*

20           “(B) *A general outline of the activities planned*  
21 *for the program during the current fiscal year.*

22           “(C) *A summary of projects, partnerships, and*  
23 *collaborations, including the Federal and non-Federal*  
24 *sources of funding, continued from the prior fiscal*  
25 *year and projects expected to begin during the current*



1       *and subsequent fiscal years, as required in the pro-*  
2       *gram office report outlined in section 8932(f)(2)(C) of*  
3       *this title.*

4               “(D) *The amounts requested in the budget sub-*  
5       *mitted to Congress pursuant to section 1105(a) of title*  
6       *31 for the subsequent fiscal year, for the programs,*  
7       *projects, activities and the estimated expenditures*  
8       *under such programs, projects, and activities, to exe-*  
9       *cute the National Oceanographic Partnership Pro-*  
10       *gram.*

11               “(E) *A summary of national ocean research pri-*  
12       *orities informed by the Ocean Research Advisory*  
13       *Panel required in section 8933(b)(4) of this title.*

14               “(F) *A list of the members of the Ocean Research*  
15       *Advisory Panel described in section 8933(a) of this*  
16       *title and any working groups described in section*  
17       *8932(f)(2)(A) of this title in existence during the fis-*  
18       *cal years covered.*

19               “(d)    *NATIONAL OCEANOGRAPHIC PARTNERSHIP*  
20       *FUND.—(1) There is established in the Treasury a separate*  
21       *account to be known as the National Oceanographic Part-*  
22       *nership Program Fund to be jointly managed by the Sec-*  
23       *retary of the Navy, the Administrator of the National Oce-*  
24       *anic and Atmospheric Administration, and any other Fed-*  
25       *eral agency that contributes amounts to the Fund.*

1       “(2) *Amounts in the Fund shall be available to the*  
2 *National Oceanic Partnership Program without further ap-*  
3 *propriation to remain available for up to 5 years from the*  
4 *date contributed or until expended for the purpose of car-*  
5 *rying out this section.*

6       “(3) *There is authorized to be credited to the Fund the*  
7 *following:*

8               “(A) *Such amounts as determined appropriate to*  
9 *be transferred to the Fund by the head of a Federal*  
10 *agency or entity participating in the National Ocean-*  
11 *ographic Partnership Program.*

12              “(B) *Funds provided by a State, local govern-*  
13 *ment, tribal government, territory, or possession, or*  
14 *any subdivisions thereof.*

15              “(C) *Funds contributed by—*

16                      “(i) *a non-profit organization, individual,*  
17 *or Congressionally-established foundation; and*

18                      “(ii) *by private grants, contracts, and do-*  
19 *nations.*

20       “(4) *For the purpose of carrying out this section, as*  
21 *directed by the Committee, departments or agencies rep-*  
22 *resented on the Committee may enter into contracts, make*  
23 *grants, including transactions authorized by paragraph (5),*  
24 *and may transfer funds available to the National Oceano-*

1 *graphic Partnership Program under paragraph (3) to par-*  
2 *ticipating departments and agencies for such purposes.*

3       “(5) *The Committee or any participating Federal*  
4 *agency or entity may enter into an agreement to use, with*  
5 *or without reimbursement, the land, services, equipment,*  
6 *personnel, and facilities of any department, agency, or in-*  
7 *strumentality of the United States, or of any State, local*  
8 *government, Indian tribal government, Territory, District*  
9 *of Columbia, or possession, or of any political subdivision*  
10 *thereof, or of any foreign government or international orga-*  
11 *nization or individual, for the purpose of carrying out this*  
12 *section.*

13       “(e) *ESTABLISHMENT AND FORMS OF PARTNERSHIP*  
14 *PROJECTS.—A partnership project under the National*  
15 *Oceanographic Partnership Program—*

16               “(1) *may be established by any instrument that*  
17 *the Committee considers appropriate; and*

18               “(2) *may include demonstration projects.*

19       “(f) *PARTNERSHIP PROGRAM OFFICE.—(1) The Sec-*  
20 *retary of the Navy and Administrator of the National Oce-*  
21 *anic and Atmospheric Administration shall jointly estab-*  
22 *lish a partnership program office for the National Oceano-*  
23 *graphic Partnership Program. Competitive procedures will*  
24 *be used to select an external operator for the partnership*  
25 *program office.*

1       “(2) *The Committee will monitor the performance of*  
2 *the duties of the partnership program office, which shall*  
3 *consist of the following:*

4               “(A) *To support working groups established by*  
5 *the Committee or subcommittee and report working*  
6 *group activities to the Committee, including working*  
7 *group proposals for partnership projects.*

8               “(B) *To support the process for proposing part-*  
9 *nership projects to the Committee, including, where*  
10 *appropriate, managing review of such projects.*

11              “(C) *To submit to the Committee and make pub-*  
12 *licly available an annual report on the status of all*  
13 *partnership projects, including the Federal and non-*  
14 *Federal sources of funding for each project, and ac-*  
15 *tivities of the office.*

16              “(D) *To perform any additional duties for the*  
17 *administration of the National Oceanographic Part-*  
18 *nership Program that the Committee considers appro-*  
19 *priate.”.*

20              (2) *CLERICAL AMENDMENT.—The table of sec-*  
21 *tions at the beginning of chapter 893 of title 10,*  
22 *United States Code, is amended by striking the item*  
23 *relating to section 8932 and inserting the following*  
24 *new item:*

“8932. *Ocean Policy Committee.*”.

1       (c) *OCEAN RESEARCH ADVISORY PANEL.*—Section  
2 8933 of such title is amended to read as follows:

3 **“§ 8933. Ocean Research Advisory Panel**

4       “(a) *ESTABLISHMENT.*—(1) *The Committee shall es-*  
5 *tablish an Ocean Research Advisory Panel consisting of not*  
6 *less than 10 and not more than 18 members appointed by*  
7 *the Co-chairs, including the following:*

8               “(A) *Three members who will represent the Na-*  
9 *tional Academies of Sciences, Engineering, and Medi-*  
10 *cine.*

11              “(B) *Members selected from among individuals*  
12 *who will represent the views of ocean industries,*  
13 *State, tribal, territorial or local governments, aca-*  
14 *demia, and such other views as the Co-chairs consider*  
15 *appropriate.*

16              “(C) *Members selected from among individuals*  
17 *eminent in the fields of marine science, marine tech-*  
18 *nology, and marine policy, or related fields.*

19       “(2) *The Committee shall ensure that an appropriate*  
20 *balance of academic, scientific, industry, and geographical*  
21 *interests and gender and racial diversity are represented*  
22 *by the members of the Advisory Panel.*

23       “(b) *RESPONSIBILITIES.*—*The Committee shall assign*  
24 *the following responsibilities to the Advisory Panel:*

1           “(1) *To advise the Committee on policies and*  
2           *procedures to implement the National Oceanographic*  
3           *Partnership Program.*

4           “(2) *To advise the Committee on matters relat-*  
5           *ing to national oceanographic science, engineering,*  
6           *facilities, or resource requirements.*

7           “(3) *To advise the Committee on improving di-*  
8           *versity, equity, and inclusion in the ocean sciences*  
9           *and related fields.*

10          “(4) *To advise the Committee on national ocean*  
11          *research priorities.*

12          “(5) *Any additional responsibilities that the*  
13          *Committee considers appropriate.*

14          “(6) *To meet no fewer than two times a year.*

15          “(c) *ADMINISTRATIVE AND TECHNICAL SUPPORT.—*  
16          *The Administrator of the National Oceanic and Atmos-*  
17          *pheric Administration shall provide such administrative*  
18          *and technical support as the Ocean Research Advisory*  
19          *Panel may require.*

20          “(d) *FEDERAL ADVISORY COMMITTEE ACT.—Section*  
21          *14 of the Federal Advisory Committee Act (5 U.S.C. App.)*  
22          *shall not apply to the Ocean Research Advisory Panel ap-*  
23          *pointed under section 8933.”.*

1 **SEC. 1745. REQUIREMENTS RELATING TO PROGRAM AND**  
2 **PROJECT MANAGEMENT.**

3 (a) *STANDARDS FOR PROGRAM AND PROJECT MAN-*  
4 *AGEMENT.*—Section 503(c)(1)(D) of title 31, United States  
5 Code, is amended by striking “consistent with widely ac-  
6 cepted standards” and inserting “in accordance with stand-  
7 ards accredited by the American National Standards Insti-  
8 tute”.

9 (b) *PROGRAM MANAGEMENT IMPROVEMENT OFFICERS*  
10 *AND PROGRAM MANAGEMENT POLICY COUNCIL.*—Section  
11 1126 of title 31, United States Code, is amended—

12 (1) in subsection (a)(1), by inserting after “sen-  
13 ior executive of the agency” the following: “, who has  
14 significant program and project management over-  
15 sight responsibilities,”; and

16 (2) in subsection (b)(4) by striking “twice” and  
17 inserting “four times”.

18 **SEC. 1746. QUARTERLY BRIEFINGS ON JOINT ALL DOMAIN**  
19 **COMMAND AND CONTROL CONCEPT.**

20 (a) *IN GENERAL.*—During the period beginning on  
21 October 1, 2020, and ending on October 1, 2022, the Direc-  
22 tor of the Joint All Domain Command and Control (in this  
23 section referred to as “JADC2”) Cross Functional Team (in  
24 this section referred to as “CFT”), in consultation with the  
25 Vice Chairman of the Joint Chiefs of Staff and Chief Infor-  
26 mation Officer of the Department of Defense, shall provide

1 *to the Committee on Armed Services of the House of Rep-*  
2 *resentatives quarterly briefings on the progress of the De-*  
3 *partment's Joint All Domain Command and Control con-*  
4 *cept.*

5 (b) *ELEMENTS.*—*Each briefing under subsection (a)*  
6 *shall include, with respect to the JADC2 concept, the fol-*  
7 *lowing elements:*

8 (1) *The status of the joint concept of command*  
9 *and control.*

10 (2) *How the JADC2 CFT is identifying gaps*  
11 *and addressing validated requirements based on the*  
12 *joint concept of command and control.*

13 (3) *Progress in developing specific plans to*  
14 *evaluate and implement materiel and non-materiel*  
15 *improvements to command and control capabilities.*

16 (4) *Clarification on distribution of responsibil-*  
17 *ities and authorities within the CFT and the Office*  
18 *of the Secretary of Defense with respect to JADC2,*  
19 *and how the CFT and the Office of the Secretary of*  
20 *Defense are synchronizing and aligning with joint*  
21 *and military concepts, solutions, experimentation,*  
22 *and exercises.*

23 (5) *The status of and review of any recommenda-*  
24 *tions for resource allocation necessary to achieve oper-*  
25 *ational JADC2.*



1           (6) *A sufficiency assessment of planned funding*  
2           *across the future years defense program for the devel-*  
3           *opment of JADC2 capabilities.*

4 **SEC. 1747. RESOURCES TO IMPLEMENT A DEPARTMENT OF**  
5           **DEFENSE POLICY ON CIVILIAN CASUALTIES**  
6           **IN CONNECTION WITH UNITED STATES MILI-**  
7           **TARY OPERATIONS.**

8           (a) *RESOURCES TO IMPLEMENT DEPARTMENT OF DE-*  
9           *FENSE POLICY ON CIVILIAN CASUALTIES IN CONNECTION*  
10          *WITH UNITED STATES MILITARY OPERATIONS.—*

11           (1) *PURPOSE.—The purpose of this section is to*  
12          *facilitate fulfillment of the requirements in section*  
13          *936 of the John S. McCain National Defense Author-*  
14          *ization Act for Fiscal Year 2019 (10 U.S.C. 134*  
15          *note).*

16           (2) *PERSONNEL.—Not later than 180 days after*  
17          *the date of the enactment of this Act, the Secretary of*  
18          *Defense shall do the following:*

19           (A) *Add to, and assign within, each of the*  
20          *United States Central Command, the United*  
21          *States Africa Command, the United States Spe-*  
22          *cial Operations Command, the United States*  
23          *European Command, the United States Southern*  
24          *Command, the United States Indo-Pacific Com-*  
25          *mand, and the United States Northern Com-*

1           *mand not fewer than two personnel who shall*  
2           *have primary responsibility for the following in*  
3           *connection with military operations undertaken*  
4           *by such command:*

5                     *(i) Providing guidance and oversight*  
6                     *relating to prevention of and response to ci-*  
7                     *vilian casualties, promotion of observance of*  
8                     *human rights, and the protection of civil-*  
9                     *ians and civilian infrastructure.*

10                    *(ii) Overseeing civilian casualty re-*  
11                    *sponse functions on behalf of the commander*  
12                    *of such command.*

13                    *(iii) Receiving reports of civilian cas-*  
14                    *ualties and conduct of civilian casualty as-*  
15                    *sessments.*

16                    *(iv) Analyzing civilian casualty inci-*  
17                    *dents and trends.*

18                    *(v) Offering condolences for casualties,*  
19                    *including ex gratia payments.*

20                    *(vi) Ensuring the integration of activi-*  
21                    *ties relating to civilian casualty mitigation,*  
22                    *protection of civilians, and promotion of ob-*  
23                    *servance of human rights in security co-*  
24                    *operation activities.*

1                   (vii) *Consulting with non-govern-*  
2                   *mental organizations on civilian casualty*  
3                   *and human rights matters.*

4                   (B) *Add to, and assign within, the Office of*  
5                   *the Under Secretary for Policy not fewer than*  
6                   *two personnel who shall have primary responsi-*  
7                   *bility for implementing and overseeing imple-*  
8                   *mentation by the components of the Department*  
9                   *of Defense of Department policy on civilian cas-*  
10                   *ualties resulting from United States military op-*  
11                   *erations.*

12                   (C) *Add to, and assign within, the Joint*  
13                   *Staff not fewer than two personnel who shall*  
14                   *have primary responsibility for the following:*

15                   (i) *Overseeing implementation by the*  
16                   *components of the Department of Defense of*  
17                   *Department policy on civilian casualties re-*  
18                   *sulting from United States military oper-*  
19                   *ations.*

20                   (ii) *Developing and sharing in the im-*  
21                   *plementation of such policy.*

22                   (iii) *Communicating operational guid-*  
23                   *ance on such policy.*

24                   (3) *TRAINING, SOFTWARE, AND OTHER REQUIRE-*  
25                   *MENTS.—*

1           (A) *IN GENERAL.*—*In each of fiscal years*  
2 *2021 through 2023, the Secretary of Defense and*  
3 *each Secretary of a military department may ob-*  
4 *ligate and expend, from amounts specified in*  
5 *subparagraph (B), not more than \$5,000,000 for*  
6 *the following:*

7           (i) *Training related to civilian cas-*  
8 *ualty mitigation and response.*

9           (ii) *Information technology equipment,*  
10 *support and maintenance, and data storage,*  
11 *in order to implement the policy of the De-*  
12 *partment related relating to civilian casual-*  
13 *ties resulting from United States military*  
14 *operations as required by section 936 of the*  
15 *John S. McCain National Defense Author-*  
16 *ization Act for Fiscal Year 2019.*

17           (B) *FUNDS.*—*The funds for a fiscal year*  
18 *specified in this subparagraph are funds as fol-*  
19 *lows:*

20           (i) *In the case of the Secretary of De-*  
21 *fense, amounts authorized to be appro-*  
22 *priated for such fiscal year for operation*  
23 *and maintenance, Defense-wide.*

24           (ii) *In the case of a Secretary of a*  
25 *military department, amounts authorized to*

1            *be appropriated for such fiscal year for op-*  
2            *eration and maintenance for the compo-*  
3            *nents of the Armed Forces under the juris-*  
4            *isdiction of such Secretary.*

5            *(b) UNITED STATES MILITARY OPERATIONS DE-*  
6            *FINED.—In this section, the term “United States military*  
7            *operations” includes any mission, strike, engagement, raid,*  
8            *or incident involving United States Armed Forces.*

9            **SEC. 1748. SENSE OF CONGRESS REGARDING REPORTING**  
10            **OF CIVILIAN CASUALTIES RESULTING FROM**  
11            **UNITED STATES MILITARY OPERATIONS.**

12            *It is the sense of Congress—*

13            *(1) to commend the Department of Defense for*  
14            *the measures it has implemented and is currently im-*  
15            *plementing to prevent, mitigate, track, investigate,*  
16            *learn from, respond to, and report civilian casualties*  
17            *resulting from United States military operations; and*

18            *(2) to agree with the Department that civilian*  
19            *casualties are a tragic and unavoidable part of war,*  
20            *and to recognize that the Department endeavors to*  
21            *conduct all military operations in compliance with*  
22            *the international law of armed conflict and the laws*  
23            *of the United States, including distinction, propor-*  
24            *tionality, and the requirement to take feasible pre-*  
25            *cautions in planning and conducting operations to*

1        *reduce the risk of harm to civilians and other pro-*  
2        *ected persons and objects; and the protection of civil-*  
3        *ians and other protected persons and objects, in addi-*  
4        *tion to a legal obligation and a strategic interest, is*  
5        *a moral and ethical imperative; that the Department*  
6        *has submitted to Congress three successive annual re-*  
7        *ports on civilian casualties resulting from United*  
8        *States military operations for calendar years 2017,*  
9        *2018, and 2019, and has updated reports as appro-*  
10       *priate; and to recognize the efforts of the Department,*  
11       *both in policy and in practice, to reduce the harm to*  
12       *civilians and other protected persons and objects re-*  
13       *sulting from United States military operations, and*  
14       *to encourage the Department to make additional*  
15       *progress in—*

16                *(A) developing at all combatant commands*  
17                *personnel and offices responsible for advising the*  
18                *commanders of such commands, and integrating*  
19                *into command strategy, the promotion of observ-*  
20                *ance of human rights and the protection of civil-*  
21                *ians and other protected persons and objects;*

22                *(B) finalizing and implementing the policy*  
23                *of the Department relating to civilian casualties*  
24                *resulting from United States military oper-*  
25                *ations, as required by section 936 of the John S.*

1           *McCain National Defense Authorization Act for*  
2           *Fiscal Year 2019 (10 U.S.C. 134 note);*

3                     *(C) finalizing Department-wide regulations*  
4           *to implement section 1213 of the National De-*  
5           *fense Authorization for Fiscal Year 2020 (Public*  
6           *Law 116–92) for ex gratia payments for damage,*  
7           *personal injury, or death that is incident to the*  
8           *use of force by the United States Armed Forces,*  
9           *a coalition that includes the United States, a*  
10          *military organization supporting the United*  
11          *States, or a military organization supporting the*  
12          *United States or such coalition; and*

13                     *(D) professionalizing foreign partner forces*  
14          *to reduce civilian casualties, including in con-*  
15          *nection with train and equip programs, advise,*  
16          *assist, accompany, and enable missions, and*  
17          *fully combined and coalition operations.*

18   **SEC. 1749. PROHIBITION OF PUBLIC DISPLAY OF CONFED-**  
19                     **ERATE BATTLE FLAG ON DEPARTMENT OF**  
20                     **DEFENSE PROPERTY.**

21           *(a) PROHIBITION.—Except as provided in subsection*  
22    *(b) the Secretary of Defense shall prohibit the public display*  
23    *of the Confederate battle flag at all Department of Defense*  
24    *property.*

1       (b) *EXCEPTIONS.*—*The prohibition under subsection*

2       (a) *shall not apply to—*

3               (1) *a museum located on a Department of De-*  
4       *fense installation that addresses the Civil War from*  
5       *a historical or educational perspective;*

6               (2) *an educational or historical display depict-*  
7       *ing a Civil War battle in which the Confederate battle*  
8       *flag is present, but not the main focus of the display;*

9               (3) *a State flag that incorporates the Confederate*  
10       *battle flag;*

11              (4) *a State-issued license plate with a depiction*  
12       *of the Confederate battle flag; or*

13              (5) *a grave site of a Confederate soldier.*

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

15              (1) *The term “Confederate battle flag” means the*  
16       *battle flag carried by Confederate armies during the*  
17       *Civil War.*

18              (2) *The term “Department of Defense property”*  
19       *means all installations, workplaces, common-access*  
20       *areas, and public areas of the Department of Defense,*  
21       *including—*

22                      (A) *office buildings, facilities, naval vessels,*  
23                      *aircraft, Government vehicles, hangars, ready*  
24                      *rooms, conference rooms, individual offices, cubi-*  
25                      *cles, storage rooms, tool and equipment rooms,*



1           *workshops, break rooms, galleys, recreational*  
2           *areas, commissaries, Navy and Marine Corps ex-*  
3           *changes, and heads;*

4           *(B) sensitive compartmented information*  
5           *facilities and other secure facilities;*

6           *(C) open-bay barracks and common areas of*  
7           *barracks and living quarters;*

8           *(D) all Department of Defense school houses*  
9           *and training facilities including, officer can-*  
10          *didate school, the basic school, recruit training*  
11          *command, and recruiting offices;*

12          *(E) all areas of the Department of Defense*  
13          *in public or plain view, including outside areas,*  
14          *work office buildings, stores, or barracks, includ-*  
15          *ing parking lots;*

16          *(F) the front yard or external porch of Gov-*  
17          *ernment-owned and Government-operated hous-*  
18          *ing and public-private venture housing; and*

19          *(G) automobile bumper stickers, clothing,*  
20          *and other apparel that is located on or in any*  
21          *installation, workplace, common-access area, or*  
22          *public area of the Department of Defense.*

1 **SEC. 1750. DEPLOYMENT OF REAL-TIME STATUS OF SPE-**  
2 **CIAL USE AIRSPACE.**

3 (a) *IN GENERAL.*—*The Administrator of the Federal*  
4 *Aviation Administration, in consultation, as appropriate,*  
5 *with the Secretary of Defense and the heads of the military*  
6 *services, including the National Guard and Air National*  
7 *Guard, and other appropriate Federal agencies, shall ini-*  
8 *tiate, not later than 180 days after the date of enactment*  
9 *of this Act, a program to enable public dissemination of*  
10 *information on—*

11 (1) *the real-time status of the activation or deac-*  
12 *tivation of military operations areas and restricted*  
13 *areas; and*

14 (2) *the reports submitted to the Administrator*  
15 *pursuant to section 73.19 of title 14, Code of Federal*  
16 *Regulations.*

17 (b) *STATUS REPORT.*—

18 (1) *IN GENERAL.*—*Not later than one year after*  
19 *the Administrator initiates the program required*  
20 *under subsection (a), and every year thereafter until*  
21 *such program is complete, the Administrator shall*  
22 *submit a status report to the appropriate committees*  
23 *of Congress on the implementation of such program.*

24 (2) *CONTENTS.*—*The report required under*  
25 *paragraph (1) shall contain, at a minimum—*

1           (A) an update on the progress of the Ad-  
2           ministrators in modifying policies, systems, or  
3           equipment that may be necessary to enable the  
4           public dissemination of information on the real-  
5           time status of the activation or deactivation of  
6           military operations areas and restricted areas;

7           (B) a description of any challenges to com-  
8           pleting the program initiated pursuant to sub-  
9           section (a), including challenges in—

10                   (i) receiving the timely and complete  
11                   submissions of data concerning airspace  
12                   usage;

13                   (ii) modifying policies; and

14                   (iii) acquiring necessary systems or  
15                   equipment; and

16           (C) a timeline of the anticipated completion  
17           of the program and the modifications described  
18           in subparagraph (A).

19           (c) *UTILIZATION REPORTS.*—Not later than 180 days  
20           after the date of enactment of this Act, the Secretary of De-  
21           fense shall submit a report to the appropriate committees  
22           of Congress—

23                   (1) describing whether the Department of Defense  
24                   has submitted the utilization reports required under  
25                   section 73.19 of title 14, Code of Federal Regulations

1       *for the prior fiscal year, and, if so, to what extent*  
2       *such reports have been submitted; and*

3               *(2) providing, if the Secretary discovers that all*  
4       *such reports have not been submitted in a timely and*  
5       *complete manner—*

6                       *(A) an explanation for the failure to submit*  
7       *any such reports in the manner prescribed by*  
8       *regulation; and*

9                       *(B) a plan to ensure the timely and com-*  
10       *plete submission of all such reports.*

11       *(d) POLICIES.—Not later than 18 months after the*  
12       *date of enactment of this Act, the Administrator shall sub-*  
13       *mit a report to the appropriate committees of Congress on*  
14       *special use airspace, including a review of the Federal Avia-*  
15       *tion Administration's—*

16                       *(1) policies and processes for establishing, re-*  
17       *viewing, and revoking military operations areas and*  
18       *restricted areas; and*

19                       *(2) administration, including release of, under-*  
20       *utilized special use airspace.*

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

22                       *(1) The term “appropriate committees of Con-*  
23       *gress” means—*

1           (A) *the Committee on Commerce, Science,*  
2           *and Transportation and the Committee on*  
3           *Armed Services of the Senate; and*

4           (B) *the Committee on Transportation and*  
5           *Infrastructure and the Committee on Armed*  
6           *Services of the House of Representatives.*

7           (2) *The term “underutilized”, with respect to a*  
8           *military operations area or restricted area, means*  
9           *such an area determined by the Administrator of the*  
10           *Federal Aviation Administrator to have had, during*  
11           *the two most recent consecutive fiscal years prior to*  
12           *the date of enactment of this Act, the number of hours*  
13           *actually utilized be less than 75 percent of the number*  
14           *of hours the area was activated, discounted for weath-*  
15           *er cancellations and delays, loss of use for reasons be-*  
16           *yond the control of the Federal agency using the area,*  
17           *and other factors determined appropriate by the Ad-*  
18           *ministrator.*

19 **SEC. 1751. DUTIES OF SECRETARY UNDER UNIFORMED AND**  
20           **OVERSEAS CITIZENS ABSENTEE VOTING ACT.**

21           (a) *ENSURING ABILITY OF ABSENT UNIFORMED SERV-*  
22           *ICES VOTERS SERVING AT DIPLOMATIC AND CONSULAR*  
23           *POSTS TO RECEIVE AND TRANSMIT BALLOTING MATE-*  
24           *RIALS.—In carrying out the Secretary’s duties as the Presi-*  
25           *dential designee under the Uniformed and Overseas Citizens*

1 *Absentee Voting Act (52 U.S.C. 20301 et seq.), the Secretary*  
2 *shall take such actions as may be necessary to ensure that*  
3 *an absent uniformed services voter under such Act who is*  
4 *absent from the United States by reason of active duty or*  
5 *service at a diplomatic and consular post of the United*  
6 *States is able to receive and transmit balloting materials*  
7 *in the same manner and with the same rights and protec-*  
8 *tions as an absent uniformed services voter under such Act*  
9 *who is absent from the United States by reason of active*  
10 *duty or service at a military installation.*

11 (b) *EFFECTIVE DATE.*—*This section shall apply with*  
12 *respect to elections held on or after the date of the enactment*  
13 *of this Act.*

14 **SEC. 1752. PUBLICLY AVAILABLE DATABASE OF CASUALTIES**  
15 **OF MEMBERS OF THE ARMED FORCES.**

16 (a) *IN GENERAL.*—*The Secretary of Defense shall pub-*  
17 *lish on an appropriate publicly available website of the De-*  
18 *partment of Defense a database of all casualties of members*  
19 *of the Armed Forces of the United States that occur during*  
20 *military operations that take place during 1990 or any sub-*  
21 *sequent year.*

22 (b) *REQUIREMENTS.*—*The Secretary shall ensure that*  
23 *the database published under subsection (a) has the fol-*  
24 *lowing capabilities:*

1           (1) *The capability of generating a machine read-*  
2           *able report, to the extent practicable, through searches*  
3           *based on each, and any combination, of the casualty*  
4           *attributes.*

5           (2) *The capability of downloading individual*  
6           *records as the result of a search based on each, and*  
7           *any combination, of the casualty attributes.*

8           (c) *NEXT-OF-KIN OPT OUT.*—*The Secretary shall de-*  
9           *velop a mechanism under which the next-of-kin (as deter-*  
10          *mined by the Secretary) of any individual whose informa-*  
11          *tion would be included in the database required under sub-*  
12          *section (a) may elect to have such information excluded*  
13          *from the database.*

14          (d) *CASUALTY ATTRIBUTES.*—*In this section, the term*  
15          *“casualty attributes” means each of the following with re-*  
16          *spect to the casualty of a member of the Armed Forces:*

17                 (1) *The conflict in which the casualty occurred.*

18                 (2) *The country where the casualty occurred.*

19                 (3) *The attributes of the member of the Armed*  
20          *Forces, including—*

21                         (A) *service;*

22                         (B) *component;*

23                         (C) *name;*

24                         (D) *rank;*

25                         (E) *date of death; and*

1                   (F) any other information as determined by  
2                   the Secretary.

3 **SEC. 1753. NOTICE AND COMMENT FOR PROPOSED ACTIONS**  
4                   **OF THE SECRETARY OF DEFENSE RELATING**  
5                   **TO FOOD AND BEVERAGE INGREDIENTS.**

6           (a) *NOTICE AND COMMENT.*—Before promulgating any  
7 service-wide or Department-wide final rule, statement, or  
8 determination relating to the limitation or prohibition of  
9 an ingredient in a food or beverage item provided to mem-  
10 bers of the Armed Forces by the Department of Defense (in-  
11 cluding an item provided through a commissary store, a  
12 dining facility on a military installation, or a military  
13 medical treatment facility), the Secretary of Defense shall—

14                   (1) publish in the Federal Register a notice of  
15 the proposed rule, statement, or determination (in  
16 this section referred to as a “proposed action”); and

17                   (2) provide interested persons an opportunity to  
18 submit public comments with respect to the proposed  
19 action.

20           (b) *MATTERS TO BE INCLUDED IN NOTICE.*—The Sec-  
21 retary shall include in any notice published under sub-  
22 section (a)(2) the following:

23                   (1) A summary of the notice.

24                   (2) The date of publication of the notice.



1           (3) *The contact information for the office of the*  
2           *Department of Defense responsible for the proposed*  
3           *action.*

4           (4) *The deadline for comments to be submitted*  
5           *with respect to the proposed action and a description*  
6           *of the method to submit such comments.*

7           (5) *A description of the proposed action.*

8           (6) *Findings and a statement of reason sup-*  
9           *porting the proposed action.*

10          (c) *WAIVER AUTHORITY.—The Director of the Defense*  
11          *Logistics Agency may waive subsections (a) and (b) if the*  
12          *Director determines such waiver is necessary for military*  
13          *operations or for the response to a national emergency de-*  
14          *clared by the President under the National Emergencies Act*  
15          *(50 U.S.C. 1601 et seq.), a medical emergency, or a pan-*  
16          *demic.*

17          (d) *REPORTS.—*

18                 (1) *REPORTS.—On a quarterly basis, the Direc-*  
19                 *tor of the Defense Logistics Agency shall submit to the*  
20                 *congressional defense committees a report containing*  
21                 *an identification of any waiver under subsection (c)*  
22                 *issued or in effect during the quarter preceding sub-*  
23                 *mission of the report.*

1           (2) *MATTERS.*—A report under paragraph (1)  
2 shall include, with respect to each waiver identified,  
3 the following:

4           (A) *The date, time, and location of the*  
5 *issuance of such waiver.*

6           (B) *A detailed justification for the issuance*  
7 *of such waiver.*

8           (C) *An identification of the rule, statement,*  
9 *or determination for which the Director issued*  
10 *such waiver, including the proposed duration of*  
11 *such rule, statement, or determination.*

12 **SEC. 1754. SPACE STRATEGIES AND ASSESSMENT.**

13       (a) *SENSE OF CONGRESS.*—It is the sense of Congress  
14 that the United States Government should support activities  
15 in space by—

16           (1) *ensuring robust, innovative, and increasingly*  
17 *capable civil and national security space programs;*

18           (2) *supporting effective and stable space partner-*  
19 *ships with allies of the United States;*

20           (3) *leveraging, to the greatest extent practicable*  
21 *and appropriate, commercial space capabilities; and*

22           (4) *ensuring freedom of navigation and pro-*  
23 *viding measures to assure the supply chain related to*  
24 *such space assets and manufacturing processes of such*  
25 *assets.*

1           **(b) STRATEGY REQUIRED.**—Not later than 270 days  
2 after the date of the enactment of this Act, the President,  
3 in consultation with the National Space Council, shall de-  
4 velop and maintain a strategy to ensure that the United  
5 States, as appropriate, strengthens civil and national secu-  
6 rity capabilities and operations in space through—

7           (1) challenging and inspiring civil space goals  
8 and programs;

9           (2) partnerships with allies of the United States;

10           (3) leveraging of commercial space capabilities;

11           (4) ensuring supply chain and manufacturing  
12 processes for space assets;

13           (5) sustaining a highly skilled, world-class work-  
14 force; and

15           (6) considering the financial security and cyber-  
16 security concerns threatening commercial and Federal  
17 Government launch sites of the United States.

18           **(c) SUBMISSION OF STRATEGY AND PLAN.**—Not later  
19 than one year after the date of the enactment of this Act,  
20 the Chair of the National Space Council, in consultation  
21 with relevant departments and agencies of the Federal Gov-  
22 ernment, shall submit to the appropriate congressional com-  
23 mittees a report setting forth—

24           (1) the strategy under subsection (b); and

1           (2) a plan to implement the strategy, including  
2 to—

3                   (A) ensure the freedom of navigation of  
4 space assets and protect the supply chain relat-  
5 ing to such assets and manufacturing process of  
6 such assets from threats from the People’s Repub-  
7 lic of China and the Russian Federation, which  
8 may include protection from intellectual prop-  
9 erty theft and threats with respect to electronic  
10 warfare capabilities;

11                   (B) identify capabilities required to ensure  
12 civil and national security space leadership;

13                   (C) provide contingency and resiliency for  
14 civil and national security space operations; and

15                   (D) strengthen relations with the allies of  
16 the United States with respect to space.

17 (d) ASSESSMENT AND REPORT.—

18           (1) ASSESSMENT AND REPORT REQUIREMENT.—  
19 Not later than 180 days after the date of the enact-  
20 ment of this Act, the Secretary of Defense, in con-  
21 sultation with the Administrator of the National Aer-  
22 onautics and Space Administration, shall submit to  
23 the appropriate congressional committees a report  
24 that includes—

1           (A) *an assessment of the capabilities and*  
2 *role of relevant departments and agencies of the*  
3 *Federal Government to—*

4           (i) *ensure access to launch, commu-*  
5 *nications, and freedom of navigation and*  
6 *other relevant infrastructure and services*  
7 *for civil and national security space pro-*  
8 *grams and activities; and*

9           (ii) *identify vulnerabilities that could*  
10 *affect access to space infrastructure; and*

11           (iii) *address financial security and cy-*  
12 *bersecurity concerns threatening commercial*  
13 *and Federal Government launch sites of the*  
14 *United States; and*

15           (B) *recommendations and costs to improve*  
16 *the capabilities assessed pursuant to subpara-*  
17 *graph (A), including recommendations with re-*  
18 *spect to—*

19           (i) *the electronic warfare capabilities*  
20 *of China and Russia; and*

21           (ii) *the use of counterspace weapons*  
22 *and cyber attacks by China and Russia.*

23           (2) *FORM.—The report under paragraph (1)*  
24 *may include a classified annex.*

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

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

3                   (A) *the Committee on Armed Services of the*  
4 *House of Representatives;*

5                   (B) *the Committee on Science, Space, and*  
6 *Technology of the House of Representatives;*

7                   (C) *the Committee on Foreign Affairs of the*  
8 *House of Representatives;*

9                   (D) *the Committee on Energy and Com-*  
10 *merce of the House of Representatives;*

11                   (E) *the Committee on Armed Services of the*  
12 *Senate;*

13                   (F) *the Committee on Foreign Relations of*  
14 *the Senate; and*

15                   (G) *the Committee on Commerce, Science,*  
16 *and Transportation of the Senate.*

17           (2) *The term “launch site” has the meaning*  
18 *given that term under section 50902 of title 51,*  
19 *United States Code.*

20 **SEC. 1755. NONIMMIGRANT STATUS FOR CERTAIN NATION-**  
21 **ALS OF PORTUGAL.**

22           *For purposes of clauses (i) and (ii) of section*  
23 *101(a)(15)(E) of the Immigration and Nationality Act (8*  
24 *U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be*  
25 *a foreign state described in such section if the Government*

1 *of Portugal provides similar nonimmigrant status to na-*  
2 *tionals of the United States.*

3 **SEC. 1756. SENSE OF CONGRESS ON EXTENSION OF LIMITA-**  
4 **TIONS ON IMPORTATION OF URANIUM FROM**  
5 **RUSSIAN FEDERATION.**

6 *It is the sense of Congress that—*

7 *(1) a secure nuclear fuel supply chain is essen-*  
8 *tial to the economic and national security of the*  
9 *United States;*

10 *(2) the Government of the Russian Federation*  
11 *uses its control over energy resources, including in the*  
12 *civil nuclear sector, to exert political influence and*  
13 *create economic dependency in other countries;*

14 *(3) the Agreement Suspending the Antidumping*  
15 *Investigation on Uranium from the Russian Federa-*  
16 *tion (commonly referred to as the “Russian Suspen-*  
17 *sion Agreement”), which limits imports of Russian*  
18 *uranium to 20 percent of the market share, is vital*  
19 *to averting American dependence on Russian energy;*

20 *(4) the United States should—*

21 *(A) expeditiously complete negotiation of an*  
22 *extension of the Russian Suspension Agreement*  
23 *to cap the market share for Russian uranium at*  
24 *20 percent or lower; or*

1           (B) if an agreement to extend the Russian  
2           Suspension Agreement cannot be reached, com-  
3           plete the antidumping investigation under title  
4           VII of the Tariff Act of 1930 (19 U.S.C. 1671 et  
5           seq.) with respect to imports of uranium from  
6           the Russian Federation—

7                   (i) to avoid unfair trade in uranium  
8                   and maintain a nuclear fuel supply chain  
9                   in the United States, consistent with the na-  
10                  tional security and nonproliferation goals of  
11                  the United States; and

12                   (ii) to protect the United States nu-  
13                   clear fuel supply chain from the continued  
14                   manipulation of the global and United  
15                   States uranium markets by the Russian  
16                   Federation and Russian-influenced competi-  
17                   tors;

18           (5) a renegotiated, long-term extension of the  
19           Russian Suspension Agreement can prevent adver-  
20           saries of the United States from monopolizing the nu-  
21           clear fuel supply chain;

22           (6) as was done in 2008, upon completion of a  
23           new negotiated long-term extension of the Russian  
24           Suspension Agreement, Congress should enact legisla-  
25           tion to codify the terms of extension into law to en-



1       *sure long-term stability for the domestic nuclear fuel*  
2       *supply chain; and*

3               *(7) if the negotiations to extend the Russian Sus-*  
4       *pension Agreement prove unsuccessful, Congress*  
5       *should be prepared to enact legislation to prevent the*  
6       *manipulation by the Russian Federation of global*  
7       *uranium markets and potential domination by the*  
8       *Russian Federation of the United States uranium*  
9       *market.*

10 **SEC. 1757. AUTHORITY TO ESTABLISH A MOVEMENT CO-**  
11                   **ORDINATION CENTER PACIFIC IN THE**  
12                   **INDOPACIFIC REGION.**

13       *(a) AUTHORITY TO ESTABLISH.—*

14               *(1) IN GENERAL.—The Secretary of Defense,*  
15       *with the concurrence of the Secretary of State, may*  
16       *authorize—*

17                   *(A) the establishment of a Movement Co-*  
18       *ordination Center Pacific (in this section re-*  
19       *ferred to as the “Center”); and*

20                   *(B) participation of the Department of De-*  
21       *fense in an Air Transport and Air-to-Air refuel-*  
22       *ing and other Exchanges of Services program (in*  
23       *this section referred to as the “ATARES pro-*  
24       *gram”) of the Center.*

1           (2) *SCOPE OF PARTICIPATION.*—Participation in  
2     the ATARES program under paragraph (1)(B) shall  
3     be limited to the reciprocal exchange or transfer of air  
4     transportation and air refueling services on a reim-  
5     bursable basis or by replacement-in-kind or the ex-  
6     change of air transportation or air refueling services  
7     of an equal value with foreign militaries.

8           (3) *LIMITATIONS.*—The Department of Defense’s  
9     balance of executed transportation hours, whether as  
10    credits or debits, in participation in the ATARES  
11    program under paragraph (1)(B) may not exceed 500  
12    hours. The Department of Defense’s balance of exe-  
13    cuted flight hours for air refueling in the ATARES  
14    program under paragraph (1)(B) may not exceed 200  
15    hours.

16    (b) *WRITTEN ARRANGEMENT OR AGREEMENT.*—

17           (1) *ARRANGEMENT OR AGREEMENT REQUIRED.*—  
18    The participation of the Department of Defense in the  
19    ATARES or exchange like program under subsection  
20    (a) shall be in accordance with a written arrange-  
21    ment or agreement entered into by the Secretary of  
22    Defense, with the concurrence of the Secretary of  
23    State.

24           (2) *FUNDING ARRANGEMENTS.*—If Department of  
25    Defense facilities, equipment, or funds are used to

1 support the ATARES program, the written arrange-  
2 ment or agreement under paragraph (1) shall specify  
3 the details of any equitable cost-sharing or other fund-  
4 ing arrangement.

5 (3) OTHER ELEMENTS.—Any written arrange-  
6 ment or agreement entered into under paragraph (1)  
7 shall require that any accrued credits and liabilities  
8 resulting from an unequal exchange or transfer of air  
9 transportation or air refueling services shall be liq-  
10 uidated, not less than once every five years, through  
11 the ATARES program.

12 (c) IMPLEMENTATION.—In carrying out any written  
13 arrangement or agreement entered into under subsection  
14 (b), the Secretary of Defense may—

15 (1) pay the Department of Defense's equitable  
16 share of the operating expenses of the Center and the  
17 ATARES program from funds available to the De-  
18 partment of Defense for operation and maintenance;  
19 and

20 (2) assign members of the Armed Forces or De-  
21 partment of Defense civilian personnel, within billets  
22 authorized for the United States Indo-Pacific Com-  
23 mand, to duty at the Center as necessary to fulfill the  
24 Department of Defense obligations under that ar-  
25 rangement or agreement.

1       (d) *REPORT.*—Not later than March 1, 2021, the Sec-  
2       retary of Defense shall submit to the congressional defense  
3       committees a report that contains—

4               (1) a summary of the coordination structure of  
5       the center and program, and details related to its for-  
6       mation and implementation;

7               (2) list of the military services, by country, par-  
8       ticipating or seeking to participate in the program;

9               (3) for each country on the list under paragraph  
10       (2), a description of completed agreements and those  
11       still to be completed with host nations, as applicable;  
12       and

13              (4) any other relevant matters that the Secretary  
14       determines should be included.

15       **SEC. 1758. ESTABLISHMENT OF VETTING PROCEDURES AND**  
16                               **MONITORING REQUIREMENTS FOR CERTAIN**  
17                               **MILITARY TRAINING.**

18       (a) *ESTABLISHMENT OF VETTING PROCEDURES.*—

19              (1) *IN GENERAL.*—Not later than 90 days after  
20       the date of the enactment of this Act, the Secretary of  
21       Defense shall establish procedures to vet covered indi-  
22       viduals for eligibility for physical access to Depart-  
23       ment of Defense installations and facilities within the  
24       United States.

1           (2) *CRITERIA FOR PROCEDURES.*—*The proce-*  
2 *dures established under paragraph (1) shall include*  
3 *biographic and biometric screening of covered indi-*  
4 *viduals, continuous review of whether covered individ-*  
5 *uals should continue to be authorized for physical ac-*  
6 *cess, biographic checks of the immediate family mem-*  
7 *bers of covered individuals, and any other measures*  
8 *that the Secretary determines appropriate for vetting.*

9           (3) *COLLECTION OF INFORMATION.*—*The Sec-*  
10 *retary shall—*

11                 (A) *collect the information required to vet*  
12 *individuals under the procedures established*  
13 *under this subsection;*

14                 (B) *as required for the effective implementa-*  
15 *tion of this section, seek to enter into agreements*  
16 *with the relevant departments and agencies of*  
17 *the United States to facilitate the sharing of in-*  
18 *formation in the possession of such departments*  
19 *and agencies concerning covered individuals; and*

20                 (C) *ensure that the initial vetting of covered*  
21 *individuals is conducted as early and promptly*  
22 *as practicable, to minimize disruptions to*  
23 *United States programs to train foreign military*  
24 *students.*

25           (b) *DETERMINATION AUTHORITY.*—

1           (1) *REVIEW OF VETTING RESULTS.*—*The Sec-*  
2           *retary shall assign to an organization within the De-*  
3           *partment with responsibility for security and counter-*  
4           *intelligence the responsibility of—*

5                   (A) *reviewing the results of the vetting of a*  
6                   *covered individual conducted under subsection*  
7                   *(a); and*

8                   (B) *making a recommendation regarding*  
9                   *whether such individual should be given physical*  
10                  *access to a Department of Defense installation or*  
11                  *facility.*

12           (2) *NEGATIVE RECOMMENDATION.*—*If the rec-*  
13           *ommendation with respect to a covered individual*  
14           *under paragraph (1)(B) is that the individual should*  
15           *not be given physical access to a Department of De-*  
16           *fense installation or facility—*

17                   (A) *such individual may only be given such*  
18                   *access if such access is authorized by the Sec-*  
19                   *retary of Defense or the Deputy Secretary of De-*  
20                   *fense; and*

21                   (B) *the Secretary of Defense shall ensure*  
22                   *that the Secretary of State is promptly provided*  
23                   *with notification of such recommendation.*

24           (c) *ADDITIONAL SECURITY MEASURES.*—

1           (1) *SECURITY MEASURES REQUIRED.*—*The Sec-*  
2           *retary of Defense shall ensure that—*

3                   (A) *all Department of Defense common ac-*  
4                   *cess cards issued to foreign nationals in the*  
5                   *United States comply with the credentialing*  
6                   *standards issued by the Office of Personnel Man-*  
7                   *agement;*

8                   (B) *all such common access cards issued to*  
9                   *foreign nationals in the United States include a*  
10                  *visual indicator as required by the standard de-*  
11                  *veloped by the Department of Commerce Na-*  
12                  *tional Institute of Standards and Technology;*

13                  (C) *physical access by covered individuals*  
14                  *is limited, as appropriate, to those Department*  
15                  *of Defense installations or facilities within the*  
16                  *United States directly associated with the train-*  
17                  *ing or education or necessary for such individ-*  
18                  *uals to access authorized benefits;*

19                  (D) *a policy is in place covering possession*  
20                  *of firearms on Department of Defense property*  
21                  *by covered individuals;*

22                  (E) *covered individuals who have been*  
23                  *granted physical access to Department of Defense*  
24                  *installations and facilities are incorporated into*

1           *the Insider Threat Program of the Department of*  
2           *Defense; and*

3                   *(F) covered individuals are prohibited from*  
4           *transporting, possessing, storing, or using per-*  
5           *sonally owned firearms on Department of De-*  
6           *fense installations or property consistent with*  
7           *the Secretary of Defense policy memorandum*  
8           *dated January 16, 2020.*

9           (2) *EFFECTIVE DATE.*—*The security measures*  
10          *required under paragraph (1) shall take effect on the*  
11          *date that is 181 days after the date of the enactment*  
12          *of this Act.*

13           (3) *NOTIFICATION REQUIRED.*—*Upon the estab-*  
14          *lishment of the security measures required under*  
15          *paragraph (1), the Secretary of Defense shall submit*  
16          *to the Committees on Armed Services of the Senate*  
17          *and House of Representatives notice of the establish-*  
18          *ment of such security measures.*

19          (d) *REPORTING REQUIREMENTS.*—

20                   (1) *BRIEFING REQUIREMENT.*—*Not later than 90*  
21          *days after the date of the enactment of this Act, the*  
22          *Secretary of Defense shall provide to the Committee*  
23          *on Armed Services of the Senate and the Committees*  
24          *on Armed Services and Foreign Affairs of the House*  
25          *of Representative a briefing on the establishment of*



1     *any policy or guidance related to the implementation*  
2     *of this section.*

3             (2) *REPORT.*—*Not later than two years after the*  
4     *date of the enactment of this Act, the Secretary of De-*  
5     *fense shall submit to such committees a report on the*  
6     *implementation and effects of this section. Such re-*  
7     *port shall include a description of—*

8             (A) *any positive or negative effects on the*  
9     *training of foreign military students as a result*  
10    *of this section;*

11            (B) *the effectiveness of the vetting proce-*  
12    *dures implemented pursuant to this section in*  
13    *preventing harm to members of the Armed Forces*  
14    *and United States persons;*

15            (C) *any mitigation strategies used to ad-*  
16    *dress any negative effects of the implementation*  
17    *of this section; and*

18            (D) *a proposed plan to mitigate any ongo-*  
19    *ing negative effects to the vetting and training of*  
20    *foreign military students by the Department of*  
21    *Defense.*

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

23            (1) *The term “covered individual” means any*  
24    *foreign national (except foreign nationals of Aus-*  
25    *tralia, Canada, New Zealand, and the United King-*

1        *dom who have been granted a security clearance that*  
2        *is reciprocally accepted by the United States for ac-*  
3        *cess to classified information) who—*

4                *(A) is seeking physical access to a Depart-*  
5                *ment of Defense installation or facility within*  
6                *the United States; and*

7                *(B) is—*

8                        *(i) selected, nominated, or accepted for*  
9                        *training or education for a period of more*  
10                       *than 14 days occurring on a Department of*  
11                       *Defense installation or facility within the*  
12                       *United States; or*

13                       *(ii) an immediate family member ac-*  
14                       *companying any foreign national who has*  
15                       *been selected, nominated, or accepted for*  
16                       *such training or education.*

17                *(2) The term “United States” means the several*  
18                *States, the District of Columbia, the Commonwealth*  
19                *of Puerto Rico, and Guam.*

20                *(3) The term “immediate family member” with*  
21                *respect to any individual means the parent, step-par-*  
22                *ent, sibling, step-sibling, half-sibling, child, or step-*  
23                *child of the individual.*

1 **SEC. 1759. WOMEN, PEACE, AND SECURITY ACT IMPLEMEN-**  
2 **TATION.**

3 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
4 *that \$15,000,000 annually is an appropriate allocation of*  
5 *funding to be made available for activities consistent with*  
6 *the Women, Peace, and Security Act of 2017 (Public Law*  
7 *115–68; 131 Stat. 1202) and with any guidance specified*  
8 *in this section, in order to fully implement such Act and*  
9 *in furtherance of the national security priorities of the*  
10 *United States.*

11 (b) *IN GENERAL.*—*During the period beginning on the*  
12 *date of the enactment of this Act and ending on September*  
13 *30, 2025, the Secretary of Defense shall carry out activities*  
14 *consistent with the Women, Peace, and Security Act of 2017*  
15 *and with the guidance specified in this section, including*  
16 *by carrying out—*

17 (1) *any Defense-wide directives and programs*  
18 *that advance the implementation of the Women,*  
19 *Peace, and Security Act of 2017, including directives*  
20 *relating to military doctrine, programs that are ap-*  
21 *plicable across the Department, and programs that*  
22 *are specific to a combatant command;*

23 (2) *the hiring and training of full-time equiva-*  
24 *lent personnel as gender advisors of the Department;*

25 (3) *the integration of gender analysis into train-*  
26 *ing for military personnel across ranks, to include*

1       *special emphasis on senior level training and support*  
2       *for women, peace, and security; and*

3               (4) *security cooperation activities that further*  
4       *implement the Women, Peace, and Security Act of*  
5       *2017.*

6       (c) *SECURITY COOPERATION ACTIVITIES.*—*Consistent*  
7       *with the Women, Peace, and Security Act of 2017, the Sec-*  
8       *retary of Defense, in coordination with the Secretary of*  
9       *State, shall incorporate gender analysis and participation*  
10       *by women into security cooperation activities conducted*  
11       *with the national security forces of foreign countries pursu-*  
12       *ant to subsection (b)(4), including by—*

13               (1) *incorporating gender analysis (including*  
14       *data disaggregated by sex) and priorities for women,*  
15       *peace, and security into educational, training, and*  
16       *capacity-building materials and programs, including*  
17       *as authorized by section 333 of title 10, United States*  
18       *Code;*

19               (2) *advancing and advising on the recruitment,*  
20       *employment, development, retention, and promotion*  
21       *of women in the national security forces of such for-*  
22       *foreign countries, including by—*

23                       (A) *identifying available military career*  
24                       *opportunities for women;*

1           (B) promoting such career opportunities  
2 among women and girls;

3           (C) promoting the skills necessary for such  
4 careers;

5           (D) encouraging the interest of women and  
6 girls in such careers, including by highlighting  
7 as role models women in such careers in the  
8 United States or in applicable foreign countries;  
9 and

10           (E) advising on best practices to prevent the  
11 harassment and abuse of women serving in the  
12 national security forces of such foreign countries;

13           (3) incorporating training and advising to ad-  
14 dress sexual harassment and abuse against women  
15 within such national security forces;

16           (4) integrating gender analysis into policy and  
17 planning; and

18           (5) ensuring any infrastructure constructed pur-  
19 suant to the security cooperation activity addresses  
20 the requirements of women serving in such national  
21 security forces, including by addressing appropriate  
22 equipment.

23           (d) *PARTNER COUNTRY ASSESSMENTS.*—The Sec-  
24 retary of Defense shall include in any partner country as-  
25 sessment conducted in the course of carrying out security

1 *cooperation activities specified in subsection (b)(4) consid-*  
2 *eration of any barriers or opportunities with respect to*  
3 *women in the national security forces of such partner coun-*  
4 *tries, including any barriers or opportunities relating to—*

5           (1) *protections against exploitation, abuse, and*  
6 *harassment; or*

7           (2) *recruitment, employment, development, reten-*  
8 *tion, or promotion of the women.*

9 *(e) STANDARDIZATION OF POLICIES.—*

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 initiate a process to standardize policies*  
13 *relating to women, peace, and security across the De-*  
14 *partment of Defense.*

15           (2) *ROLES, RESPONSIBILITIES, AND REQUIRE-*  
16 *MENTS.—In carrying out the process initiated under*  
17 *paragraph (1), the Secretary shall establish roles, re-*  
18 *sponsibilities, and requirements for gender advisors,*  
19 *gender focal points, and women, peace, and security*  
20 *subject matter experts, including with respect to com-*  
21 *mander and senior official-level engagement and sup-*  
22 *port for women, peace, and security commitments.*

23 *(f) DEPARTMENT EDUCATION, AND TRAINING.—The*  
24 *Secretary of Defense shall—*

1           (1) *integrate gender analysis into relevant train-*  
2           *ing for all members of the Armed Forces and civilian*  
3           *employees of the Department of Defense;*

4           (2) *develop standardized training, across the De-*  
5           *partment, for gender advisors, gender focal points,*  
6           *and women, peace, and security subject matter ex-*  
7           *perts; and*

8           (3) *ensure that gender analysis and the mean-*  
9           *ingful participation of women and their relationship*  
10          *to security outcomes is addressed in professional mili-*  
11          *tary education curriculum.*

12          (g) *BRIEFING.*—*Not later than one year after the date*  
13          *of the enactment of this Act, the Director of the Defense Se-*  
14          *curity Cooperation Agency shall provide a briefing to the*  
15          *appropriate committees of Congress on the efforts to build*  
16          *partner defense institution and security force capacity pur-*  
17          *suant to this section.*

18          (h) *REPORTS.*—*During the period beginning on the*  
19          *date of the enactment and ending on January 1, 2025, on*  
20          *a basis that is not less frequently than annually, the Sec-*  
21          *retary of Defense shall submit to the appropriate commit-*  
22          *tees of Congress reports on the steps the Department has*  
23          *taken to implement the Women, Peace, and Security Act*  
24          *of 2017, including with respect to activities carried out*  
25          *under this section.*

1       (i) *DEFINITIONS.*—*In this section:*

2               (1) *The term “appropriate committees of Con-*  
3 *gress” means—*

4                       (A) *the Committee on Armed Services and*  
5 *the Committee on Foreign Affairs of the House*  
6 *of Representatives; and*

7                       (B) *the Committee on Armed Services and*  
8 *the Committee on Foreign Relations of the Sen-*  
9 *ate.*

10               (2) *The term “gender analysis” has the meaning*  
11 *given that term in the Women’s Entrepreneurship*  
12 *and Economic Empowerment Act of 2018 (Public*  
13 *Law 115–428; 132 Stat. 5509).*

14 **SEC. 1760. DEVELOPING CRISIS CAPABILITIES TO MEET**  
15 **NEEDS FOR HOMELAND SECURITY-CRITICAL**  
16 **SUPPLIES.**

17       (a) *IN GENERAL.*—*The Secretary of Homeland Secu-*  
18 *rity shall coordinate with the Secretary of Health and*  
19 *Human Services, the Administrator of the Environmental*  
20 *Protection Agency, and the heads of other relevant Federal*  
21 *departments and agencies—*

22               (1) *to identify categories of homeland security-*  
23 *critical supplies that would be needed to address po-*  
24 *tential national emergencies or disasters, including*  
25 *any public health emergency, act of terrorism (as de-*



1 *fined in section 3077 of title 18, United States Code),*  
2 *cyber attack, and other attack;*

3 *(2) to develop plans, designs, and guidance relat-*  
4 *ing to the production, in accordance with other appli-*  
5 *cable law, of the categories of homeland security-crit-*  
6 *ical supplies identified pursuant to paragraph (1) to*  
7 *address the respective national emergencies and disas-*  
8 *ters, including such production by nontraditional*  
9 *manufacturers; and*

10 *(3) based on such final plans, designs, and guid-*  
11 *ance, to enter into such contingent arrangements with*  
12 *governmental and private entities, in accordance with*  
13 *other applicable law, as may be necessary to expedite*  
14 *the production of homeland security-critical supplies*  
15 *in the event of a national emergency or disaster.*

16 *(b) PROCESS.—In coordinating the development or re-*  
17 *vision of a plan, design, or guidance with respect to any*  
18 *homeland security-critical supply under this section:*

19 *(1) The Secretary of Homeland Security shall*  
20 *give each Federal department or agency with respon-*  
21 *sibility for regulating the supply an opportunity—*

22 *(A) to contribute to the development or revi-*  
23 *sion of the plan, design, or guidance; and*

24 *(B) to approve or disapprove the plan, de-*  
25 *sign, or guidance under regulations appropriate*

1           to approving the supply for emergency or dis-  
2           aster use.

3           (2) If a Federal department or agency with re-  
4           sponsibility for regulating the homeland security-crit-  
5           ical supply disapproves of the plan, design, or guid-  
6           ance with respect to the supply, the head of the dis-  
7           approving department or agency shall provide to the  
8           Secretary of Homeland Security the rationale for the  
9           disapproval.

10          (3) The Secretary of Homeland Security may—

11                (A) if no Federal department or agency dis-  
12                approves a plan, design, or guidance as de-  
13                scribed in paragraphs (1)(B) and (2), finalize  
14                the plan, design, or guidance for purposes of sub-  
15                sections (a)(3) and (c); and

16                (B) if a Federal department or agency does  
17                disapprove a plan, design, or guidance as de-  
18                scribed in paragraphs (1)(B) and (2), provide  
19                an updated plan, design, or guidance for review  
20                and approval or disapproval in accordance with  
21                paragraphs (1) and (2).

22          (c) PUBLIC POSTING.—The Secretary of Homeland Se-  
23          curity shall publish each final plan, design, or guidance  
24          that is developed under this section on a public Internet  
25          website, except that the Secretary may withhold publication

1 of, or redact information from the publication of, a plan,  
2 design, or guidance if—

3           (1) publicly posting the information would not  
4 be in the interest of homeland security;

5           (2) the information is protected from public dis-  
6 closure by other applicable law; or

7           (3) the information is protected from public dis-  
8 closure by contract.

9           (d) *RELATION TO OTHER LAW.*—Nothing in this sec-  
10 tion shall be construed to expand, repeal, limit, or otherwise  
11 affect the provisions of other applicable law pertaining to  
12 the regulation of a homeland security-critical supply.

13           (e) *BIENNIAL REVIEW.*—Not less than every two years,  
14 in accordance with subsections (a) through (e), the Sec-  
15 retary of Homeland Security shall coordinate the review  
16 and, as needed, revision of each plan, design, and guidance  
17 in effect under this section.

18           (f) *DEFINITION.*—In this section:

19           (1) The term “homeland security-critical sup-  
20 ply”—

21           (A) means any supply needed to ensure  
22 public safety and welfare during—

23           (i) a national emergency or disaster,  
24 including any public health emergency, act  
25 of terrorism (as defined in section 3077 of

1           *title 18, United States Code), cyber attack,*  
2           *and other attack; or*

3                   *(ii) any other reasonably foreseeable*  
4           *contingency of grave consequence to the*  
5           *United States during which shortages are*  
6           *reasonably anticipated; and*

7                   *(B) includes a vaccine, a medication, med-*  
8           *ical equipment, and personal protective equip-*  
9           *ment.*

10           (2) *The term “nontraditional manufacturer”*  
11           *may include (as determined by the Secretary)—*

12                   *(A) a home craftsman;*

13                   *(B) a distiller;*

14                   *(C) a cosmetic manufacturer;*

15                   *(D) a manufacturing facility primarily de-*  
16           *signed for an industry other than manufacturing*  
17           *homeland security-critical supplies;*

18                   *(E) an institution of higher education;*

19                   *(F) an advanced manufacturing facility;*

20                   *(G) a machine shop; and*

21                   *(H) a research laboratory.*

22   **SEC. 1761. ESTABLISHMENT OF WESTERN EMERGENCY RE-**  
23           **FINED PETROLEUM PRODUCTS RESERVE.**

24           (a) *ESTABLISHMENT.*—*The Secretary of Defense, act-*  
25           *ing through the Director of the Defense Logistics Agency,*

1 *shall establish a reserve, to be known as the “Western Emer-*  
2 *gency Refined Petroleum Products Reserve” (in this section*  
3 *referred to as the “Reserve”), to store refined petroleum*  
4 *products that may be made available to military and gov-*  
5 *ernmental entities during an emergency situation, as deter-*  
6 *mined appropriate by the Secretary of Defense.*

7       **(b) USE OF RESERVE.**—*In accordance with subsection*  
8 *(a), the Secretary of Defense may make refined petroleum*  
9 *products stored in the Reserve available to other Federal*  
10 *agencies, State and local governments, and any other public*  
11 *entity determined appropriate by the Secretary of Defense.*

12       **(c) REIMBURSEMENT.**—*The Secretary of Defense shall*  
13 *require reimbursement for associated costs for storage ca-*  
14 *capacity or refined petroleum products made available to*  
15 *other Federal agencies, State or local governments, or any*  
16 *other public entity pursuant to this section.*

17       **(d) LOCATION.**—*The Reserve shall—*

18               **(1)** *be located in the western region of the United*  
19 *States;*

20               **(2)** *utilize salt cavern storage; and*

21               **(3)** *be in immediate proximity to existing pipe-*  
22 *line, rail, and highway infrastructure.*

23       **(e) CONDITION ON COMMENCEMENT.**—*Commencement*  
24 *of the program shall be subject to the availability of appro-*  
25 *priations for the program.*

1 **DIVISION B—MILITARY CON-**  
2 **STRUCTION AUTHORIZA-**  
3 **TIONS**

4 **SEC. 2001. SHORT TITLE.**

5 *This division may be cited as the “Military Construc-*  
6 *tion Authorization Act for Fiscal Year 2021”.*

7 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**  
8 **AMOUNTS REQUIRED TO BE SPECIFIED BY**  
9 **LAW.**

10 *(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE*  
11 *YEARS.—Except as provided in subsection (b), all author-*  
12 *izations contained in titles XXI through XXVII and title*  
13 *XXIX for military construction projects, land acquisition,*  
14 *family housing projects and facilities, and contributions to*  
15 *the North Atlantic Treaty Organization Security Invest-*  
16 *ment Program (and authorizations of appropriations there-*  
17 *for) shall expire on the later of—*

18 *(1) October 1, 2023; or*

19 *(2) the date of the enactment of an Act author-*  
20 *izing funds for military construction for fiscal year*  
21 *2024.*

22 *(b) EXCEPTION.—Subsection (a) shall not apply to au-*  
23 *thorizations for military construction projects, land acqui-*  
24 *sition, family housing projects and facilities, and contribu-*  
25 *tions to the North Atlantic Treaty Organization Security*

1 *Investment Program (and authorizations of appropriations*  
2 *therefor), for which appropriated funds have been obligated*  
3 *before the later of—*

4 (1) *October 1, 2023; or*

5 (2) *the date of the enactment of an Act author-*  
6 *izing funds for fiscal year 2024 for military construc-*  
7 *tion projects, land acquisition, family housing*  
8 *projects and facilities, or contributions to the North*  
9 *Atlantic Treaty Organization Security Investment*  
10 *Program.*

11 **SEC. 2003. EFFECTIVE DATE.**

12 *Titles XXI through XXVII and title XXIX shall take*  
13 *effect on the later of—*

14 (1) *October 1, 2020; or*

15 (2) *the date of the enactment of this Act.*

16 **TITLE XXI—ARMY MILITARY**  
17 **CONSTRUCTION**

18 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
19 **ACQUISITION PROJECTS.**

20 *Using amounts appropriated pursuant to the author-*  
21 *ization of appropriations in section 2103(a) and available*  
22 *for military construction projects inside the United States*  
23 *as specified in the funding table in section 4601, the Sec-*  
24 *retary of the Army may acquire real property and carry*  
25 *out military construction projects for the installations or*

1 *locations inside the United States, and in the amounts, set*  
 2 *forth in the following table:*

**Army: Inside the United States**

<b>State</b>	<b>Installation</b>	<b>Amount</b>
<i>Alaska</i> .....	<i>Fort Wainwright</i> .....	<i>\$91,500,000</i>
<i>Arizona</i> .....	<i>Yuma Proving Ground</i> .....	<i>\$14,000,000</i>
<i>Colorado</i> .....	<i>Fort Carson</i> .....	<i>\$28,000,000</i>
<i>Georgia</i> .....	<i>Fort Gillem</i> .....	<i>\$71,000,000</i>
	<i>Fort Gordon</i> .....	<i>\$80,000,000</i>
<i>Hawaii</i> .....	<i>Fort Shafter</i> .....	<i>\$26,000,000</i>
	<i>Schofield Barracks</i> .....	<i>\$39,000,000</i>
	<i>Wheeler Army Air Field</i> .....	<i>\$89,000,000</i>
<i>Louisiana</i> .....	<i>Fort Polk</i> .....	<i>\$25,000,000</i>
<i>Oklahoma</i> .....	<i>McAlester Army Ammunition Plant</i> .....	<i>\$35,000,000</i>
<i>Virginia</i> .....	<i>Humphreys Engineer Center</i> .....	<i>\$51,000,000</i>

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, and in the*  
 11 *amounts, set forth in the following table:*

**Army: Family Housing**

<b>State/Country</b>	<b>Installation</b>	<b>Units</b>	<b>Amount</b>
<i>Italy</i> .....	<i>Vicenza</i> .....	<i>Family Housing New Construction</i> .....	<i>\$84,100,000</i>
<i>Kwajalein</i> .....	<i>Kwajalein Atoll</i> .....	<i>Family Housing Replacement Construction</i> .....	<i>\$32,000,000</i>

12       (b) **PLANNING AND DESIGN.**—Using amounts appro-  
 13 *priated pursuant to the authorization of appropriations in*  
 14 *section 2103(a) and available for military family housing*  
 15 *functions as specified in the funding table in section 4601,*



1 *the Secretary of the Army may carry out architectural and*  
2 *engineering services and construction design activities with*  
3 *respect to the construction or improvement of family hous-*  
4 *ing units in an amount not to exceed \$3,300,000.*

5 **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

6       *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
7 *hereby authorized to be appropriated for fiscal years begin-*  
8 *ning after September 30, 2020, for military construction,*  
9 *land acquisition, and military family housing functions of*  
10 *the Department of the Army as specified in the funding*  
11 *table in section 4601.*

12       *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*  
13 *PROJECTS.—Notwithstanding the cost variations author-*  
14 *ized by section 2853 of title 10, United States Code, and*  
15 *any other cost variation authorized by law, the total cost*  
16 *of all projects carried out under section 2101 of this Act*  
17 *may not exceed the total amount authorized to be appro-*  
18 *priated under subsection (a), as specified in the funding*  
19 *table in section 4601.*

20 **SEC. 2104. LIMITATION ON MILITARY CONSTRUCTION**  
21 **PROJECT AT KWAJALEIN ATOLL.**

22       *The Secretary of the Army may not commence the*  
23 *military construction project authorized by section 2101(b)*  
24 *at Kwajalein Atoll, as specified in the funding table in sec-*  
25 *tion 4601, and none of the funds authorized to be appro-*

1 *priated by this Act for that military construction project*  
2 *may be obligated or expended, until the Secretary submits*  
3 *to Committees on Armed Services of the House of Represent-*  
4 *atives and the Senate a design plan for the project that*  
5 *ensures that, upon completion of the project, the project will*  
6 *be resilient to 15 inches of sea level rise and periods of com-*  
7 *plete inundation and wave-overwash predicted during the*  
8 *10-year period beginning on the date of the enactment of*  
9 *this Act.*

10 **SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT**  
11 **CERTAIN FISCAL YEAR 2017 PROJECT.**

12 *In the case of the authorization contained in the table*  
13 *in section 2102(a) of the National Defense Authorization*  
14 *Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat.*  
15 *2689) for Camp Walker, Korea, for family housing new con-*  
16 *struction, as specified in the funding table in section 4601*  
17 *of such Act (130 Stat. 2883), the Secretary of the Army*  
18 *may construct an elevated walkway between two existing*  
19 *parking garages to connect children’s playgrounds.*

20 **TITLE XXII—NAVY MILITARY**  
21 **CONSTRUCTION**

22 **SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
23 **ACQUISITION PROJECTS.**

24 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*  
25 *propriated pursuant to the authorization of appropriations*

1 *in section 2203(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 Navy may ac-*  
 4 *quire 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:*

***Navy: Inside the United States***

<b><i>State</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>Arizona</i> .....	<i>Marine Corps Air Station Yuma</i> .....	<i>\$99,600,000</i>
<i>California</i> .....	<i>Marine Corps Base Camp Pendleton</i> .....	<i>\$68,530,000</i>
	<i>Naval Air Station Lemoore</i> .....	<i>\$187,220,000</i>
	<i>Naval Base San Diego</i> .....	<i>\$128,500,000</i>
	<i>Marine Corps Air Ground Combat Center</i> <i>    Twenty-nine Palms</i> .....	<i>\$76,500,000</i>
<i>Guam</i> .....	<i>Andersen Air Force Base</i> .....	<i>\$21,280,000</i>
	<i>Joint Region Marianas</i> .....	<i>\$546,550,000</i>
<i>Hawaii</i> .....	<i>Joint Base Pearl Harbor-Hickam</i> .....	<i>\$114,900,000</i>
<i>Maine</i> .....	<i>Portsmouth Naval Shipyard</i> .....	<i>\$715,000,000</i>
<i>Nevada</i> .....	<i>Fallon Range Training Complex</i> .....	<i>\$29,040,000</i>
<i>Virginia</i> .....	<i>Naval Station Norfolk</i> .....	<i>\$30,400,000</i>

7       ***(b) OUTSIDE THE UNITED STATES.***—*Using amounts*  
 8 *appropriated pursuant to the authorization of appropria-*  
 9 *tions in section 2203(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 Navy*  
 12 *may acquire real property and carry out military construc-*  
 13 *tion projects for the installations or locations outside the*  
 14 *United States, and in the amounts, set forth in the following*  
 15 *table:*

***Navy: Outside the United States***

<b><i>Country</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>Bahrain Island</i> .....	<i>Naval Support Activity Bahrain</i> .....	<i>\$68,340,000</i>
<i>Greece</i> .....	<i>Naval Support Activity Souda Bay</i> .....	<i>\$50,180,000</i>
<i>Spain</i> .....	<i>Naval Station Rota</i> .....	<i>\$60,110,000</i>

1 **SEC. 2202. FAMILY HOUSING AND IMPROVEMENTS TO MILI-**  
2 **TARY FAMILY HOUSING UNITS.**

3 (a) *FAMILY HOUSING.*—Using amounts appropriated  
4 pursuant to the authorization of appropriations in section  
5 2203(a) and available for military family housing func-  
6 tions as specified in the funding table in section 4601, the  
7 Secretary of the Navy may carry out architectural and en-  
8 gineering services and construction design activities with  
9 respect to the construction or improvement of family hous-  
10 ing units in an amount not to exceed \$5,854,000.

11 (b) *IMPROVEMENTS TO MILITARY FAMILY HOUSING*  
12 *UNITS.*—Subject to section 2825 of title 10, United States  
13 Code, and using amounts appropriated pursuant to the au-  
14 thorization of appropriations in section 2203(a) and avail-  
15 able for military family housing functions as specified in  
16 the funding table in section 4601, the Secretary of the Navy  
17 may improve existing military family housing units in an  
18 amount not to exceed \$37,043,000.

19 **SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

20 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are  
21 hereby authorized to be appropriated for fiscal years begin-  
22 ning after September 30, 2020, for military construction,  
23 land acquisition, and military family housing functions of  
24 the Department of the Navy, as specified in the funding  
25 table in section 4601.

1           (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*  
 2 *PROJECTS.*—*Notwithstanding the cost variations author-*  
 3 *ized by section 2853 of title 10, United States Code, and*  
 4 *any other cost variation authorized by law, the total cost*  
 5 *of all projects carried out under section 2201 of this Act*  
 6 *may not exceed the total amount authorized to be appro-*  
 7 *priated under subsection (a), as specified in the funding*  
 8 *table in section 4601.*

9                           **TITLE XXIII—AIR FORCE**  
 10                           **MILITARY CONSTRUCTION**

11 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
 12 **LAND ACQUISITION PROJECTS.**

13           (a) *INSIDE THE UNITED STATES.*—*Using amounts ap-*  
 14 *propriated pursuant to the authorization of appropriations*  
 15 *in section 2303(a) and available for military construction*  
 16 *projects inside the United States as specified in the funding*  
 17 *table in section 4601, the Secretary of the Air Force may*  
 18 *acquire real property and carry out military construction*  
 19 *projects for the installations or locations inside the United*  
 20 *States, and in the amounts, set forth in the following table:*

***Air Force: Inside the United States***

<b><i>State</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>California</i> .....	<i>Edwards Air Force Base</i> .....	<i>\$40,000,000</i>
<i>Guam</i> .....	<i>Joint Region Marianas</i> .....	<i>\$56,000,000</i>
<i>New Jersey</i> .....	<i>Joint Base McGuire-Dix-</i> <i>Lakehurst</i> .....	<i>\$22,000,000</i>
<i>Texas</i> .....	<i>Joint Base San Antonio</i> .....	<i>\$19,500,000</i>
<i>Virginia</i> .....	<i>Joint Base Langley-Eustis</i> .....	<i>\$19,500,000</i>

1           (b) *OUTSIDE THE UNITED STATES.*—Using amounts  
 2 appropriated pursuant to the authorization of appropri-  
 3 ations in section 2303(a) and available for military con-  
 4 struction projects outside the United States as specified in  
 5 the funding table in section 4601, the Secretary of the Air  
 6 Force may acquire real property and carry out military  
 7 construction projects for the installation or location outside  
 8 the United States, and in the amount, set forth in the fol-  
 9 lowing table:

***Air Force: Outside the United States***

<b><i>Country</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>Qatar</i> .....	<i>Al Udeid</i> .....	\$26,000,000

10 ***SEC. 2302. FAMILY HOUSING AND IMPROVEMENTS TO MILI-***  
 11 ***TARY FAMILY HOUSING UNITS.***

12           (a) *FAMILY HOUSING.*—Using amounts appropriated  
 13 pursuant to the authorization of appropriations in section  
 14 2303(a) and available for military family housing func-  
 15 tions as specified in the funding table in section 4601, the  
 16 Secretary of the Air Force may carry out architectural and  
 17 engineering services and construction design activities with  
 18 respect to the construction or improvement of family hous-  
 19 ing units in an amount not to exceed \$2,969,000.

20           (b) *IMPROVEMENTS TO MILITARY FAMILY HOUSING*  
 21 *UNITS.*—Subject to section 2825 of title 10, United States  
 22 Code, and using amounts appropriated pursuant to the au-  
 23 thorization of appropriations in section 2303(a) and avail-

1 *able for military family housing functions as specified in*  
2 *the funding table in section 4601, the Secretary of the Air*  
3 *Force may improve existing military family housing units*  
4 *in an amount not to exceed \$94,245,000.*

5 **SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR**  
6 **FORCE.**

7 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
8 *hereby authorized to be appropriated for fiscal years begin-*  
9 *ning after September 30, 2020, for military construction,*  
10 *land acquisition, and military family housing functions of*  
11 *the Department of the Air Force, as specified in the funding*  
12 *table in section 4601.*

13 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*  
14 *PROJECTS.—Notwithstanding the cost variations author-*  
15 *ized by section 2853 of title 10, United States Code, and*  
16 *any other cost variation authorized by law, the total cost*  
17 *of all projects carried out under section 2301 may not ex-*  
18 *ceed the total amount authorized to be appropriated under*  
19 *subsection (a), as specified in the funding table in section*  
20 *4601.*

21 **SEC. 2304. MODIFICATION OF AUTHORITY TO CARRY OUT**  
22 **CERTAIN FISCAL YEAR 2018 PROJECT.**

23 *(a) MODIFICATION OF PROJECT AUTHORITY.—In the*  
24 *case of the authorization contained in the table in section*  
25 *2301(b) of the National Defense Authorization Act for Fis-*

1 *cal Year 2018 (Public Law 115–91; 131 Stat. 1826) for*  
2 *Royal Air Force Lakenheath, United Kingdom, for con-*  
3 *struction of a 2,384 square-meter Consolidated Corrosion*  
4 *Control Facility, as specified in the funding table in section*  
5 *4601 of such Act (131 Stat. 2004), the Secretary of the Air*  
6 *Force may construct a 2,700 square-meter Consolidated*  
7 *Corrosion Control and Wash Rack Facility.*

8 (b) *MODIFICATION OF PROJECT AMOUNTS.—*

9 (1) *DIVISION B TABLE.—The authorization table*  
10 *in section 2301(b) of the National Defense Authoriza-*  
11 *tion Act for Fiscal Year 2018 (Public Law 115–91;*  
12 *131 Stat. 1826) is amended in the item relating to*  
13 *Royal Air Force Lakenheath, United Kingdom, by*  
14 *striking “\$136,992,000” and inserting*  
15 *“\$172,292,000” to reflect the project modification*  
16 *made by subsection (a).*

17 (2) *DIVISION D TABLE.—The funding table in*  
18 *section 4601 of the National Defense Authorization*  
19 *Act for Fiscal Year 2018 (Public Law 115–91; 131*  
20 *Stat. 2004) is amended in the item relating to Royal*  
21 *Air Force Lakenheath, Consolidated Corrosion Con-*  
22 *trol Facility, by striking “\$20,000” in the Conference*  
23 *Authorized column and inserting “\$55,300” to reflect*  
24 *the project modification made by subsection (a).*



1 **SEC. 2305. 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 National Defense Authorization Act for Fis-*  
6 *cal Year 2019 (Public Law 115–232; 132 Stat. 2246) for*  
7 *Eielson Air Force Base, Alaska, for construction of a F-*  
8 *35 CATM Range, as specified in the funding table in section*  
9 *4601 of such Act (132 Stat. 2404), the Secretary of the Air*  
10 *Force may construct a 426 square-meter outdoor range with*  
11 *covered and heated firing lines.*

12 (b) *BARKSDALE AIR FORCE BASE, LOUISIANA.*—

13 (1) *MODIFICATION OF PROJECT AUTHORITY.*—*In*  
14 *the case of the authorization contained in table in sec-*  
15 *tion 2301(a) of the National Defense Authorization*  
16 *Act for Fiscal Year 2019 (Public Law 115–232; 132*  
17 *Stat. 2246) for Barksdale Air Force Base, Louisiana,*  
18 *for construction of an Entrance Road and Gate Com-*  
19 *plex the Secretary of the Air Force may construct a*  
20 *190 square meter visitor control center, 44 square*  
21 *meter gate house, 124 square meter privately owned*  
22 *vehicle inspection facility, 338 square meter truck in-*  
23 *spection facility and a 45 square meter gatehouse.*

24 (2) *PROJECT CONDITIONS.*—*The military con-*  
25 *struction project referred to in paragraph (1) shall be*  
26 *carried out consistent with the Unified Facilities Cri-*

1        *teria relating to Entry Control Facilities and appli-*  
2        *cable construction guidelines of the Department of the*  
3        *Air Force. Construction in a flood plain is author-*  
4        *ized, subject to the condition that the Secretary of the*  
5        *Air Force include appropriate mitigation measures.*

6                (3) *MODIFICATION OF PROJECT AMOUNTS.—*

7                        (A) *DIVISION B TABLE.—The authorization*  
8                        *table in section 2301(a) of the National Defense*  
9                        *Authorization Act for Fiscal Year 2019 (Public*  
10                        *Law 115–232; 132 Stat. 2246) is amended in the*  
11                        *item relating to Barksdale Air Force Base, Lou-*  
12                        *isiana, by striking “\$12,250,000” and inserting*  
13                        *“\$48,000,000” to reflect the project modification*  
14                        *made by paragraph (1).*

15                        (B) *DIVISION D TABLE.—The funding table*  
16                        *in section 4601 of the National Defense Author-*  
17                        *ization Act for Fiscal Year 2019 (Public Law*  
18                        *115–232; 132 Stat. 2404) is amended in the item*  
19                        *relating to Barksdale Air Force Base, Louisiana,*  
20                        *by striking “\$12,250” in the Conference Author-*  
21                        *ized column and inserting “\$48,000” to reflect*  
22                        *the project modification made by paragraph (1).*

23                (c) *ROYAL AIR FORCE LAKENHEATH, UNITED KING-*  
24        *DOM.—In the case of the authorization contained in the*  
25        *table in section 2301(b) of the National Defense Authoriza-*

1 *tion Act for Fiscal Year 2019 (Public Law 115–232; 132*  
2 *Stat. 2247) for Royal Air Force Lakenheath, United King-*  
3 *dom, for construction of a 485 square-meter F-35A ADAL*  
4 *Conventional Munitions MX, as specified in the funding*  
5 *table of section 4601 of such Act (132 Stat. 2405), the Sec-*  
6 *retary of the Air Force may construct a 1,206 square-meter*  
7 *maintenance facility for such purpose.*

8       (d) *FORCE PROTECTION AND SAFETY.—The funding*  
9 *table in section 4601 of the National Defense Authorization*  
10 *Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat.*  
11 *2406) is amended in the item relating to Force Protection*  
12 *and Safety under Military Construction, Air Force, by*  
13 *striking “\$35,000” in the Conference Authorized column*  
14 *and inserting “\$50,000” to reflect amounts appropriated*  
15 *for such purpose.*

16 **SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT**  
17 **CERTAIN FISCAL YEAR 2020 PROJECTS.**

18       (a) *TYNDALL AIR FORCE BASE, FLORIDA.—In the case*  
19 *of the authorizations contained in the table in section*  
20 *2912(a) of the National Defense Authorization Act for Fis-*  
21 *cal Year 2020 (Public Law 116–92; 133 Stat. 1913) for*  
22 *Tyndall Air Force Base, Florida—*

23               (1) *for construction of an Auxiliary Ground*  
24 *Equipment Facility, as specified in the funding table*  
25 *in section 4603 of such Act (133 Stat. 2103), the Sec-*

1        *retary of the Air Force may construct up to 4,770*  
2        *square meters of aircraft support equipment storage;*

3            *(2) for construction of Dorm Complex Phase 1,*  
4        *as specified in such funding table, the Secretary of the*  
5        *Air Force may construct up to 18,770 square meters*  
6        *of visiting quarters;*

7            *(3) for construction of Lodging Facilities Phase*  
8        *1, as specified in such funding table, the Secretary of*  
9        *the Air Force may construct up to 12,471 meters of*  
10       *visiting quarters.*

11           *(4) for construction of an Operations Group/*  
12       *Maintenance Group HQ at the installation, as speci-*  
13       *fied in such funding table, the Secretary of the Air*  
14       *Force may construct up to 3,420 square meters of*  
15       *headquarters;*

16           *(5) for construction of Ops/Aircraft Maintenance*  
17       *Unit/Hangar number 2 and Ops/Aircraft Mainte-*  
18       *nance Unit/Hangar number 3, as specified in such*  
19       *funding table, the Secretary of the Air Force may*  
20       *construct 2,127 square meters of squadron operations*  
21       *and 2,875 square meters of aircraft maintenance unit*  
22       *for each project;*

23           *(6) for construction of a Security Forces Mobil-*  
24       *ity Storage Facility, as specified in such funding*

1 *table, the Secretary of the Air Force may construct up*  
2 *to 930 square meters of equipment storage; and*

3 *(7) for construction of Site Development, Utili-*  
4 *ties, and Demolition Phase 2, as specified in such*  
5 *funding table, the Secretary of the Air Force may*  
6 *construct up to 7,000 meters of storm water piping,*  
7 *box culverts, underground detention, and grading for*  
8 *surface detention.*

9 *(b) OFFUTT AIR FORCE BASE, NEBRASKA.—In the*  
10 *case of the authorizations contained in the table in section*  
11 *2912(a) of the National Defense Authorization Act for Fis-*  
12 *cal Year 2020 (Public Law 116–92; 133 Stat. 1913) for*  
13 *Offutt Air Force Base, Nebraska—*

14 *(1) for construction of an Emergency Power*  
15 *Microgrid, as specified in the funding table in section*  
16 *4603 of such Act (133 Stat. 2104), the Secretary of*  
17 *the Air Force may construct seven 2.5-megawatt die-*  
18 *sel engine generators, seven diesel exhaust fluid sys-*  
19 *tems, 15-kV switchgear, two import/export inter-ties,*  
20 *five import-only inter-ties, and 800 square meters of*  
21 *switchgear facility;*

22 *(2) for construction of a Flightline Hangars*  
23 *Campus, as specified in such funding table, the Sec-*  
24 *retary of the Air Force may construct 445 square*  
25 *meter of petroleum operations center, 268 square me-*

1        *ters of de-icing liquid storage, and 173 square meters*  
2        *of warehouse; and*

3                *(3) for construction of a Lake Campus, as speci-*  
4        *fied in such funding table, the Secretary of the Air*  
5        *Force may construct 240 square meters of recreation*  
6        *complex and 270 square meters of storage;*

7                *(4) for construction of a Logistics Readiness*  
8        *Squadron Campus, as specified in such funding table,*  
9        *the Secretary of the Air Force may construct 2,536*  
10        *square meters of warehouse; and*

11                *(5) for construction of a Security Campus, as*  
12        *specified in such funding table, the Secretary of the*  
13        *Air Force may construct 4,218 square meters of oper-*  
14        *ations center and 1,343 square meters of military*  
15        *working dog kennel.*

16        *(c) JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In the*  
17        *case of the authorization contained in the table in section*  
18        *2912(a) of the National Defense Authorization Act for Fis-*  
19        *cal Year 2020 (Public Law 116–92; 133 Stat. 1913) for*  
20        *Joint Base Langley-Eustis, Virginia, for construction of a*  
21        *Dormitory at the installation, as specified in the funding*  
22        *table in section 4603 of such Act (133 Stat. 2104), the Sec-*  
23        *retary of the Air Force may construct up to 6,720 square*  
24        *meters of dormitory.*

1 **SEC. 2307. TECHNICAL CORRECTIONS RELATED TO AU-**  
2 **THORITY TO CARRY OUT CERTAIN FISCAL**  
3 **YEAR 2020 FAMILY HOUSING PROJECTS.**

4 (a) *AUTHORIZATION OF OMITTED SPANGDAHLEM AIR*  
5 *BASE FAMILY HOUSING PROJECT.*—Using amounts appro-  
6 priated pursuant to the authorization of appropriations in  
7 section 2304(a) of the National Defense Authorization Act  
8 for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1869)  
9 and available for military family housing functions, the  
10 Secretary of the Air Force may carry out the military fam-  
11 ily housing project at Spangdahlem Air Base, Germany,  
12 as specified in the funding table in section 4601 of such  
13 Act (133 Stat. 2099).

14 (b) *CORRECTION OF AMOUNT AUTHORIZED FOR FAM-*  
15 *ILY HOUSING IMPROVEMENTS.*—Section 2303 of the Na-  
16 tional Defense Authorization Act for Fiscal Year 2020 (Pub-  
17 lic Law 116–92; 133 Stat. 1869) is amended by striking  
18 “\$53,584,000” and inserting “\$46,638,000” to reflect the  
19 amount specified in the funding table in section 4601 of  
20 such Act (133 Stat. 2099) for Construction Improvements  
21 under Family Housing Construction, Air Force.

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**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Alabama .....	Anniston Army Depot .....	\$18,000,000
Alaska .....	Fort Greely .....	\$48,000,000
Arizona .....	Fort Huachuca .....	\$33,728,000
	Marine Corps Air Station 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- Story .....	\$112,500,000
Washington .....	Joint Base Lewis-McChord .....	\$21,800,000
	Navy Fuel Depot 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-  
 17 struction projects outside the United States as specified in



1 the funding table in section 4601, the Secretary of Defense  
 2 may acquire real property and carry out military construc-  
 3 tion projects for the installation or location outside the  
 4 United States, and in the amount, set forth in the following  
 5 table:

**Defense Agencies: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
<i>Japan</i> .....	<i>Defense Fuel Support Point Tsurumi</i> .....	<i>\$49,500,000</i>

6 **SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CON-**  
 7 **SERVATION INVESTMENT PROGRAM**  
 8 **PROJECTS.**

9 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-  
 10 propriated pursuant to the authorization of appropriations  
 11 in section 2403(a) and available for energy conservation  
 12 projects as specified in the funding table in section 4601,  
 13 the Secretary of Defense may carry out energy conservation  
 14 projects under chapter 173 of title 10, United States Code,  
 15 for the installations or locations inside the United States,  
 16 and in the amounts, set forth in the following table:

**ERCIP Projects: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
<i>Alabama</i> .....	<i>Fort Rucker</i> .....	<i>\$24,000,000</i>
<i>Arkansas</i> .....	<i>Ebbing Air National Guard Base</i> .....	<i>\$2,600,000</i>
<i>California</i> .....	<i>Marine Corps Air Ground Combat Center</i> <i>Twentynine Palms</i> .....	<i>\$11,646,000</i>
	<i>Military Ocean Terminal Concord</i> .....	<i>\$29,000,000</i>
	<i>Naval Support Activity Monterey</i> .....	<i>\$10,540,000</i>
	<i>Naval Air Weapons Station China Lake</i> .....	<i>\$8,950,000</i>
<i>District of Colum-</i> <i>bia</i> .....	<i>Joint Base Anacostia-Bolling</i> .....	<i>\$44,313,000</i>
<i>Georgia</i> .....	<i>Fort Benning</i> .....	<i>\$17,000,000</i>
<i>Maryland</i> .....	<i>Naval Support Activity Bethesda</i> .....	<i>\$13,840,000</i>
	<i>Naval Support Activity South Potomac</i> .....	<i>\$18,460,000</i>
<i>Missouri</i> .....	<i>Whiteman Air Force Base</i> .....	<i>\$17,310,000</i>
<i>Nevada</i> .....	<i>Creech Air Force Base</i> .....	<i>\$32,000,000</i>

**ERCIP Projects: Inside the United States—Continued**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
North Carolina .....	Fort Bragg .....	\$6,100,000
Ohio .....	Wright-Patterson Air Force Base .....	\$35,000,000
Tennessee .....	Memphis Air National Guard Base .....	\$4,780,000
Virginia .....	Naval Medical Center Portsmouth .....	\$611,000
	Surface Combat Systems Center Wallops Island .....	\$9,100,000

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 installation or location outside the  
8 United States, and in the amount, set forth in the following  
9 table:

**ERCIP Projects: Outside the United States**

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
Italy .....	Naval Support Activity Naples .....	\$3,490,000

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.

1           (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*  
2 *PROJECTS.*—*Notwithstanding the cost variations author-*  
3 *ized by section 2853 of title 10, United States Code, and*  
4 *any other cost variation authorized by law, the total cost*  
5 *of all projects carried out under section 2401 of this Act*  
6 *may not exceed the total amount authorized to be appro-*  
7 *priated under subsection (a), as specified in the funding*  
8 *table in section 4601.*

9 **SEC. 2404. MILITARY CONSTRUCTION INFRASTRUCTURE**  
10                           **AND WEAPON SYSTEM SYNCHRONIZATION**  
11                           **FOR GROUND BASED STRATEGIC DETER-**  
12                           **RENT.**

13           (a) *AUTHORIZATION FOR PLANNING AND DESIGN.*—*Of*  
14 *the amounts authorized to be appropriated for research, de-*  
15 *velopment, test, and evaluation, Air Force, for fiscal year*  
16 *2021, for the Ground Based Strategic Deterrent, as specified*  
17 *in the funding table in section 4201, the Secretary of the*  
18 *Air Force may use not more than \$15,000,000 for the pur-*  
19 *pose of obtaining or carrying out necessary planning and*  
20 *construction design in connection with military construc-*  
21 *tion projects and other infrastructure projects necessary to*  
22 *support the development and fielding of the Ground Based*  
23 *Strategic Deterrent weapon system.*

24           (b) *AIR FORCE PROJECT MANAGEMENT AND SUPER-*  
25 *VISION.*—*Each contract entered into by the United States*

1 *for a military construction project or other infrastructure*  
2 *project in connection with the development and fielding of*  
3 *the Ground Based Strategic Deterrence weapon system shall*  
4 *be carried out under the direction and supervision of the*  
5 *Secretary of the Air Force. The Secretary may utilize and*  
6 *consult with the Air Force Civil Engineer Center, the Army*  
7 *Corps of Engineers, and the Naval Facilities Engineering*  
8 *Command for subject matter expertise, contracting capac-*  
9 *ity, and other support as determined to be necessary by the*  
10 *Secretary to carry out this section.*

11 *(c) USE OF SINGLE PRIME CONTRACTOR.—The Sec-*  
12 *retary of the Air Force may award contracts for planning*  
13 *and construction design and for military construction*  
14 *projects and other infrastructure projects authorized by law*  
15 *in connection with the development and fielding of the*  
16 *Ground Based Strategic Deterrent weapon system to a sin-*  
17 *gle prime contractor if the Secretary determines that*  
18 *awarding the contracts to a single prime contractor—*

19 *(1) is in the best interest of the Government; and*  
20 *(2) is necessary to ensure the proper synchroni-*  
21 *zation and execution of work related to the develop-*  
22 *ment and fielding of the Ground Based Strategic De-*  
23 *terrent weapon system and its associated military*  
24 *construction projects and other infrastructure projects.*

1           (d) *EXCEPTIONS TO CURRENT LAW.*—*The Secretary of*  
2 *the Air Force may carry out this section without regard*  
3 *to the following provisions of law:*

4           (1) *Section 2304 of title 10, United States Code.*

5           (2) *Section 2807(a) of such title.*

6           (3) *Section 2851(a) of such title.*

7           (e) *EXPIRATION OF AUTHORITY.*—*The authorities pro-*  
8 *vided by this section shall expire upon the earlier of the*  
9 *following:*

10           (1) *The date that is 15 years after the date of*  
11 *the enactment of this Act.*

12           (2) *The date on which the Secretary of the Air*  
13 *Force submits to the congressional defense committees*  
14 *a certification that the fielding of the Ground Based*  
15 *Strategic Deterrent weapon system is complete.*

16           (f) *REPORT REQUIRED.*—*Not later than one year after*  
17 *the date of the enactment of this Act, the Secretary of the*  
18 *Air Force shall submit to the congressional defense commit-*  
19 *tees a report describing the plans to synchronize the develop-*  
20 *ment and fielding of the Ground Based Strategic Deterrent*  
21 *weapon system and its associated military construction*  
22 *projects and other infrastructure projects. The report shall*  
23 *contain, at minimum, the following elements:*

24           (1) *A description of the estimated total cost,*  
25 *scope of work, location, and schedule for the planning*

1        *and design, military construction, and other infra-*  
2        *structure investments necessary to support the devel-*  
3        *opment and fielding of the Ground Based Strategic*  
4        *Deterrent weapon system.*

5                *(2) A recommendation regarding the methods by*  
6        *which a programmatic military construction author-*  
7        *ization, authorization of appropriations, and appro-*  
8        *priation, on an installation-by-installation basis,*  
9        *could be used to support the synchronized development*  
10       *and fielding of the Ground Based Strategic Deterrent*  
11       *and its associated military construction projects and*  
12       *other infrastructure projects.*

13               *(3) Identification of the specific provisions of*  
14       *law, if any, that the Secretary determines may ad-*  
15       *versely impact or delay the development and fielding*  
16       *of the Ground Based Strategic Deterrent weapon sys-*  
17       *tem and its associated construction projects, assum-*  
18       *ing, as described in paragraph (2), the use of a pro-*  
19       *grammatic military construction authorization on an*  
20       *installation-by-installation basis.*

21               *(4) A plan to ensure sufficient capability and*  
22       *capacity to cover civilian and military manning for*  
23       *oversight and contract management related to the de-*  
24       *velopment and fielding of the Ground Based Strategic*

1 *Deterrent weapon system and its associated construc-*  
2 *tion projects.*

3 **TITLE XXV—INTERNATIONAL**  
4 **PROGRAMS**  
5 ***Subtitle A—North Atlantic Treaty***  
6 ***Organization Security Invest-***  
7 ***ment Program***

8 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
9 **ACQUISITION PROJECTS.**

10 *The Secretary of Defense may make contributions for*  
11 *the North Atlantic Treaty Organization Security Invest-*  
12 *ment Program as provided in section 2806 of title 10,*  
13 *United States Code, in an amount not to exceed the sum*  
14 *of the amount authorized to be appropriated for this pur-*  
15 *pose in section 2502 and the amount collected from the*  
16 *North Atlantic Treaty Organization as a result of construc-*  
17 *tion previously financed by the United States.*

18 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

19 *(a) AUTHORIZATION.—Funds are hereby authorized to*  
20 *be appropriated for fiscal years beginning after September*  
21 *30, 2020, for contributions by the Secretary of Defense*  
22 *under section 2806 of title 10, United States Code, for the*  
23 *share of the United States of the cost of projects for the*  
24 *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 CARRY OUT PROJECT AND RECOG-*  
 4 *NIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY*  
 5 *RESOURCES FOR PROJECT EXECUTION.*—*When the United*  
 6 *States is designated as the Host Nation for the purposes*  
 7 *of executing a project under the NATO Security Investment*  
 8 *Program (NSIP), the Department of Defense construction*  
 9 *agent may carry out the project and recognize the NATO*  
 10 *project authorization amounts as budgetary resources to*  
 11 *incur obligations for the purposes of executing the NSIP*  
 12 *project.*

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***

<b><i>Component</i></b>	<b><i>Installation or Location</i></b>	<b><i>Project</i></b>	<b><i>Amount</i></b>
<i>Army .....</i>	<i>Camp Carroll .....</i>	<i>Site Development .....</i>	<i>\$49,000,000</i>
<i>Army .....</i>	<i>Camp Humphreys</i>	<i>Attack Reconnaissance Battalion</i>	
		<i>Hangar .....</i>	<i>\$99,000,000</i>
<i>Army .....</i>	<i>Camp Humphreys</i>	<i>Hot Refuel Point .....</i>	<i>\$35,000,000</i>
<i>Navy .....</i>	<i>COMROKFLT</i>		
	<i>Naval Base,</i>		
	<i>Busan .....</i>	<i>Maritime Operations Center .....</i>	<i>\$26,000,000</i>



**Republic of Korea Funded Construction Projects—Continued**

<b>Component</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
<i>Air Force</i> ....	<i>Daegu Air Base</i> ..	<i>AGE Facility and Parking Apron</i> ..	\$14,000,000
<i>Air Force</i> ....	<i>Kunsan Air Base</i>	<i>Backup Generator Plant</i> .....	\$19,000,000
<i>Air Force</i> ....	<i>Osan Air Base</i> ....	<i>Aircraft Corrosion Control Facility</i> <i>(Phase 3)</i> .....	\$12,000,000
<i>Air Force</i> ....	<i>Osan Air Base</i> ....	<i>Child Development Center</i> .....	\$20,000,000
<i>Air Force</i> ....	<i>Osan Air Base</i> ....	<i>Munitions Storage Area Delta</i> <i>(Phase 1)</i> .....	\$84,000,000
<i>Defense-Wide</i>	<i>Camp Humphreys</i>	<i>Elementary School</i> .....	\$58,000,000

1 **SEC. 2512. STATE OF QATAR FUNDED CONSTRUCTION**  
2 **PROJECTS.**

3 Pursuant to agreement with the State of Qatar for re-  
4 quired in-kind contributions, the Secretary of Defense may  
5 accept military construction projects for Al Udeid Air Base  
6 in the State of Qatar, and in the amounts, set forth in the  
7 following table:

**State of Qatar Funded Construction Projects**

<b>Component</b>	<b>Installation</b>	<b>Project</b>	<b>Amount</b>
<i>Air Force</i> ....	<i>Al Udeid</i> .....	<i>Billet (A12)</i> .....	\$63,000,000
		<i>Billet (B12)</i> .....	\$63,000,000
		<i>Billet (D10)</i> .....	\$77,000,000
		<i>Billet (009)</i> .....	\$77,000,000
		<i>Billet (007)</i> .....	\$77,000,000
		<i>Armory/Mount</i> .....	\$7,200,000
		<i>Billet (A06)</i> .....	\$77,000,000
		<i>Dining Facility</i> .....	\$14,600,000
		<i>Billet (BOS)</i> .....	\$77,000,000
		<i>Billet (B04)</i> .....	\$77,000,000
		<i>Billet (A04)</i> .....	\$77,000,000
		<i>Billet (AOS)</i> .....	\$77,000,000
		<i>Dining Facility</i> .....	\$14,600,000
		<i>MSG (Base Operations Support Fa-</i> <i>cility)</i> .....	\$9,300,000
		<i>ITN (Communications Facility)</i> .....	\$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 author-  
ization 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 ac-  
quire real property and carry out military construction  
projects for the Army National Guard locations inside the  
United States, and in the amounts, set forth in the following  
table:*

**Army National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Arizona .....	National Guard Armory Tucson .....	\$18,100,000
Colorado .....	Peterson Air Force Base .....	\$15,000,000
Indiana .....	Army Aviation Support Facility Shelbyville .....	\$12,000,000
Kentucky .....	Boone National Guard Center Frankfort .....	\$15,000,000
Mississippi .....	National Guard Armory Brandon .....	\$10,400,000
Nebraska .....	National Guard Armory North Platte .....	\$9,300,000
New Jersey .....	Joint Base McGuire-Dix-Lakehurst .....	\$15,000,000
Ohio .....	Beightler Armory Columbus .....	\$15,000,000
Oregon .....	Hermiston National Guard Armory .....	\$25,035,000
Puerto Rico .....	Fort Allen .....	\$37,000,000
South Carolina .....	Joint Base Charleston .....	\$15,000,000
Tennessee .....	National Guard Armory McMinnville .....	\$11,200,000
Texas .....	National Guard Readiness Center Fort Worth .....	\$13,800,000
Utah .....	National Guard Armory Nephi .....	\$12,000,000
Virgin Islands .....	LTC Lionel A. Jackson Armory St. Croix .....	\$39,400,000
Wisconsin .....	National Guard Armory Appleton .....	\$11,600,000

**SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION  
AND LAND ACQUISITION PROJECTS.**

*Using amounts appropriated pursuant to the author-  
ization of appropriations in section 2606 and available for*

1 *the National Guard and Reserve as specified in the funding*  
 2 *table in section 4601, the Secretary of the Army may ac-*  
 3 *quire real property and carry out military construction*  
 4 *projects for the Army Reserve locations inside the United*  
 5 *States, and in the amounts, set forth in the following table:*

**Army Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
<i>Florida .....</i>	<i>Reserve Center 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>Reserve Center Asheville .....</i>	<i>\$24,000,000</i>
<i>Wisconsin .....</i>	<i>Fort McCoy .....</i>	<i>\$14,600,000</i>

6 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**  
 7 **CORPS RESERVE CONSTRUCTION AND LAND**  
 8 **ACQUISITION PROJECTS.**

9 *Using amounts appropriated pursuant to the author-*  
 10 *ization of appropriations in section 2606 and available for*  
 11 *the National Guard and Reserve as specified in the funding*  
 12 *table in section 4601, the Secretary of the Navy may ac-*  
 13 *quire real property and carry out the military construction*  
 14 *projects for the Navy Reserve and Marine Corps Reserve*  
 15 *locations inside the United States, and in the amounts, set*  
 16 *forth in the following table:*

**Navy Reserve and Marine Corps Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
<i>Maryland .....</i>	<i>Reserve Training Center, Camp Fretterd Reisterstown .....</i>	<i>\$39,500,000</i>
<i>Utah .....</i>	<i>Hill Air Force Base .....</i>	<i>\$25,010,000</i>

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.**  
 2

3 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:*

**Air National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
<i>Alabama</i> .....	<i>Montgomery Regional Airport Air National Guard Base</i> .....	<i>\$11,600,000</i>
<i>Guam</i> .....	<i>Joint Region Marianas</i> .....	<i>\$20,000,000</i>
<i>Maryland</i> .....	<i>Joint Base Andrews</i> .....	<i>\$9,400,000</i>
<i>Texas</i> .....	<i>Joint Base San Antonio</i> .....	<i>\$10,800,000</i>

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.**  
 12

13 *Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve location inside the United States, and in the amount, set forth in the following table:*

**Air Force Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
<i>Texas</i> .....	<i>Naval Air Station Joint Reserve Base Fort Worth</i> .....	<i>\$14,200,000</i>

1 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**  
2 **TIONAL GUARD AND RESERVE.**

3 *Funds are hereby authorized to be appropriated for fis-*  
4 *cal years beginning after September 30, 2020, for the costs*  
5 *of acquisition, architectural and engineering services, and*  
6 *construction of facilities for the Guard and Reserve Forces,*  
7 *and for contributions therefor, under chapter 1803 of title*  
8 *10, United States Code (including the cost of acquisition*  
9 *of land for those facilities), as specified in the funding table*  
10 *in section 4601.*

11 **SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT**  
12 **CERTAIN FISCAL YEAR 2020 PROJECT.**

13 *In the case of the authorization contained in the table*  
14 *in section 2601 of the National Defense Authorization Act*  
15 *for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1875)*  
16 *for Anniston Army Depot, Alabama, for construction of an*  
17 *Enlisted Transient Barracks, as specified in the funding*  
18 *table in section 4601 of such Act (133 Stat. 2096), the Sec-*  
19 *retary of the Army may carry out the project at Fort*  
20 *McClellan, 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.*

1 **TITLE XXVIII—MILITARY CON-**  
2 **STRUCTION GENERAL PROVI-**  
3 **SIONS**

4 ***Subtitle A—Military Construction***  
5 ***Program Changes***

6 **SEC. 2801. MODIFICATION AND CLARIFICATION OF CON-**  
7 **STRUCTION AUTHORITY IN THE EVENT OF A**  
8 **DECLARATION OF WAR OR NATIONAL EMER-**  
9 **GENCY.**

10 *(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE*  
11 *FOR NATIONAL EMERGENCY.—Section 2808 of title 10,*  
12 *United States Code, is amended—*

13 *(1) by redesignating subsections (b) and (c) as*  
14 *subsections (e) and (f), respectively; and*

15 *(2) by inserting after subsection (a) the following*  
16 *new subsection:*

17 *“(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE*  
18 *FOR NATIONAL EMERGENCY.—(1) Except as provided in*  
19 *paragraph (2), in the event of a declaration by the Presi-*  
20 *dent of a national emergency in which the construction au-*  
21 *thority described in subsection (a) is used, the total cost*  
22 *of all military construction projects undertaken using that*  
23 *authority during the national emergency may not exceed*  
24 *\$500,000,000.*

1       “(2) *In the event of a national emergency declaration*  
2 *in which the construction authority described in subsection*  
3 *(a) will be used only within the United States, the total*  
4 *cost of all military construction projects undertaken using*  
5 *that authority during the national emergency may not ex-*  
6 *ceed \$100,000,000.”.*

7       **(b) ADDITIONAL CONDITIONS ON SOURCE OF**  
8 *FUNDS.—Section 2808(a) of title 10, United States Code,*  
9 *is amended by striking the second sentence and inserting*  
10 *the following new subsection:*

11       **“(b) CONDITIONS ON SOURCES OF FUNDS.—A mili-**  
12 *tary construction project to be undertaken using the con-*  
13 *struction authority described in subsection (a) may be un-*  
14 *dertaken only within the total amount of funds that have*  
15 *been appropriated for military construction, including*  
16 *funds appropriated for family housing, that—*

17               **“(1) remain unobligated as of the date on which**  
18 *the first contract would be entered into in connection*  
19 *with that military construction project undertaken*  
20 *using such authority; and*

21               **“(2) are available because the military construc-**  
22 *tion project for which the funds were appropriated—*

23                       **“(A) has been canceled; or**

24                       **“(B) has reduced costs as a result of project**  
25 *modifications or other cost savings.”.*



1           (c) *WAIVER OF OTHER PROVISIONS OF LAW.*—Section  
2 2808 of title 10, United States Code, is amended by insert-  
3 ing after subsection (c), as added by subsection (a), the fol-  
4 lowing new subsection:

5           “(d) *WAIVER OF OTHER PROVISIONS OF LAW IN*  
6 *EVENT OF NATIONAL EMERGENCY.*—In the event of a dec-  
7 laration by the President of a national emergency in which  
8 the construction authority described in subsection (a) is  
9 used, the authority provided by such subsection to waive  
10 or disregard another provision of law that would otherwise  
11 apply to a military construction project authorized by this  
12 section may be used only if—

13                   “(1) such other provision of law does not provide  
14 a means by which compliance with the requirements  
15 of the law may be waived, modified, or expedited; and

16                   “(2) the Secretary of Defense determines that the  
17 nature of the national emergency necessitates the non-  
18 compliance with the requirements of the law.”.

19           (d) *ADDITIONAL NOTIFICATION REQUIREMENTS.*—  
20 Subsection (e) of section 2808 of title 10, United States  
21 Code, as redesignated by subsection (a)(1), is amended—

22                   (1) by striking “of the decision” and all that fol-  
23 lows through the end of the subsection and inserting  
24 the following: “of the following:

1           “(A) *The reasons for the decision to use the con-*  
2           *struction authority described in subsection (a), in-*  
3           *cluding, in the event of a declaration by the President*  
4           *of a national emergency, the reasons why use of the*  
5           *armed forces is required in response to the declared*  
6           *national emergency.*

7           “(B) *The construction projects to be undertaken*  
8           *using the construction authority described in sub-*  
9           *section (a), including, in the event of a declaration by*  
10          *the President of a national emergency, an expla-*  
11          *nation of how each construction project directly sup-*  
12          *ports the immediate security, logistical, or short-term*  
13          *housing and ancillary supporting facility needs of the*  
14          *members of the armed forces used in the national*  
15          *emergency.*

16          “(C) *The estimated cost of the construction*  
17          *projects to be undertaken using the construction au-*  
18          *thority described in subsection (a), including the cost*  
19          *of any real estate action pertaining to the construc-*  
20          *tion projects, and certification of compliance with the*  
21          *funding conditions imposed by subsections (b) and*  
22          *(c).*

23          “(D) *Any determination made pursuant to sub-*  
24          *section (d)(2) to waive or disregard another provision*

1 of law to undertake any construction project using the  
2 construction authority described in subsection (a).

3 “(E) The military construction projects, includ-  
4 ing any military family housing and ancillary sup-  
5 porting facility projects, whose cancellation, modifica-  
6 tion, or other cost savings result in funds being avail-  
7 able to undertake construction projects using the con-  
8 struction authority described in subsection (a) and  
9 the possible impact of the cancellation or modification  
10 of such military construction projects on military  
11 readiness and the quality of life of members of the  
12 armed forces and their dependents.”; and

13 (2) by adding at the end the following new para-  
14 graph:

15 “(2) In the event of a declaration by the President of  
16 a national emergency in which the construction authority  
17 described in subsection (a) is used, a construction project  
18 to be undertaken using such construction authority may be  
19 carried out only after the end of the five-day period begin-  
20 ning on the date the notification required by paragraph (1)  
21 is received by the appropriate committees of Congress.”.

22 (e) CLERICAL AMENDMENTS.—Section 2808 of title 10,  
23 United States Code, is further amended—

24 (1) in subsection (a), by inserting “CONSTRUC-  
25 TION AUTHORIZED.—” after “(a)”;

1           (2) in subsection (e), as redesignated by sub-  
2           section (a)(1), by inserting “NOTIFICATION REQUIRE-  
3           MENT.—(1)” after “(e)”; and

4           (3) in subsection (f), as redesignated by sub-  
5           section (a)(1), by inserting “TERMINATION OF AU-  
6           THORITY.—” after “(f)”.

7           (f) *EXCEPTION FOR PANDEMIC MITIGATION AND RE-*  
8           *SPONSE PROJECTS.*—Subsections (b), (c), (d) of section  
9           2808 of title 10, United States Code, as added by this sec-  
10          tion, shall not apply to a military construction project com-  
11          menced under the authority of subsection (a) of such section  
12          2808 during the emergency period described in section  
13          1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b-  
14          5(g)(1)(B)) if the Secretary of Defense determines that the  
15          military construction project will directly support pan-  
16          demic mitigation and response efforts of health care pro-  
17          viders or support members of the Armed Forces directly  
18          participating in such pandemic mitigation and response ef-  
19          forts. Subsection (e) of section 2808 of title 10, United  
20          States Code, as redesignated by subsection (a)(1) and  
21          amended by subsection (d) of this section, shall still apply  
22          to any such military construction project.

1 **SEC. 2802. EXTENSION OF SUNSET FOR ANNUAL LOCALITY**  
2 **ADJUSTMENT OF DOLLAR THRESHOLDS AP-**  
3 **PLICABLE TO UNSPECIFIED MINOR MILITARY**  
4 **CONSTRUCTION AUTHORITIES.**

5 *Section 2805(f)(3) of title 10, United States Code, is*  
6 *amended by striking “2022” and inserting “2027”.*

7 **SEC. 2803. MODIFICATION OF REPORTING REQUIREMENT**  
8 **REGARDING COST INCREASES ASSOCIATED**  
9 **WITH CERTAIN MILITARY CONSTRUCTION**  
10 **PROJECTS AND MILITARY FAMILY HOUSING**  
11 **PROJECTS.**

12 *(a) ELIMINATION OF SUBMISSION TO COMPTROLLER*  
13 *GENERAL.—Section 2853(f) of title 10, United States Code,*  
14 *is amended—*

15 *(1) in paragraphs (1) and (3), by striking “and*  
16 *the Comptroller General of the United States”; and*  
17 *(2) by striking paragraph (6).*

18 *(b) SYNCHRONIZATION OF NOTIFICATION REQUIRE-*  
19 *MENTS.—Section 2853(c)(1) of title 10, United States Code,*  
20 *is amended by inserting after “cost increase” in the matter*  
21 *preceding subparagraph (A) the following: “(subject to sub-*  
22 *section (f))”.*

23 **SEC. 2804. EXPANSION OF DEPARTMENT OF DEFENSE LAND**  
24 **EXCHANGE AUTHORITY.**

25 *(a) ADDITIONAL PURPOSES AUTHORIZED.—Para-*  
26 *graph (1) of section 2869(a) of title 10, United States Code,*

1 *is amended by striking “the real property, to transfer” and*  
2 *all that follows through the end of the paragraph and insert-*  
3 *ing the following: “the real property—*

4           *“(A) to transfer to the United States all right,*  
5 *title, and interest of the person in and to a parcel of*  
6 *real property, including any improvements thereon*  
7 *under the person’s control;*

8           *“(B) to carry out a land acquisition, including*  
9 *the acquisition of all right, title, and interest or a*  
10 *lesser interest in real property under an agreement*  
11 *entered into under section 2684a of this title to limit*  
12 *encroachments and other constraints on military*  
13 *training, testing, and operations; or*

14           *“(C) to provide installation-support services (as*  
15 *defined in 2679(e) of this title), a replacement facil-*  
16 *ity, or improvements to an existing facility, as agreed*  
17 *upon between the Secretary concerned and the per-*  
18 *son.”.*

19           *(b) REQUIREMENTS FOR ACCEPTANCE OF REPLACE-*  
20 *MENT FACILITIES.—Section 2869(a) of title 10, United*  
21 *States Code, is further amended by adding at the end the*  
22 *following new paragraph:*

23           *“(3) The Secretary concerned may agree to accept a*  
24 *replacement facility or improvements to an existing facility*

1 *under paragraph (1)(C) only if the Secretary concerned de-*  
2 *termines that the replacement facility or improvements—*

3 *“(A) are completed and usable, fully functional,*  
4 *and ready for occupancy;*

5 *“(B) satisfy all operational requirements; and*

6 *“(C) meet all Federal, State, and local require-*  
7 *ments applicable to the facility relating to health,*  
8 *safety, and the environment.”.*

9 *(c) FAIR MARKET VALUE REQUIREMENT.—Section*  
10 *2869(b)(1) of title 10, United States Code, is amended—*

11 *(1) in the first sentence, by striking “of the land*  
12 *to be” and inserting “of the real property, installa-*  
13 *tion-support services, replacement facility, or im-*  
14 *provements to an existing facility”; and*

15 *(2) in the second sentence, by striking “of the*  
16 *land is less than the fair market value of the real*  
17 *property to be conveyed” and inserting “of the real*  
18 *property conveyed by the Secretary concerned exceeds*  
19 *the fair market value of the real property, installa-*  
20 *tion-support services, replacement facility, or im-*  
21 *provements received by the Secretary”.*

22 *(d) RELATION TO OTHER MILITARY CONSTRUCTION*  
23 *REQUIREMENTS.—Section 2869 of title 10, United States*  
24 *Code, is amended by adding at the end the following new*  
25 *subsection:*

1       “(h) *RELATION TO OTHER MILITARY CONSTRUCTION*  
2 *REQUIREMENTS.*—*The acquisition of real property or an*  
3 *interest therein, a replacement facility, or improvements to*  
4 *an existing facility using the authority provided by this*  
5 *section shall not be treated as a military construction*  
6 *project for which an authorization is required by section*  
7 *2802 of this title.”.*

8       (i) *DELAYED IMPLEMENTATION OF AMENDMENTS.*—  
9 *The amendments made by this section shall take effect on*  
10 *the date of the enactment of this Act, but the Secretary con-*  
11 *cerned (as defined in section 2801(c)(5) of title 10, United*  
12 *States Code) may not enter into any real estate transaction*  
13 *authorized by such amendments until after the date on*  
14 *which the Secretary of Defense issues final regulations pro-*  
15 *viding for the implementation of such amendments by the*  
16 *Department of Defense.*

17 **SEC. 2805. CONGRESSIONAL PROJECT AUTHORIZATION RE-**  
18 **QUIRED FOR MILITARY CONSTRUCTION**  
19 **PROJECTS FOR ENERGY RESILIENCE, EN-**  
20 **ERGY SECURITY, AND ENERGY CONSERVA-**  
21 **TION.**

22       (a) *REPLACEMENT OF NOTICE AND WAIT AUTHOR-*  
23 *ITY.*—*Section 2914 of title 10, United States Code, is*  
24 *amended to read as follows:*



1 **“§ 2914. Military construction projects for energy resil-**  
2 **ience, energy security, and energy con-**  
3 **servation**

4 “(a) *PROJECT AUTHORIZATION REQUIRED.*—*The Sec-*  
5 *retary of Defense may carry out such military construction*  
6 *projects for energy resilience, energy security, and energy*  
7 *conservation as are authorized by law, using funds appro-*  
8 *priated or otherwise made available for that purpose.*

9 “(b) *SUBMISSION OF PROJECT PROPOSALS.*—(1) *As*  
10 *part of the Department of Defense Form 1391 submitted*  
11 *to the appropriate committees of Congress for a military*  
12 *construction project covered by subsection (a), the Secretary*  
13 *of Defense shall include the following information:*

14 “(A) *The project title.*

15 “(B) *The location of the project.*

16 “(C) *A brief description of the scope of work.*

17 “(D) *The original project cost estimate and the*  
18 *current working cost estimate, if different.*

19 “(E) *Such other information as the Secretary*  
20 *considers appropriate.*

21 “(2) *In the case of a military construction project for*  
22 *energy conservation, the Secretary also shall include the fol-*  
23 *lowing information:*

24 “(A) *The original expected savings-to-investment*  
25 *ratio and simple payback estimates and measurement*  
26 *and verification cost estimate.*

1           “(B) *The most current expected savings-to-invest-*  
 2           *ment ratio and simple payback estimates and meas-*  
 3           *urement and verification plan and costs.*

4           “(C) *A brief description of the measurement and*  
 5           *verification plan and planned funding source.*

6           “(3) *In the case of a military construction project for*  
 7           *energy resilience or energy security, the Secretary also shall*  
 8           *include the rationale for how the project would enhance mis-*  
 9           *sion assurance, support mission critical functions, and ad-*  
 10          *dress known vulnerabilities.”.*

11          (b) *CLERICAL AMENDMENT.—The table of sections at*  
 12          *the beginning of subchapter I of chapter 173 of title 10,*  
 13          *United States Code, is amended by striking the item relat-*  
 14          *ing to section 2914 and inserting the following new item:*

                “2914. *Military construction projects for energy resilience, energy security, and*  
                         *energy conservation.”.*

15          **SEC. 2806. ONE-YEAR EXTENSION OF TEMPORARY, LIMITED**  
 16                                  **AUTHORITY TO USE OPERATION AND MAIN-**  
 17                                  **TENANCE FUNDS FOR CONSTRUCTION**  
 18                                  **PROJECTS IN CERTAIN AREAS OUTSIDE THE**  
 19                                  **UNITED STATES.**

20          (a) *EXTENSION OF AUTHORITY.—Subsection (h) of sec-*  
 21          *tion 2808 of the Military Construction Authorization Act*  
 22          *for Fiscal Year 2004 (division B of Public Law 108–136;*  
 23          *117 Stat. 1723), as most recently amended by section*  
 24          *2807(a) of the Military Construction Authorization Act for*

1 *Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264),*  
2 *is further amended—*

3           (1) *in paragraph (1), by striking “December 31,*  
4 *2020” and inserting “December 31, 2021”; and*

5           (2) *paragraph (2), by striking “fiscal year 2021”*  
6 *and inserting “fiscal year 2022”.*

7       (b) *CONTINUATION OF LIMITATION ON USE OF AU-*  
8 *THORITY.—Subsection (c) of section 2808 of the Military*  
9 *Construction Authorization Act for Fiscal Year 2004 (divi-*  
10 *sion B of Public Law 108–136; 117 Stat. 1723), as most*  
11 *recently amended by section 2807(b) of the Military Con-*  
12 *struction Authorization Act for Fiscal Year 2019 (Public*  
13 *Law 115–232; 132 Stat. 2264), is further amended—*

14           (1) *by striking “either” and inserting “each”;*  
15 *and*

16           (2) *by inserting after the first paragraph (2) the*  
17 *following new subparagraph:*

18           “(C) *The period beginning October 1, 2020, and*  
19 *ending on the earlier of December 31, 2021, or the*  
20 *date of the enactment of an Act authorizing funds for*  
21 *military activities of the Department of Defense for*  
22 *fiscal year 2022.”.*

23       (c) *TECHNICAL CORRECTIONS.—Subsection (c) of sec-*  
24 *tion 2808 of the Military Construction Authorization Act*  
25 *for Fiscal Year 2004 (division B of Public Law 108–136;*

1 117 Stat. 1723), as most recently amended by section  
2 2807(b) of the Military Construction Authorization Act for  
3 Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264)  
4 and subsection (b) of this section, is further amended—

5 (1) by redesignating the second paragraph (1) as  
6 subparagraph (A); and

7 (2) by redesignating the first paragraph (2) as  
8 subparagraph (B).

9 **SEC. 2807. PILOT PROGRAM TO SUPPORT COMBATANT COM-**  
10 **MAND MILITARY CONSTRUCTION PRIORITIES.**

11 (a) *PILOT PROGRAM.*—The Secretary of Defense shall  
12 conduct a pilot program to evaluate the usefulness of reserv-  
13 ing a portion of the military construction funds of the mili-  
14 tary departments to help the combatant commands satisfy  
15 their military construction priorities in a timely manner.

16 (b) *LOCATION.*—The Secretary of Defense shall conduct  
17 the pilot program for the benefit of the United States Indo-  
18 Pacific Command in the area of responsibility of the United  
19 States Indo-Pacific Command.

20 (c) *REQUIRED INVESTMENT.*—For each fiscal year  
21 during which the pilot program is conducted, the Secretary  
22 of Defense shall reserve to carry out military construction  
23 projects under the pilot program an amount equal to 10  
24 percent of the total amount authorized to be appropriated  
25 for military construction projects by titles XXI, XXII, and

1 *XXIII of the Military Construction Authorization Act for*  
2 *that fiscal year.*

3 *(d) COMMENCEMENT AND DURATION.—*

4 *(1) COMMENCEMENT.—The Secretary of Defense*  
5 *shall commence the pilot program no later than Octo-*  
6 *ber 1, 2023. The Secretary may commence the pilot*  
7 *program as early as October 1, 2022, if the Secretary*  
8 *determines that compliance with the reservation of*  
9 *funds requirement under subsection (c) is practicable*  
10 *beginning with fiscal year 2023.*

11 *(2) DURATION.—The pilot program shall be in*  
12 *effect for the fiscal year in which the Secretary com-*  
13 *mences the pilot program, as described in paragraph*  
14 *(1), and the subsequent two fiscal years. Any con-*  
15 *struction commenced under the pilot program before*  
16 *the expiration date may continue to completion.*

17 *(e) PROGRESS REPORT.—Not later than February 15*  
18 *of the final fiscal year of the pilot program, the Secretary*  
19 *of Defense shall submit to the congressional defense commit-*  
20 *tees a report evaluating the success of the pilot program*  
21 *in improving the timeliness of the United States Indo-Pa-*  
22 *cific Command in achieving its military construction pri-*  
23 *orities. The Secretary shall include in the report—*

24 *(1) an evaluation of the likely positive and nega-*  
25 *tive impacts were the pilot program extended or made*

1       *permanent and, if extended or made permanent, the*  
2       *likely positive and negative impacts of expansion to*  
3       *cover all or additional combatant commands; and*

4               (2) *the recommendations of the Secretary regard-*  
5       *ing whether the pilot program should be extended or*  
6       *made permanent and expanded.*

7       **SEC. 2808. BIENNIAL REPORT REGARDING MILITARY IN-**  
8               **STALLATIONS SUPPORTED BY DISASTER RE-**  
9               **LIEF APPROPRIATIONS.**

10       (a) *REPORT REQUIRED.*—*Biannually through Sep-*  
11       *tember 30, 2025, both the Secretary of the Air Force and*  
12       *the Secretary of the Navy shall submit to the relevant con-*  
13       *gressional committees a report regarding the obligation and*  
14       *expenditure at military installations under the jurisdiction*  
15       *of the Secretary concerned of appropriations made available*  
16       *to the Secretary concerned in title V of the Military Con-*  
17       *struction, Veterans Affairs, and Related Agencies Appro-*  
18       *priations Act, 2020 (division F of Public Law 116–94).*

19       (b) *ELEMENTS OF REPORT.*—*Each report under sub-*  
20       *section (a) shall include for the period covered by the report*  
21       *the following elements:*

22               (1) *The timeline for award of contracts for each*  
23       *military construction project to be funded with ap-*  
24       *propriations referred to in subsection (a).*

1           (2) *The status, including obligations and expend-*  
2           *itures, of each contract already awarded for such*  
3           *military construction projects.*

4           (3) *An assessment of the contracting capacity of*  
5           *the communities in the vicinity of such military in-*  
6           *stallations to support such contracts.*

7           (4) *The expectations that such local communities*  
8           *will be required to address.*

9           (c) *PUBLIC AVAILABILITY OF REPORT.*—*The informa-*  
10          *tion in each report specific to a particular military instal-*  
11          *lation shall be made available online using a public forum*  
12          *commonly used in the locality in which the installation is*  
13          *located.*

14          (d) *EARLY TERMINATION.*—*Notwithstanding the date*  
15          *specified in subsection (a), the Secretary of the Air Force*  
16          *and the Secretary of the Navy may terminate the reporting*  
17          *requirement applicable to the Secretary concerned under*  
18          *such subsection effective on the date on which the Secretary*  
19          *concerned certifies to the relevant congressional committees*  
20          *that at least 90 percent of the appropriations referred to*  
21          *in such subsection and made available to the Secretary con-*  
22          *cerned have been expended.*

23          (e) *RELEVANT CONGRESSIONAL COMMITTEES DE-*  
24          *FINED.*—*In this section, the term “relevant congressional*  
25          *committees” means—*

1           (1) *the Committee on Armed Services and the*  
2           *Subcommittee on Military Construction, Veterans Af-*  
3           *airs, and Related Agencies of the Committee on Ap-*  
4           *propriations of the House of Representatives; and*

5           (2) *the Committee on Armed Services and the*  
6           *Subcommittee on Military Construction, Veterans Af-*  
7           *airs, and Related Agencies of the Senate.*

8                   ***Subtitle B—Military Family***  
9                   ***Housing Reforms***

10 ***SEC. 2811. EXPENDITURE PRIORITIES IN USING DEPART-***  
11                   ***MENT OF DEFENSE FAMILY HOUSING IM-***  
12                   ***PROVEMENT FUND.***

13           (a) *IN GENERAL.*—*Section 2883(d)(1) of title 10,*  
14 *United States Code, is amended—*

15                   (1) *by inserting “(A)” after “(1)”;* and

16                   (2) *by adding at the end the following new sub-*  
17 *paragraph:*

18                   “(B) *The Secretary of Defense shall require that eligi-*  
19 *ble entities receiving amounts from the Department of De-*  
20 *fense Family Housing Improvement Fund prioritize the use*  
21 *of such amounts for expenditures related to operating ex-*  
22 *penses, debt payments, and asset recapitalization before*  
23 *other program management-incentive fee expenditures.”.*

24           (b) *EFFECTIVE DATE.*—*The requirements set forth in*  
25 *subparagraph (B) of section 2883(d)(1) of title 10, United*



1 *States Code, as added by subsection (a), shall apply to ap-*  
2 *propriate legal documents entered into or renewed on or*  
3 *after the date of the enactment of this Act between the Sec-*  
4 *retary of a military department and a landlord regarding*  
5 *privatized military housing. In this subsection, the terms*  
6 *“landlord” and “privatized military housing” have the*  
7 *meanings given those terms in section 3001(a) of the Mili-*  
8 *tary Construction Authorization Act for Fiscal Year 2020*  
9 *(division B of Public Law 116–92; 133 Stat. 1916; 10*  
10 *U.S.C. 2821 note).*

11 **SEC. 2812. PROMULGATION OF GUIDANCE TO FACILITATE**  
12 **RETURN OF MILITARY FAMILIES DISPLACED**  
13 **FROM PRIVATIZED MILITARY HOUSING.**

14 (a) *GUIDANCE REQUIRED.—The Secretary of Defense*  
15 *shall promulgate guidance for commanders of military in-*  
16 *stallations and installation housing management offices to*  
17 *facilitate and manage the return of tenants who are dis-*  
18 *placed from privatized military housing—*

19 (1) *as a result of an environmental hazard or*  
20 *other damage adversely affecting the habitability of*  
21 *the privatized military housing; or*

22 (2) *during remediation or repair activities in re-*  
23 *sponse to the hazard or damages.*

24 (b) *AVAILABILITY OF REIMBURSEMENT.—As part of*  
25 *the guidance, the Secretary of Defense shall identify situa-*

1 tions in which a tenant of privatized military housing  
2 should be reimbursed for losses to personal property of the  
3 tenant that are not covered by insurance and are incurred  
4 by the tenant in the situations described in subsection (a).

5 (c) CONSULTATION.—The Secretary of Defense shall  
6 promulgate the guidance in consultation with the Secre-  
7 taries of the military departments, the Chief Housing Offi-  
8 cer, landlords, and other interested persons.

9 (d) IMPLEMENTATION.—The Secretaries of the mili-  
10 tary departments shall be responsible for ensuring the im-  
11 plementation of the guidance at military installations  
12 under the jurisdiction of the Secretary concerned.

13 (e) DEFINITIONS.—In this section, the terms “land-  
14 lord”, “privatized military housing”, and “tenant” have the  
15 meanings given those terms in section 3001(a) of the Mili-  
16 tary Construction Authorization Act for Fiscal Year 2020  
17 (division B of Public Law 116–92; 133 Stat. 1916; 10  
18 U.S.C. 2821 note).

19 **SEC. 2813. PROMULGATION OF GUIDANCE ON MOLD MITI-**  
20 **GATION IN PRIVATIZED MILITARY HOUSING.**

21 (a) GUIDANCE REQUIRED.—The Secretary of Defense  
22 shall establish a working group to promulgate guidance re-  
23 garding best practices for mold mitigation in privatized  
24 military housing and for making the determination regard-  
25 ing when the presence of mold in a unit of home privatized

1 *military housing is an emergency situation requiring the*  
2 *relocation of the residents of the unit.*

3 (b) *MEMBERS.*—*The working groups shall include the*  
4 *Surgeon Generals of the Armed Forces and such other sub-*  
5 *ject-matter experts as the Secretary considers appropriate.*

6 **SEC. 2814. EXPANSION OF UNIFORM CODE OF BASIC STAND-**  
7 **ARDS FOR PRIVATIZED MILITARY HOUSING**  
8 **AND HAZARD AND HABITABILITY INSPECTION**  
9 **AND ASSESSMENT REQUIREMENTS TO GOV-**  
10 **ERNMENT-OWNED AND GOVERNMENT-CON-**  
11 **TROLLED MILITARY FAMILY HOUSING.**

12 (a) *UNIFORM CODE OF BASIC STANDARDS FOR MILI-*  
13 *TARY HOUSING.*—*The Secretary of Defense shall expand the*  
14 *uniform code of basic housing standards for safety, comfort,*  
15 *and habitability for privatized military housing established*  
16 *pursuant to section 3051(a) of the Military Construction*  
17 *Authorization Act for Fiscal Year 2020 (division B of Pub-*  
18 *lic Law 116–92; 133 Stat. 1941; 10 U.S.C. 2871 note) to*  
19 *include Government-owned and Government-controlled*  
20 *military family housing located inside or outside the*  
21 *United States and occupied by members of the Armed*  
22 *Forces.*

23 (b) *INSPECTION AND ASSESSMENT PLAN.*—*The Sec-*  
24 *retary of Defense shall expand the Department of Defense*  
25 *housing inspection and assessment plan prepared pursuant*

1 *to section 3051(b) of the Military Construction Authoriza-*  
2 *tion Act for Fiscal Year 2020 (division B of Public Law*  
3 *116–92; 133 Stat. 1941; 10 U.S.C. 2871 note) to include*  
4 *Government-owned and Government-controlled military*  
5 *family housing located inside or outside the United States*  
6 *and occupied by members of the Armed Forces and com-*  
7 *mence inspections and assessments of such military family*  
8 *housing pursuant to the plan.*

9 **SEC. 2815. ESTABLISHMENT OF EXCEPTIONAL FAMILY MEM-**  
10 **BER PROGRAM HOUSING LIAISON.**

11 (a) *ESTABLISHMENT.*—*Not later than September 30,*  
12 *2021, each Secretary of a military department shall ap-*  
13 *point at least one Exceptional Family Member Program*  
14 *housing liaison for that military department.*

15 (b) *DUTIES.*—*The duties of a Exceptional Family*  
16 *Member Program housing liaison are to assist military*  
17 *families enrolled in that Program, and who are*  
18 *disproportionally housed in facilities under the Military*  
19 *Housing Privatization Initiative, in obtaining cost-effective*  
20 *services needed by such families.*

1 **SEC. 2816. DEPARTMENT OF DEFENSE REPORT ON CRI-**  
2 **TERIA AND METRICS USED TO EVALUATE**  
3 **PERFORMANCE OF LANDLORDS OF**  
4 **PRIVATIZED MILITARY HOUSING THAT RE-**  
5 **CEIVE INCENTIVE FEES.**

6 (a) *REPORT REQUIRED.*—Not later than 180 days  
7 after the date of the enactment of this Act, the Secretary  
8 of Defense shall submit to the Committees on Armed Serv-  
9 ices of the Senate and the House of Representatives a re-  
10 port—

11 (1) *describing the criteria and metrics currently*  
12 *used by the Department of Defense to analyze the per-*  
13 *formance of landlords that receive incentive fees; and*

14 (2) *evaluating the effectiveness of such criteria*  
15 *and metrics in accurately judging the performance of*  
16 *such landlords; and*

17 (3) *containing such recommendations as the Sec-*  
18 *retary considers appropriate to revise such criteria*  
19 *and metrics to better evaluate the performance of such*  
20 *landlords.*

21 (b) *PREPARATION OF REPORT.*—To prepare the report  
22 required by subsection (a), the Secretary of Defense first  
23 shall solicit the views of the Secretaries of the military de-  
24 partments.

25 (c) *DEFINITIONS.*—In this section, the terms “incen-  
26 tive fees” and “landlord” have the meanings given those

1 *terms in paragraphs (9) and (10) of section 2871 of title*  
2 *10, United States Code.*

3 **SEC. 2817. REPORT ON DEPARTMENT OF DEFENSE EFFORTS**  
4 **REGARDING OVERSIGHT AND ROLE IN MAN-**  
5 **AGEMENT OF PRIVATIZED MILITARY HOUS-**  
6 **ING.**

7 *Not later than 180 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 progress made by the De-*  
11 *partment of Defense in implementing the recommendations*  
12 *contained in the report of the Comptroller General regard-*  
13 *ing military housing entitled “DOD Needs to Strengthen*  
14 *Oversight and Clarify Its Role in the Management of*  
15 *Privatized Housing” and dated March 2020 (GAO-20-281).*

16 ***Subtitle C—Real Property and***  
17 ***Facilities Administration***

18 **SEC. 2821. CODIFICATION OF REPORTING REQUIREMENTS**  
19 **REGARDING UNITED STATES OVERSEAS MILI-**  
20 **TARY ENDURING LOCATIONS AND CONTIN-**  
21 **GENCY LOCATIONS.**

22 *(a) INCLUSION OF INFORMATION IN EXISTING ANNUAL*  
23 *REPORT.—Section 2687a(a) of title 10, United States Code,*  
24 *is amended—*

1           (1) *in the subsection heading, by striking “MAS-*  
2           *TER PLANS” and inserting “OVERSEAS MILITARY LO-*  
3           *CATIONS”;*

4           (2) *in paragraph (1), by striking subparagraph*  
5           *(B) and inserting the following new subparagraph:*

6           “*(B) overseas military locations, whether such a*  
7           *location is designated as an enduring location or con-*  
8           *tingency location.”; and*

9           (3) *by striking paragraph (2) and inserting the*  
10          *following new paragraphs:*

11          “*(2) To satisfy the reporting requirement specified in*  
12          *paragraph (1)(B), a report under paragraph (1) shall con-*  
13          *tain the following:*

14                  “*(A) A description of the strategic goal and oper-*  
15                  *ational requirements supported by each overseas mili-*  
16                  *tary location.*

17                  “*(B) A summary of the terms of agreements for*  
18                  *each overseas military location, including—*

19                          “*(i) the type of implementing agreement;*

20                          “*(ii) any annual lease or access costs to the*  
21                          *United States under the agreement; and*

22                          “*(iii) any limitation on United States mili-*  
23                          *tary presence, activities, or operations at the*  
24                          *overseas military location.*

1           “(C) A list of all infrastructure investments  
2           made at each overseas military location during the  
3           previous fiscal year, delineated by project location,  
4           project title or description, cost of project, any  
5           amount paid by a host nation to cover all or part of  
6           the project cost, and authority used to undertake the  
7           project.

8           “(D) A list of all infrastructure requirements for  
9           each overseas military location anticipated during the  
10          fiscal year in which the report is submitted and the  
11          next four fiscal years, delineated as described in sub-  
12          paragraph (C).

13          “(E) A list of any overseas military locations  
14          newly established during the previous fiscal year.

15          “(F) A description of any plans to transition an  
16          existing contingency overseas military location to an  
17          enduring overseas military location or to upgrade or  
18          downgrade the designation of an existing enduring or  
19          contingency overseas military location during the fis-  
20          cal year in which the report is submitted or the next  
21          four fiscal years.

22          “(G) A list of any overseas military locations  
23          that, during the previous fiscal year, were transferred  
24          to the control of security forces of the host country or  
25          another military force, closed, or for any other reason



1       *no longer used by the armed forces, including a sum-*  
2       *mary of any costs associated with the transfer or clo-*  
3       *sure of the overseas military location.*

4               *“(H) A summary of the impact that the estab-*  
5       *lishment or maintenance of each overseas military lo-*  
6       *cation has on security commitments undertaken by*  
7       *the United States pursuant to any international secu-*  
8       *rity treaty or the current security environments in*  
9       *the combatant commands, including United States*  
10       *participation in theater security cooperation activi-*  
11       *ties and bilateral partnership, exchanges, and train-*  
12       *ing exercises.*

13               *“(I) A summary of any force protection risks*  
14       *identified for each overseas military location, the ac-*  
15       *tions proposed to mitigate such risks, and the*  
16       *resourcing and implementation plan to implement the*  
17       *mitigation actions.*

18               *“(J) An assessment of force protection measures*  
19       *by host nations for each overseas military location*  
20       *and recommendations to mitigate any potential risks*  
21       *identified.*

22               *“(K) Such other such matters related to overseas*  
23       *military locations as the Secretary of Defense con-*  
24       *siders appropriate.*

1           “(3)(A) *In this subsection, the term ‘overseas military*  
2 *location’ covers both enduring locations and contingency lo-*  
3 *cations established outside the United States.*

4           “(B) *An enduring location is primarily characterized*  
5 *either by the presence of permanently assigned United*  
6 *States forces with robust infrastructure and quality of life*  
7 *amenities to support that presence, by the sustained pres-*  
8 *ence of allocated United States forces with infrastructure*  
9 *and quality of life amenities consistent with that presence,*  
10 *or by the periodic presence of allocated U.S. forces with lit-*  
11 *tle or no permanent United States military presence or con-*  
12 *trolled infrastructure. Enduring locations include main op-*  
13 *erating bases, forward operating sites, and cooperative secu-*  
14 *rity locations.*

15           “(C) *A contingency location refers to a location outside*  
16 *of the United States that is not covered by subparagraph*  
17 *(B), but that is used by United States forces to support and*  
18 *sustain operations during named and unnamed contin-*  
19 *gency operations or other operations as directed by appro-*  
20 *priate authority and is categorized by mission life-cycle re-*  
21 *quirements as initial, temporary, or semi-permanent.*

22           “(4) *The Secretary of Defense shall prepare the report*  
23 *under paragraph (1) in coordination with the Under Sec-*  
24 *retary of Defense for Policy and the Under Secretary of De-*  
25 *fense for Acquisition and Sustainment.*

1       “(5) A report under paragraph (1) shall be submitted  
2 in unclassified form, but may contain a classified annex  
3 as necessary.”.

4       (b) *CONFORMING AND CLERICAL AMENDMENTS.*—

5           (1) *CONFORMING AMENDMENTS.*—Section  
6 2687a(e)(2) of title 10, United States Code, is amend-  
7 ed by striking “host nation” both places it appears  
8 and inserting “host country”.

9           (2) *SECTION HEADING.*—The heading of section  
10 2687a of title 10, United States Code, is amended to  
11 read as follows:

12 **“§2687a. Overseas base closures and realignments**  
13 **and status of United States overseas mili-**  
14 **tary locations”.**

15           (3) *TABLE OF SECTIONS.*—The table of sections  
16 at the beginning of chapter 159 of title 10, United  
17 States Code, is amended by striking the item relating  
18 to section 2687a and inserting the following new  
19 item:

“2687a. Overseas base closures and realignments and status of United States over-  
seas military locations.”.

20       (c) *REPEAL OF SUPERCEDED REPORTING REQUIRE-*  
21 *MENT.*—Section 2816 of the Military Construction Author-  
22 ization Act for Fiscal Year 2016 (division B of Public Law  
23 114–92; 129 Stat. 1176) is repealed.

1 **SEC. 2822. LIMITATIONS ON RENEWAL OF UTILITY PRIVAT-**  
2 **IZATION CONTRACTS.**

3 (a) *CONTRACT RENEWAL AUTHORITY.*—Section  
4 2688(d)(2) of title 10, United States Code, is amended—

5 (1) by inserting “(A)” after “(2)”; and

6 (2) by inserting after the first sentence the fol-  
7 lowing new subparagraph:

8 “(B) A longer-term contract entered into under the au-  
9 thority of subparagraph (A) may be renewed in the manner  
10 provided in such subparagraph, except that such a contract  
11 renewal may only be awarded during the final five years  
12 of the existing contract term.”.

13 (b) *CONFORMING AMENDMENTS.*—Section 2688(d)(2)  
14 of title 10, United States Code, is further amended—

15 (1) by striking “The determination of cost effec-  
16 tiveness” and inserting the following:

17 “(C) A determination of cost effectiveness under this  
18 paragraph”; and

19 (2) by striking “the contract” and inserting “the  
20 contract or contract renewal”.

21 **SEC. 2823. VESTING EXERCISE OF DISCRETION WITH SERV-**  
22 **ICE SECRETARIES REGARDING ENTERING**  
23 **INTO LONGER-TERM CONTRACTS FOR UTIL-**  
24 **ITY SERVICES.**

25 Section 2688(d)(2) of title 10, United States Code, as  
26 amended by section 2822, is further amended—

1           (1) by striking “The Secretary of Defense, or the  
2           designee of the Secretary,” and inserting “The Sec-  
3           retary concerned”; and

4           (2) by striking “if the Secretary” and inserting  
5           “if the Secretary concerned”.

6 **SEC. 2824. USE OF ON-SITE ENERGY PRODUCTION TO PRO-**  
7                                   **MOTE MILITARY INSTALLATION ENERGY RE-**  
8                                   **SILIENCE AND ENERGY SECURITY.**

9           (a) *PROMOTION OF ON-SITE ENERGY SECURITY AND*  
10 *ENERGY RESILIENCE.*—Section 2911 of title 10, United  
11 States Code, is amended by adding at the end the following  
12 new subsection:

13           “(h) *PROMOTION OF ON-SITE ENERGY SECURITY AND*  
14 *ENERGY RESILIENCE.*—(1) Consistent with the energy secu-  
15 rity and resilience goals of the Department of Defense and  
16 the energy performance master plan referred to in this sec-  
17 tion, the Secretary concerned shall consider, when feasible,  
18 projects for the production of installation energy that bene-  
19 fits military readiness and promotes installation energy se-  
20 curity and energy resilience in the following manner:

21                           “(A) Location of the energy-production infra-  
22                           structure on the military installation that will con-  
23                           sume the energy.

24                           “(B) Incorporation of energy resilience features,  
25                           such as microgrids, to ensure that energy remains

1       *available to the installation even when the installa-*  
2       *tion is not connected to energy sources located off the*  
3       *installation.*

4               “(C) *Reduction in periodic refueling needs from*  
5       *sources off the installation to not more than once*  
6       *every two years.*”

7               “(3) *In this subsection, the term ‘microgrid’ means an*  
8       *integrated energy system consisting of interconnected loads*  
9       *and energy resources that, if necessary, can be removed from*  
10       *the local utility grid and function as an integrated, stand-*  
11       *alone system.’”.*

12               ***(b) EVALUATION OF FEASIBILITY OF EXPANDING USE***  
13       ***OF ON-SITE ENERGY PRODUCTION.—***

14               ***(1) PROJECTS AUTHORIZED.—****Subsection (h) of*  
15       *section 2911 of title 10, United States Code, as added*  
16       *by subsection (a), is amended by inserting after para-*  
17       *graph (1) the following new paragraph:*

18               “(2)(A) *Using amounts made available for military*  
19       *construction projects under section 2914 of this title, the*  
20       *Secretary of Defense shall carry out at least four projects*  
21       *to promote installation energy security and energy resil-*  
22       *ience in the manner described in paragraph (1).*”

23               “(B) *At least one project shall be designed to develop*  
24       *technology that demonstrates the ability to connect an exist-*  
25       *ing on-site energy generation facility that uses solar power*

1 *with one or more installation facilities performing critical*  
2 *missions in a manner that allows the generation facility*  
3 *to continue to provide electrical power to these facilities*  
4 *even if the installation is disconnected from the commercial*  
5 *power supply.*

6       “(C) *At least one project shall be designed to develop*  
7 *technology that demonstrates that one or more installation*  
8 *facilities performing critical missions can be isolated, for*  
9 *purposes of electrical power supply, from the remainder of*  
10 *the installation and from the commercial power supply in*  
11 *a manner that allows an on-site energy generation facility*  
12 *that uses a renewable energy source, other than solar energy,*  
13 *to provide the necessary power exclusively to these facilities.*

14       “(D) *At least two projects shall be designed to develop*  
15 *technology that demonstrates the ability to store sufficient*  
16 *electrical energy from an on-site energy generation facility*  
17 *that uses a renewable energy source to provide the electrical*  
18 *energy required to continue operation of installation facili-*  
19 *ties performing critical missions during nighttime oper-*  
20 *ations.*

21       “(E) *The Secretary of Defense may not select as the*  
22 *site of a project under this paragraph a military installa-*  
23 *tion that already has the ability to satisfy any of the project*  
24 *requirements described in subparagraphs (B), (C), or (D).*

1       “(F) *The authority of the Secretary of Defense to com-*  
2 *mence a project under this paragraph expires on September*  
3 *30, 2025.*”.

4           (2) *BRIEFING.*—*Not later than March 1, 2021,*  
5 *the Secretary of Defense shall brief the congressional*  
6 *defense committees regarding the plan to carry out*  
7 *the on-site energy production projects authorized by*  
8 *paragraph (2) of section 2911 of title 10, United*  
9 *States Code, as added by paragraph (1).*

10 **SEC. 2825. AVAILABILITY OF ENERGY RESILIENCE AND CON-**  
11 **SERVATION INVESTMENT PROGRAM FUNDS**  
12 **FOR CERTAIN ACTIVITIES RELATED TO**  
13 **PRIVATIZED UTILITY SYSTEMS.**

14       *Section 2914(a) of title 10, United States Code, is*  
15 *amended—*

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

18           (2) *by adding at the end the following new para-*  
19 *graph:*

20       “(2) *For purposes of this section, a military construc-*  
21 *tion project is deemed to include activities related to utility*  
22 *systems authorized under subsections (h), (j), and (k) of sec-*  
23 *tion 2688 or section 2913 of this title, notwithstanding that*  
24 *the United States does not own the utility system, and en-*  
25 *ergy-related activities included as a separate requirement*



1 *in an energy savings performance contract (as defined in*  
2 *section 804(3) of the National Energy Conservation Policy*  
3 *Act (42 U.S.C. 8287c(3)).”.*

4 **SEC. 2826. IMPROVING WATER MANAGEMENT AND SECUR-**  
5 **ITY ON MILITARY INSTALLATIONS.**

6 *(a) RISK-BASED APPROACH TO INSTALLATION WATER*  
7 *MANAGEMENT AND SECURITY.—*

8 *(1) GENERAL REQUIREMENT.—The Secretary*  
9 *concerned shall adopt a risk-based approach to water*  
10 *management and security for each military installa-*  
11 *tion under the jurisdiction of the Secretary.*

12 *(2) IMPLEMENTATION PRIORITIES.—The Sec-*  
13 *retary concerned shall begin implementation of para-*  
14 *graph (1) by prioritizing those military installations*  
15 *under the jurisdiction of the Secretary that the Sec-*  
16 *retary determines—*

17 *(A) are experiencing the greatest risks to*  
18 *sustainable water management and security; and*

19 *(B) face the most severe existing or poten-*  
20 *tial adverse impacts to mission assurance as a*  
21 *result of such risks.*

22 *(3) DETERMINATION METHOD.—Determinations*  
23 *under paragraph (2) shall be made on the basis of the*  
24 *water management and security assessments made by*  
25 *the Secretary concerned under subsection (b).*

1       (b) *WATER MANAGEMENT AND SECURITY ASSESS-*  
2 *MENTS.—*

3           (1) *ASSESSMENT METHODOLOGY.—The Secre-*  
4 *taries concerned, acting jointly, shall develop a meth-*  
5 *odology to assess risks to sustainable water manage-*  
6 *ment and security and mission assurance.*

7           (2) *ELEMENTS.—Required elements of the assess-*  
8 *ment methodology shall include the following:*

9                   (A) *An evaluation of the water sources and*  
10 *supply connections for a military installation,*  
11 *including water flow rate and extent of competi-*  
12 *tion for the water sources.*

13                   (B) *An evaluation of the age, condition, and*  
14 *jurisdictional control of water infrastructure*  
15 *servicing the military installation.*

16                   (C) *An evaluation of the military installa-*  
17 *tion's water-security risks related to drought-*  
18 *prone climates, impacts of defense water usage*  
19 *on regional water demands, water quality, and*  
20 *legal issues, such as water rights disputes.*

21                   (D) *An evaluation of the resiliency of the*  
22 *military installation's water supply and the*  
23 *overall health of the aquifer basin of which the*  
24 *water supply is a part, including the robustness*

1           *of the resource, redundancy, and ability to re-*  
2           *cover from disruption.*

3           *(E) An evaluation of existing water meter-*  
4           *ing and consumption at the military installa-*  
5           *tion, considered at a minimum—*

6                   *(i) by type of installation activity,*  
7                   *such as training, maintenance, medical,*  
8                   *housing, and grounds maintenance and*  
9                   *landscaping; and*

10                   *(ii) by fluctuations in consumption,*  
11                   *including peak consumption by quarter.*

12           *(c) EVALUATION OF INSTALLATIONS FOR POTENTIAL*  
13           *NET ZERO WATER USAGE.—*

14                   *(1) EVALUATION REQUIRED.—The Secretary con-*  
15                   *cerned shall conduct an evaluation of each military*  
16                   *installation under the jurisdiction of the Secretary to*  
17                   *determine the potential for the military installation,*  
18                   *or at a minimum certain installation activities, to*  
19                   *achieve net zero water usage.*

20                   *(2) ELEMENTS.—Required elements of each eval-*  
21                   *uation shall include the following:*

22                           *(A) An evaluation of alternative water*  
23                           *sources to offset use of freshwater, including*  
24                           *water recycling and harvested rainwater for use*  
25                           *as non-potable water.*

1           (B) *An evaluation of the practicality of im-*  
2           *plementing Department of Energy guidelines for*  
3           *net zero water usage, when practicable to mini-*  
4           *mize water consumption and wastewater dis-*  
5           *charge in buildings scheduled for renovation.*

6           (C) *An evaluation of the practicality of im-*  
7           *plementing net zero water usage technology into*  
8           *new construction in water-constrained areas, as*  
9           *determined by water management and security*  
10          *assessments conducted under subsection (b).*

11          (d) *IMPROVED LANDSCAPING MANAGEMENT PRAC-*  
12          *TICES.—*

13               (1) *LANDSCAPING MANAGEMENT.—The Secretary*  
14               *concerned shall implement, to the maximum extent*  
15               *practicable, at each military installation under the*  
16               *jurisdiction of the Secretary landscaping management*  
17               *practices to increase water resilience and ensure*  
18               *greater quantities of water availability for oper-*  
19               *ational, training, and maintenance requirements.*

20               (2) *ARID OR SEMI-ARID CLIMATES.—For mili-*  
21               *tary installations located in arid or semi-arid cli-*  
22               *mates, landscaping management practices shall in-*  
23               *clude the use of xeriscaping.*

24               (3) *NON-ARID CLIMATES.—For military installa-*  
25               *tions located in arid or non-arid climates, land-*

1        *scaping management practices shall include the use of*  
2        *plants common to the region in which the installation*  
3        *is located and native grasses and plants.*

4            (4) *POLLINATOR CONSERVATION REFERENCE*  
5        *GUIDE.—The Secretary concerned shall follow the rec-*  
6        *ommendations of the Department of Defense Polli-*  
7        *nator Conservation Reference Guide (September 2018)*  
8        *to the maximum extent practicable in order to reduce*  
9        *operation and maintenance costs related to land-*  
10       *scaping management, while improving area manage-*  
11       *ment. Consistent with such guide, in the preparation*  
12       *of a military installation landscaping plan, the Sec-*  
13       *retary concerned should consider the following:*

14            (A) *Adding native flowering plants to*  
15        *sunny open areas and removing overhanging tree*  
16        *limbs above open patches within forested areas or*  
17        *dense shrub.*

18            (B) *Removing or controlling invasive plants*  
19        *to improve pollinator habitat.*

20            (C) *Preserving known and potential polli-*  
21        *nator nesting and overwintering sites.*

22            (D) *Eliminating or minimizing pesticide*  
23        *use in pollinator habitat areas.*

24            (E) *Mowing in late fall or winter after*  
25        *plants have bloomed and set seed, adjusting tim-*

1            *ing to avoid vulnerable life stages of special sta-*  
2            *tus pollinators.*

3            *(F) Mowing mid-day when adult polli-*  
4            *nators can avoid mowing equipment.*

5            *(e) IMPLEMENTATION REPORT.—*

6            *(1) REPORT REQUIRED.—Not later than one*  
7            *year after the date of the enactment of this Act, the*  
8            *Secretary of Defense, in coordination with the other*  
9            *Secretaries concerned, shall submit to the Committees*  
10           *on Armed Services of the Senate and the House of*  
11           *Representatives a report on the progress made in im-*  
12           *plementing this section.*

13           *(2) REPORT ELEMENTS.—The report shall in-*  
14           *clude the following:*

15           *(A) The methodology developed under sub-*  
16           *section (b) to conduct water management and se-*  
17           *curity assessments.*

18           *(B) A list of the military installations that*  
19           *have been assessed using such methodology and a*  
20           *description of the findings.*

21           *(C) A list of planned assessments for the*  
22           *one-year period beginning on the date of the sub-*  
23           *mission of the report.*

24           *(D) An evaluation of the progress made on*  
25           *implementation of xeriscaping and other region-*

1           ally appropriate landscaping practices at mili-  
2           tary installations.

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

4           (1) *The term “net zero water usage”, with re-*  
5           *spect to a military installation or installation activ-*  
6           *ity, means a situation in which the combination of*  
7           *limitations on the consumption of water resources*  
8           *and the return of water to an original water source*  
9           *by the installation or activity is sufficient to prevent*  
10          *any reduction in the water resources of the area in*  
11          *both quantity and quality over a reasonable period of*  
12          *time.*

13          (2) *The terms “Secretary concerned” and “Sec-*  
14          *retary” mean the Secretary of a military department*  
15          *and the Secretary of Defense with respect to the Pen-*  
16          *tagon Reservation.*

17          (3) *The term “xeriscaping” means landscape de-*  
18          *sign that emphasizes low water use and drought-toler-*  
19          *ant plants that require little or no supplemental irri-*  
20          *gation.*

1 **SEC. 2827. PILOT PROGRAM TO TEST USE OF EMERGENCY**  
2 **DIESEL GENERATORS IN A MICROGRID CON-**  
3 **FIGURATION AT CERTAIN MILITARY INSTAL-**  
4 **LATIONS.**

5 (a) *PILOT PROGRAM AUTHORIZED.*—*The Secretary of*  
6 *Defense may conduct a pilot program (to be known as the*  
7 *Emergency Diesel Generator Microgrid Program) to evalu-*  
8 *ate the feasibility and cost effectiveness of connecting exist-*  
9 *ing diesel generators at a military installation selected pur-*  
10 *suant to subsection (c) to create and support one or more*  
11 *microgrid configurations at the installation capable of pro-*  
12 *viding full-scale electrical power for the defense critical fa-*  
13 *cilities located at the installation during an emergency in-*  
14 *volving the loss of external electric power supply caused by*  
15 *an extreme weather condition, manmade intentional infra-*  
16 *structure damage, or other circumstances.*

17 (b) *GOAL OF PILOT PROGRAM.*—*The goals of the*  
18 *Emergency Diesel Generator Microgrid Program are—*

19 (1) *to test assumptions about lower operating*  
20 *and maintenance costs, parts interchangeability,*  
21 *lower emissions, lower fuel usage, increased resiliency,*  
22 *increased reliability, and reduced need for emergency*  
23 *diesel generators; and*

24 (2) *to establish design criteria that could be used*  
25 *to build and sustain emergency diesel generator*  
26 *microgrids at other military installations.*



1           (c) *PILOT PROGRAM LOCATIONS.*—As the locations to  
2 conduct the Emergency Diesel Generator Microgrid Pro-  
3 gram, the Secretary of Defense shall select two major mili-  
4 tary installations located in different geographical regions  
5 of the United States that the Secretary determines—

6           (1) are defense critical electric infrastructure  
7 sites or contain, or are served by, defense critical elec-  
8 tric infrastructure;

9           (2) contain more than one defense critical func-  
10 tion for national defense purposes and the mission as-  
11 surance of such critical defense facilities are para-  
12 mount to maintaining national defense and force pro-  
13 jection capabilities at all times; and

14           (3) face unique electric energy supply, delivery,  
15 and distribution challenges that, based on the geo-  
16 graphic location of the installations and the overall  
17 physical size of the installations, adversely impact  
18 rapid electric infrastructure restoration after an  
19 interruption.

20           (d) *SPECIFICATIONS OF DIESEL GENERATORS AND*  
21 *MICROGRID.*—

22           (1) *GENERATOR SPECIFICATIONS.*—The Sec-  
23 retary of Defense shall use existing diesel generators  
24 that are sized  $\geq 750\text{kW}$  output.

1           (2) *MICROGRID SPECIFICATIONS.*—*The Secretary*  
2           *of Defense shall create the microgrid using commer-*  
3           *cially available and proven designs and technologies.*  
4           *The existing diesel generators used for the microgrid*  
5           *should be spaced within 1.0 to 1.5 mile of each other*  
6           *and, using a dedicated underground electric cable net-*  
7           *work, be tied into a microgrid configuration sufficient*  
8           *to supply mission critical facilities within the service*  
9           *area of the microgrid. A selected military installation*  
10           *may contain more than one such microgrid under the*  
11           *Emergency Diesel Generator Microgrid Program.*

12           (e) *PROGRAM AUTHORITIES.*—*The Secretary of De-*  
13           *fense may use the authority under section 2914 of title 10,*  
14           *United States Code (known as the Energy Resilience and*  
15           *Conservation Investment Program) and energy savings per-*  
16           *formance contracts to conduct the Emergency Diesel Gener-*  
17           *ator Microgrid Program.*

18           (f) *DEFINITIONS.*—*For purposes of the Emergency*  
19           *Diesel Generator Microgrid Program:*

20                   (1) *The term “defense critical electric infrastruc-*  
21                   *ture” has the meaning given that term in section*  
22                   *215A of the Federal Power Act (16 U.S.C. 8240–1).*

23                   (2) *The term “energy savings performance con-*  
24                   *tract” has the meaning given that term in section*

1       804(3) of the National Energy Conservation Policy  
2       Act (42 U.S.C. 8287c(3)).

3           (3) The term “existing diesel generators” means  
4       diesel generators located, as of the date of the enact-  
5       ment of this Act, at a major military installation se-  
6       lected as a location for the Emergency Diesel Gener-  
7       ator Microgrid Program and intended for emergency  
8       use.

9           (4) The term “major military installation” has  
10       the meaning given that term in section 2864 of title  
11       10, United States Code.

12   **SEC. 2828. IMPROVED ELECTRICAL METERING OF DEPART-**  
13                   **MENT OF DEFENSE INFRASTRUCTURE SUP-**  
14                   **PORTING CRITICAL MISSIONS.**

15       (a) *OPTIONS TO IMPROVE ELECTRICAL METERING.*—  
16       The Secretary of Defense and the Secretaries of the military  
17       departments shall improve the metering of electrical energy  
18       usage of covered defense structures to accurately determine  
19       energy consumption by such a structure to increase energy  
20       efficiency and improve energy resilience, using any com-  
21       bination of the options specified in subsection (b) or such  
22       other methods as the Secretary concerned considers prac-  
23       ticable.

1           **(b) METERING OPTIONS.**—*Electrical energy usage op-*  
2 *tions to be considered for a covered defense structure include*  
3 *the following:*

4                   (1) *Installation of a smart meter at the electric*  
5 *power supply cable entry point of the covered defense*  
6 *structure, with remote data storage and retrieval ca-*  
7 *pability using cellular communication, to provide his-*  
8 *torical energy usage data on an hourly basis to accu-*  
9 *rately determine the optimum cost effective energy ef-*  
10 *iciency and energy resilience measures for the covered*  
11 *defense structure.*

12                   (2) *Use of an energy usage audit firm to indi-*  
13 *vidually meter the covered defense structure using*  
14 *clamp-on meters and data storage to provide year-*  
15 *long electric energy load profile data, particularly in*  
16 *the case of a covered defense structure located in cli-*  
17 *mates with highly variable use based on weather or*  
18 *temperature changes to accurately identify electric en-*  
19 *ergy usage demand for both peak and off peak periods*  
20 *for a covered defense structure.*

21                   (3) *Manual collection and calculation of the con-*  
22 *ected load via nameplate data survey of all the con-*  
23 *ected electrical devices for the covered defense struc-*  
24 *ture and comparing it to the designed maximum rat-*  
25 *ing of the incoming electric supply to determine the*

1       *maximum electrical load for the covered defense struc-*  
2       *ture.*

3       (c) *CONSIDERATION OF PARTNERSHIPS.*—*The Sec-*  
4       *retary of Defense and the Secretaries of the military depart-*  
5       *ments shall consider the use of arrangements (known as*  
6       *public-private partnerships) with appropriate entities out-*  
7       *side the Government to reduce the cost of carrying out this*  
8       *section.*

9       (d) *DEFINITIONS.*—*In this section:*

10           (1) *The term “covered defense structure” means*  
11           *any infrastructure under the jurisdiction of the De-*  
12           *partment of Defense inside the United States that the*  
13           *Secretary of Defense or the Secretary of the military*  
14           *department concerned determines—*

15                   (A) *is used to support a critical mission of*  
16                   *the Department; and*

17                   (B) *is located at a military installation*  
18                   *with base-wide resilient power.*

19           (2) *The term “energy resilience” has the mean-*  
20           *ing given that term in section 101(e)(6) of title 10,*  
21           *United States Code.*

22       (e) *IMPLEMENTATION REPORT.*—*As part of the De-*  
23       *partment of Defense energy management report to be sub-*  
24       *mitted under section 2925 of title 10, United States Code,*  
25       *during fiscal year 2022, the Secretary of Defense shall in-*

1 *clude information on the progress being made to comply*  
2 *with the requirements of this section.*

3 **SEC. 2829. RENAMING CERTAIN MILITARY INSTALLATIONS**  
4 **AND OTHER DEFENSE PROPERTY.**

5 *(a) DEFINITIONS.—In this section:*

6 *(1) The term “advisory panel” means an advi-*  
7 *sory panel established by the Secretary concerned to*  
8 *assist the Secretary concerned in the renaming proc-*  
9 *ess required by this section.*

10 *(2) The term “covered defense property” means*  
11 *any real property, including any building, structure,*  
12 *or other improvement to real property thereon, under*  
13 *the jurisdiction of the Secretary concerned that is*  
14 *named after any person who served in the political or*  
15 *military leadership of any armed rebellion against*  
16 *the United States.*

17 *(3) The term “covered military installation”*  
18 *means a military installation or reserve component*  
19 *facility that is named after any person who served in*  
20 *the political or military leadership of any armed re-*  
21 *bellion against the United States.*

22 *(4) The term “identification report” means the*  
23 *initial report required by subsection (c) that identifies*  
24 *covered military installations and covered defense*  
25 *property.*

1           (5) *The term “military installation” has the*  
2 *meaning given that term in section 2801(c) of title*  
3 *10, United States Code.*

4           (6) *The term “other improvement” includes any*  
5 *library, classroom, parade ground or athletic field,*  
6 *training range, roadway, or similar physical feature.*

7           (7) *The term “process report” means the report*  
8 *required by subsection (d) that describes the renaming*  
9 *process to be used by the Secretary concerned.*

10          (8) *The term “renaming report” means the final*  
11 *report required by subsection (f) that provides new*  
12 *names for covered military installations and covered*  
13 *defense property.*

14          (9) *The term “reserve component facility” has*  
15 *the meaning given the term “facility” in section*  
16 *18232 of title 10, United States Code, and covers*  
17 *those facilities for which title is vested in the United*  
18 *States or for which the Secretary of Defense contrib-*  
19 *uted funds under section 18233(a) of such title or*  
20 *former section 2233 of such title.*

21          (10) *The term “Secretary concerned” means the*  
22 *Secretary of a military department and includes the*  
23 *Secretary of Defense with respect to matters con-*  
24 *cerning the Defense Agencies.*

1       **(b) RENAMING REQUIRED; DEADLINE.**—Not later than  
2 one year after the date of the enactment of this Act, the  
3 Secretary concerned shall—

4           (1) complete the renaming process required by  
5 this section; and

6           (2) commence the renaming of each covered mili-  
7 tary installation and covered defense property identi-  
8 fied in the renaming report pursuant to the guidance  
9 issued by the Secretary concerned under subsection  
10 (f).

11       **(c) IDENTIFICATION REPORT; DEADLINE.**—Not later  
12 than 60 days after the date of the enactment of this Act,  
13 each Secretary concerned shall submit to the congressional  
14 defense committees a report that identifies each covered  
15 military installation and all covered defense property under  
16 the jurisdiction of the Secretary concerned that the Sec-  
17 retary concerned determines satisfies the definitions given  
18 those terms in subsection (a).

19       **(d) PROCESS REPORT; DEADLINE.**—

20           (1) **REPORT REQUIRED.**—Not later than 90 days  
21 after the date of the enactment of this Act, each Sec-  
22 retary concerned shall submit to the congressional de-  
23 fense committees a report describing the process by  
24 which the Secretary concerned will rename each cov-  
25 ered military installation and covered defense prop-



1 *erty identified in the renaming report prepared by*  
2 *the Secretary concerned.*

3 (2) *REPORT ELEMENTS.—At minimum, the*  
4 *process report shall contain the following elements:*

5 (A) *A detailed description of the process to*  
6 *be used by the Secretary concerned to develop a*  
7 *list of potential names for renaming covered*  
8 *military installations and covered defense prop-*  
9 *erty.*

10 (B) *An explanation regarding whether or*  
11 *not the Secretary concerned established, or will*  
12 *establish, an advisory panel to support the re-*  
13 *view process and make recommendations to the*  
14 *Secretary concerned. If the Secretary concerned*  
15 *has established, or will establish, an advisory*  
16 *panel, the report shall include the names and po-*  
17 *sitions of the individuals who will serve on the*  
18 *advisory panel that represent:*

19 (i) *Military leadership from covered*  
20 *military installations.*

21 (ii) *Military leadership from military*  
22 *installations containing covered defense*  
23 *property..*

1                   (iii) *State leaders and leaders of the lo-*  
2                   *cality in which a covered military installa-*  
3                   *tion or covered defense property is located.*

4                   (iv) *Representatives from military mu-*  
5                   *seums, military historians, or relevant his-*  
6                   *torians from the impacted States and local-*  
7                   *ities with relevant expertise.*

8                   (v) *Community civil rights leaders.*

9                   (C) *The criteria the Secretary concerned*  
10                  *will use to inform the renaming process.*

11                  (D) *A description of the process for accept-*  
12                  *ing and considering public comments from mem-*  
13                  *bers of the Armed Forces, veterans, and members*  
14                  *of the local community on potential names for*  
15                  *renaming covered military installations and cov-*  
16                  *ered defense property.*

17                  (E) *A timeline for the renaming process*  
18                  *consistent with the deadline specified in sub-*  
19                  *section (b).*

20                  (e) *CONGRESSIONAL GUIDANCE ON RENAMING CRI-*  
21                  *TERIA.—*

22                   (1) *PREFERENCES.—As part of the renaming*  
23                   *process established by the Secretary concerned and de-*  
24                   *scribed in the process report required by subsection*  
25                   *(c), the Secretary concerned shall give a preference for*

1 *renaming covered military installations and covered*  
2 *defense property after either—*

3 *(A) a battlefield victory by the Armed*  
4 *Forces consistent with current Department of*  
5 *Defense naming conventions; or*

6 *(B) a deceased member of the Armed Forces*  
7 *who satisfies one of more of the following:*

8 *(i) Was a recipient of the Congres-*  
9 *sional Medal of Honor.*

10 *(ii) Was recognized for heroism in*  
11 *combat or for other significant contributions*  
12 *to the United States.*

13 *(iii) Was a member of a minority*  
14 *group who overcame prejudice and adver-*  
15 *sity to perform distinguished military serv-*  
16 *ice.*

17 *(iv) Has links to the community or*  
18 *State where the military installation or cov-*  
19 *ered property is located.*

20 *(v) Served at the covered military in-*  
21 *stallation, in a unit of the Armed Forces*  
22 *based at the covered installation; or at the*  
23 *military installation containing the covered*  
24 *defense property.*

25 *(2) OTHER CONSIDERATIONS.—*

1           (A) *JUNIOR SERVICEMEMBERS.*—*Junior*  
2           *members of the Armed Forces should be favored*  
3           *in the renaming process over general officers or*  
4           *flag officers.*

5           (B) *BRANCH CONSIDERATION.*—*A deceased*  
6           *member of the Armed Forces whose name is se-*  
7           *lected in the renaming process should have served*  
8           *in the same Armed Force as the majority of the*  
9           *members of the Armed Forces stationed at the*  
10          *covered military installation renamed in honor*  
11          *of the deceased member or at which the renamed*  
12          *covered defense property is located.*

13          (C) *CONFLICT CONSIDERATION.*—*The names*  
14          *selected in the renaming process should recognize*  
15          *and reflect significant battles or contingency op-*  
16          *erations since 1917 or the contributions of mem-*  
17          *bers of the Armed Forces who served in wars and*  
18          *contingency operations since 1917.*

19          (D) *PERSONAL CONDUCT.*—*A deceased*  
20          *member of the Armed Forces whose name is se-*  
21          *lected in the renaming process should be a person*  
22          *whose personal conduct reflects the current values*  
23          *of the Armed Forces and its members.*

24          (f) *RENAMING REPORT; DEADLINE.*—

1           (1) *REPORT REQUIRED.*—Upon completing the  
2           renaming process identified in the process report, but  
3           not later than 30 days before the deadline specified in  
4           subsection (b), each Secretary concerned shall submit  
5           to the congressional defense committees a final report  
6           containing the list of the new names chosen for each  
7           covered military installation and covered defense  
8           property identified in the identification report pre-  
9           pared by the Secretary concerned.

10           (2) *REPORT ELEMENTS.*—At minimum, the re-  
11           naming report shall contain an explanation of the  
12           reasons for the selection of each new name chosen for  
13           covered military installations and covered defense  
14           property.

15           (3) *PUBLIC AVAILABILITY.*—The Secretary con-  
16           cerned shall make the renaming report publicly avail-  
17           able as soon as practicable after submission of the re-  
18           naming report.

19           (3) *GUIDANCE FOR ACTUAL RENAMING.*—Not  
20           later than 30 days after submission of the renaming  
21           report, the Secretary concerned shall issue guidance to  
22           promptly affect the name changes contained in the re-  
23           naming report.

24           (g) *SAVINGS CLAUSE.*—Nothing in this section or the  
25           renaming process required by this section shall be construed

1 *to have any effect on grave markers or cemeteries that may*  
2 *exist on real property under the jurisdiction of the Depart-*  
3 *ment of Defense.*

#### 4 ***Subtitle D—Land Conveyances***

##### 5 ***SEC. 2831. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.***

6 *(a) CONVEYANCE AUTHORIZED.—The Secretary of the*  
7 *Army may convey, without consideration, to the State of*  
8 *Arizona Department of Emergency and Military Affairs (in*  
9 *this section referred to as the “State”) all right, title, and*  
10 *interest of the United States in and to a parcel of real prop-*  
11 *erty, including any improvements thereon, consisting of not*  
12 *more than 3,000 acres at Camp Navajo, Arizona, for the*  
13 *purpose of permitting the State to use the property—*

14 *(1) for training the Arizona Army National*  
15 *Guard and Air National Guard; and*

16 *(2) for defense industrial base economic develop-*  
17 *ment purposes that are compatible with the environ-*  
18 *mental security and primary National Guard train-*  
19 *ing purpose of Camp Navajo.*

20 *(b) CONDITION OF CONVEYANCE.—*

21 *(1) USE OF REVENUES.—The authority of the*  
22 *Secretary of the Army to make the conveyance de-*  
23 *scribed in subsection (a) is subject to the condition*  
24 *that the State agree that all revenues generated from*  
25 *the use of the property conveyed under such subsection*

1 *will be used to support the training requirements of*  
2 *the Arizona Army National Guard and Air National*  
3 *Guard, including necessary infrastructure mainte-*  
4 *nance and capital improvements.*

5 (2) *AUDIT.—The United States Property and*  
6 *Fiscal Office for Arizona shall—*

7 (A) *conduct periodic audits of all revenues*  
8 *generated by uses of the conveyed property and*  
9 *the use of such revenues; and*

10 (B) *provide the audit results to the Chief of*  
11 *the National Guard Bureau.*

12 (c) *REVERSIONARY INTEREST.—*

13 (1) *INTEREST RETAINED.—If the Secretary of the*  
14 *Army determines at any time that the property con-*  
15 *veyed under subsection (a) is not being used in ac-*  
16 *cordance with the purposes of the conveyance specified*  
17 *in such subsection, or that the State has not complied*  
18 *with the condition imposed by subsection (b), all*  
19 *right, title, and interest in and to the conveyed prop-*  
20 *erty, including any improvements thereon, shall, at*  
21 *the option of the Secretary, revert to and become the*  
22 *property of the United States, and the United States*  
23 *shall have the right of immediate entry onto the Prop-*  
24 *erty.*

1           (2) *DETERMINATION.*—A determination by the  
2           Secretary under this subsection shall be made on the  
3           record after an opportunity for a hearing.

4           (d) *ALTERNATIVE CONSIDERATION OPTION.*—

5           (1) *CONSIDERATION OPTION.*—In lieu of exer-  
6           cising the reversionary interest retained under sub-  
7           section (c), the Secretary of the Army may accept an  
8           offer by the State to pay to the United States an  
9           amount equal to the fair market value of the property  
10          conveyed under subsection (a), excluding the value of  
11          any improvements on the conveyed property con-  
12          structed without Federal funds after the date of the  
13          conveyance is completed, as determined by the Sec-  
14          retary.

15          (2) *TREATMENT OF CONSIDERATION RE-*  
16          *CEIVED.*—Consideration received by the Secretary  
17          under paragraph (1) shall be deposited in the special  
18          account in the Treasury established for the Secretary  
19          under subsection (e) of section 2667 of title 10, United  
20          States Code, and shall be available to the Secretary  
21          for the same uses and subject to the same limitations  
22          as provided in that section.

23          (e) *PAYMENT OF COSTS OF CONVEYANCE.*—

24          (1) *PAYMENT REQUIRED.*—The Secretary of the  
25          Army shall require the State to cover costs to be in-



1        *curred by the Secretary, or to reimburse the Secretary*  
2        *for such costs incurred by the Secretary, to carry out*  
3        *the conveyance under subsection (a), including survey*  
4        *costs, costs for environmental documentation related*  
5        *to the conveyance, and any other administrative costs*  
6        *related to the conveyance. If amounts are collected*  
7        *from the State in advance of the Secretary incurring*  
8        *the actual costs, and the amount collected exceeds the*  
9        *costs actually incurred by the Secretary to carry out*  
10       *the conveyance, the Secretary shall refund the excess*  
11       *amount to the State.*

12            (2) *TREATMENT OF AMOUNTS RECEIVED.—*  
13        *Amounts received as reimbursement under paragraph*  
14        *(1) shall be credited to the fund or account that was*  
15        *used to cover those costs incurred by the Secretary in*  
16        *carrying out the conveyance or, if the period of avail-*  
17        *ability for obligations for that appropriation has ex-*  
18        *pired, to the fund or account currently available to*  
19        *the Secretary for the same purpose. Amounts so cred-*  
20        *ited shall be merged with amounts in such fund or ac-*  
21        *count, and shall be available for the same purposes,*  
22        *and subject to the same conditions and limitations, as*  
23        *amounts in such fund or account.*

24            (f) *DESCRIPTION OF PROPERTY.—The exact acreage*  
25        *and legal description of the property to be conveyed under*

1 subsection (a) shall be determined by a survey satisfactory  
2 to the Secretary of the Army.

3 (g) SAVINGS PROVISION.—Nothing in this section shall  
4 be construed to alleviate, alter, or affect the responsibility  
5 of the United States for cleanup and remediation of the  
6 property to be conveyed under subsection (a) in accordance  
7 with the Defense Environmental Restoration Program  
8 under section 2701 of title 10, United States Code, and the  
9 Comprehensive Environmental Response, Compensation,  
10 and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

11 (h) ADDITIONAL TERMS AND CONDITIONS.—The Sec-  
12 retary of the Army may require such additional terms and  
13 conditions in connection with the conveyance under sub-  
14 section (a) as the Secretary considers appropriate to protect  
15 the interests of the United States. These additional terms  
16 may include a requirement for the State to consult with  
17 the Secretary of the Navy regarding use of the conveyed  
18 property.

19 **SEC. 2832. MODIFICATION OF LAND EXCHANGE INVOLVING**  
20 **NAVAL INDUSTRIAL RESERVE ORDNANCE**  
21 **PLANT, SUNNYVALE, CALIFORNIA.**

22 (a) ELEMENTS OF EXCHANGE.—Section 2841(a) of the  
23 Military Construction Authorization Act for Fiscal Year  
24 2018 (division B of Public Law 115–91; 131 Stat. 1860)

1 *is amended by striking paragraphs (1) and (2) and insert-*  
2 *ing the following new paragraphs:*

3           “(1) *real property, including improvements*  
4 *thereon, located in Titusville, Florida, that will re-*  
5 *place the NIROP and meet the readiness requirements*  
6 *of the Department of the Navy, as determined by the*  
7 *Secretary; and*

8           “(2) *reimbursement for the costs of relocation of*  
9 *contractor and Government personnel and equipment*  
10 *from the NIROP to the replacement facilities, to the*  
11 *extent specified in the land exchange agreement con-*  
12 *templated in subsection (b).”.*

13       **(b) ELEMENTS OF LAND EXCHANGE AGREEMENT.—**  
14 *Section 2841(b)(1) of the Military Construction Authoriza-*  
15 *tion Act for Fiscal Year 2018 (division B of Public Law*  
16 *115–91; 131 Stat. 1860) is amended by inserting after*  
17 *“identifies” the following: “the costs of relocation to be reim-*  
18 *bursed by the Exchange Entity,”.*

19       **(c) VALUATION OF PROPERTIES AND COMPENSA-**  
20 *TION.—Section 2841 of the Military Construction Author-*  
21 *ization Act for Fiscal Year 2018 (division B of Public Law*  
22 *115–91; 131 Stat. 1860) is amended—*

23           (1) *by striking subsection (c);*

24           (2) *by redesignating subsections (d) through (i)*  
25 *as subsections (e) through (j), respectively; and*

1           (3) *by inserting after subsection (b) the following*  
2           *new subsections:*

3           “(c) *VALUATION.—The Secretary shall determine the*  
4           *fair market value of the properties, including improvements*  
5           *thereon, to be exchanged by the Secretary and the Exchange*  
6           *Entity under subsection (a).*

7           “(d) *COMPENSATION.—*

8                 “(1) *COMPENSATION REQUIRED.—The Exchange*  
9                 *Entity shall provide compensation under the land ex-*  
10                *change agreement described in subsection (b) that is*  
11                *equal to or exceeds the fair market value of the*  
12                *NIROP, as determined under subsection (c).*

13               “(2) *IN-KIND CONSIDERATION.—As part of the*  
14                *compensation under the land exchange agreement, the*  
15                *Secretary and the Exchange Entity may agree for the*  
16                *Exchange Entity to provide the following forms of in-*  
17                *kind consideration at any property or facility under*  
18                *the control of the Secretary:*

19                         “(A) *Alteration, repair, improvement, or*  
20                         *restoration (including environmental restora-*  
21                         *tion) of property.*

22                         “(B) *Use of facilities by the Secretary.*

23                         “(C) *Provision of real property mainte-*  
24                         *nance services.*

1           “(D) *Provision of or payment of utility*  
2           *services.*

3           “(E) *Provision of such other services relat-*  
4           *ing to activities that will occur on the property*  
5           *as the Secretary considers appropriate.*

6           “(3) *DEPOSIT.—The Secretary shall deposit any*  
7           *cash payments received under the land exchange*  
8           *agreement, other than cash payments accepted under*  
9           *section 2695 of title 10, United States Code, in the ac-*  
10          *count in the Treasury established pursuant to section*  
11          *572(b) of title 40, United States Code.*

12          “(4) *USE OF PROCEEDS.—Proceeds deposited*  
13          *pursuant to paragraph (3) in the account referred to*  
14          *in such paragraph shall be available to the Secretary*  
15          *in such amounts as provided in appropriations Acts*  
16          *for the following activities:*

17                  “(A) *Maintenance, protection, alternation,*  
18                  *repair, improvement, or restoration (including*  
19                  *environmental restoration) of property or facili-*  
20                  *ties.*

21                  “(B) *Payment of utilities services.*

22                  “(C) *Real property maintenance services.”.*

23          “(d) *TREATMENT OF CERTAIN AMOUNTS RECEIVED.—*  
24          *Subsection (f) of section 2841 of the Military Construction*  
25          *Authorization Act for Fiscal Year 2018 (division B of Pub-*

1 *lic Law 115–91; 131 Stat. 1861), as redesignated by sub-*  
2 *section (c)(2) of this section, is amended by striking “(a),*  
3 *(c)(2), and (d)” and inserting “(a) and (e)”.*

4 *(e) SUNSET.—Subsection (j) of section 2841 of the*  
5 *Military Construction Authorization Act for Fiscal Year*  
6 *2018 (division B of Public Law 115–91; 131 Stat. 1861),*  
7 *as redesignated by subsection (c)(2) of this section, is*  
8 *amended by striking “October 1, 2023” and inserting “Oc-*  
9 *tober 1, 2026, if the Secretary and the Exchange Entity*  
10 *have not entered into a land exchange agreement described*  
11 *in subsection (b) before that date”.*

12 **SEC. 2833. LAND CONVEYANCE, SHARPE ARMY DEPOT,**  
13 **LATHROP, CALIFORNIA.**

14 *(a) CONVEYANCE AUTHORIZED.—If the Secretary of*  
15 *the Army determines that no department or agency of the*  
16 *Federal Government will accept the transfer of a parcel of*  
17 *real property consisting of approximately 525 acres at*  
18 *Sharpe Army Depot in Lathrop, California, the Secretary*  
19 *may convey to the Port of Stockton, California, all right,*  
20 *title, and interest of the United States in and to the prop-*  
21 *erty, including any improvements thereon, for the purpose*  
22 *of permitting the Port of Stockton to use the property for*  
23 *the development or operation of a port facility.*

24 *(b) MODIFICATION OF PARCEL AUTHORIZED FOR CON-*  
25 *VEYANCE.—If a department or agency of the Federal Gov-*

1 *ernment will accept the transfer of a portion of the parcel*  
2 *of real property described in subsection (a), the Secretary*  
3 *shall modify the conveyance authorized by such subsection*  
4 *to exclude the portion of the parcel to be accepted by that*  
5 *department or agency.*

6 *(c) CONSIDERATION.—*

7 *(1) PUBLIC BENEFIT CONVEYANCE.—The Sec-*  
8 *retary of the Army may assign the property for con-*  
9 *veyance under subsection (a) as a public benefit con-*  
10 *veyance without monetary consideration to the Fed-*  
11 *eral Government if the Port of Stockton satisfies the*  
12 *conveyance requirements specified in section 554 of*  
13 *title 40, United States Code.*

14 *(2) FAIR MARKET VALUE.—If the Port of Stock-*  
15 *ton fails to qualify for a public benefit conveyance*  
16 *under paragraph (1) and still desires to acquire the*  
17 *real property described in subsection (a), the Port of*  
18 *Stockton shall pay to the United States an amount*  
19 *equal to the fair market value of the property to be*  
20 *conveyed. The Secretary shall determine the fair mar-*  
21 *ket value of the property using an independent ap-*  
22 *praisal based on the highest and best use of the prop-*  
23 *erty.*

24 *(d) DESCRIPTION OF PROPERTY.—The exact acreage*  
25 *and legal description of the real property to be conveyed*

1 *under subsection (a) shall be determined by a survey satis-*  
2 *factory to the Secretary of the Army. The cost of the survey*  
3 *shall be borne by the Port of Stockton.*

4 *(e) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*  
5 *retary of the Army may require such additional terms and*  
6 *conditions in connection with the conveyance under sub-*  
7 *section (a) as the Secretary considers appropriate to protect*  
8 *the interests of the United States.*

9 *(f) SUNSET.—If the real property authorized for con-*  
10 *veyance by subsection (a) is not conveyed within one year*  
11 *after the date of the enactment of this Act, the Secretary*  
12 *of the Army may report the property excess for disposal*  
13 *in accordance with existing law.*

14 **SEC. 2834. LAND EXCHANGE, SAN BERNARDINO COUNTY,**  
15 **CALIFORNIA.**

16 *(a) DEFINITIONS.—In this section:*

17 *(1) COUNTY.—The term “County” means the*  
18 *County of San Bernardino, California.*

19 *(2) FEDERAL LAND.—The term “Federal land”*  
20 *means the approximately 73 acres of Federal land*  
21 *generally depicted as “Federal Land Proposed for Ex-*  
22 *change” on the map titled “Big Bear Land Ex-*  
23 *change” and dated August 6, 2018.*

24 *(3) NON-FEDERAL LAND.—The term “non-Fed-*  
25 *eral land” means the approximately 71 acres of land*



1        *owned by the County generally depicted as “Non-Federal*  
2        *Land Proposed for Exchange” on the map referred to in paragraph (2).*

4        *(b) EXCHANGE AUTHORIZED.—Subject to valid existing*  
5        *rights and the terms of this section, no later than one*  
6        *year after the date that the portion of the Pacific Crest National*  
7        *Scenic Trail is relocated in accordance with subsection (i), if the County offers to convey the non-Federal*  
8        *land to the United States, the Secretary of Agriculture*  
9        *shall—*

11            *(1) convey to the County all right, title, and interest of the United States in and to the Federal land;*  
12            *and*

14            *(2) accept from the County a conveyance of all right, title, and interest of the County in and to the non-Federal land.*

17        *(c) EQUAL VALUE AND CASH EQUALIZATION.—*

18            *(1) EQUAL VALUE EXCHANGE.—The land exchange under this section shall be for equal value, or the values shall be equalized by a cash payment as provided for under this subsection or an adjustment in acreage. At the option of the County, any excess value of the non-Federal lands may be considered a gift to the United States.*

1           (2) *CASH EQUALIZATION PAYMENT.*—*The County*  
2           *may equalize the values of the lands to be exchanged*  
3           *under this section by cash payment without regard to*  
4           *any statutory limit on the amount of such a cash*  
5           *equalization payment.*

6           (3) *DEPOSIT AND USE OF FUNDS RECEIVED*  
7           *FROM COUNTY.*—*Any cash equalization payment re-*  
8           *ceived by the Secretary of Agriculture under this sub-*  
9           *section shall be deposited in the fund established*  
10           *under Public Law 90–171 (16 U.S.C. 484a; com-*  
11           *monly known as the Sisk Act). The funds so deposited*  
12           *shall remain available to the Secretary of Agriculture,*  
13           *until expended, for the acquisition of lands, waters,*  
14           *and interests in land for the San Bernardino Na-*  
15           *tional Forest.*

16           (d) *APPRAISAL.*—*The Secretary of Agriculture shall*  
17           *complete an appraisal of the land to be exchanged under*  
18           *this section in accordance with—*

19                   (1) *the Uniform Appraisal Standards for Fed-*  
20                   *eral Land Acquisitions; and*

21                   (2) *the Uniform Standards of Professional Ap-*  
22                   *praisal Practice.*

23           (e) *TITLE APPROVAL.*—*Title to the land to be ex-*  
24           *changed under this section shall be in a format acceptable*  
25           *to the Secretary of Agriculture and the County.*

1           (f) *SURVEY OF NON-FEDERAL LANDS.*—*Before com-*  
2 *pleting the exchange under this section, the Secretary of Ag-*  
3 *riculture shall inspect the non-Federal lands to ensure that*  
4 *the land meets Federal standards, including hazardous ma-*  
5 *terials and land line surveys.*

6           (g) *COSTS OF CONVEYANCE.*—*As a condition of the*  
7 *conveyance of the Federal land under this section, any costs*  
8 *related to the exchange under this section shall be paid by*  
9 *the County.*

10          (h) *MANAGEMENT OF ACQUIRED LANDS.*—*The Sec-*  
11 *retary of Agriculture shall manage the non-Federal land ac-*  
12 *quired under this section in accordance with the Act of*  
13 *March 1, 1911 (16 U.S.C. 480 et seq.; commonly known*  
14 *as the Weeks Act), and other laws and regulations per-*  
15 *taining to National Forest System lands.*

16          (i) *PACIFIC CREST NATIONAL SCENIC TRAIL RELOCA-*  
17 *TION.*—*No later than three years after the date of enactment*  
18 *of this Act, the Secretary of Agriculture, in accordance with*  
19 *applicable laws, shall relocate the portion of the Pacific*  
20 *Crest National Scenic Trail located on the Federal land—*

21                 (1) *to adjacent National Forest System land;*

22                 (2) *to land owned by the County, subject to*  
23 *County approval;*

24                 (3) *to land within the Federal land, subject to*  
25 *County approval; or*

1           (4) *in a manner that combines two or more of*  
2           *the options described in paragraphs (1), (2), and (3).*

3           (j) *MAP AND LEGAL DESCRIPTIONS.*—*As soon as prac-*  
4           *ticable after the date of the enactment of this Act, the Sec-*  
5           *retary of Agriculture shall finalize a map and legal descrip-*  
6           *tions of all land to be conveyed under this section. The Sec-*  
7           *retary may correct any minor errors in the map or in the*  
8           *legal descriptions. The map and legal descriptions shall be*  
9           *on file and available for public inspection in appropriate*  
10          *offices of the Forest Service.*

11 **SEC. 2835. LAND CONVEYANCE, OVER-THE-HORIZON**  
12                                   **BACKSCATTER RADAR SYSTEM RECEIVING**  
13                                   **STATION, MODOC COUNTY, CALIFORNIA.**

14          (a) *CONVEYANCE REQUIRED.*—

15           (1) *IN GENERAL.*—*As soon as practicable after*  
16           *receiving a request from Modoc County, California*  
17           *(in this section referred to as the “County”) regarding*  
18           *the conveyance required by this section, but subject to*  
19           *paragraph (2), the Secretary of Agriculture shall con-*  
20           *vey to the County all right, title, and interest of the*  
21           *United States in and to a parcel of National Forest*  
22           *System land, including improvements thereon, con-*  
23           *sisting of approximately 927 acres in Modoc National*  
24           *Forest in the State of California and containing an*  
25           *obsolete Over-the-Horizon Backscatter Radar System*

1        *receiving station established on the parcel pursuant to*  
2        *a memorandum of agreement between the Department*  
3        *of the Air Force and Forest Service dated May 18*  
4        *and 23, 1987.*

5            (2) *APPLICABLE LAW AND NATIONAL SECURITY*  
6        *DETERMINATION.—The Secretary of Agriculture shall*  
7        *carry out the conveyance under subsection (a) in ac-*  
8        *cordance with this section and all other applicable*  
9        *law, including the condition that the conveyance not*  
10       *take place until the Secretary, in consultation with*  
11       *the Secretary of the Air Force, determines that the*  
12       *conveyance will not harm the national security inter-*  
13       *ests of the United States.*

14           (b) *PURPOSE OF CONVEYANCE.—The purpose of the*  
15       *conveyance under subsection (a) is to preserve and utilize*  
16       *the improvements constructed on the parcel of National For-*  
17       *est System land described in such subsection and to permit*  
18       *the County to use the conveyed property, including im-*  
19       *provements thereon, for the development of renewable en-*  
20       *ergy, including solar and biomass cogeneration.*

21           (c) *CONSIDERATION.—*

22           (1) *IN GENERAL.—As consideration for the con-*  
23       *veyance under subsection (a), the County shall pay to*  
24       *the Secretary of Agriculture an amount that is not*  
25       *less than the fair market value of the parcel of land*

1        *to be conveyed, as determined in accordance with the*  
2        *Uniform Appraisal Standards for Federal Land Ac-*  
3        *quisition and the Uniform Standards of Professional*  
4        *Appraisal Practice.*

5            (2) *TREATMENT OF CASH CONSIDERATION.—The*  
6        *Secretary shall deposit the payment received under*  
7        *paragraph (1) in the account in the Treasury estab-*  
8        *lished by Public Law 90–171 (commonly known as*  
9        *the Sisk Act; 16 U.S.C. 484a). The amount deposited*  
10       *shall be available to the Secretary, in such amounts*  
11       *as may be provided in advance in appropriation*  
12       *Acts, to pay any necessary and incidental costs in-*  
13       *curring by the Secretary in connection with the im-*  
14       *provement, maintenance, reconstruction, or construc-*  
15       *tion of a facility or improvement for the National*  
16       *Forest System located in the State of California.*

17            (d) *RESERVATION OF EASEMENT RELATED TO CON-*  
18       *TINUED USE OF WATER WELLS.—The conveyance required*  
19       *by subsection (a) shall be conditioned on the reservation of*  
20       *an easement by the Secretary of Agriculture, subject to such*  
21       *terms and conditions as the Secretary deems appropriate,*  
22       *necessary to provide access for use authorized by the Sec-*  
23       *retary of the four water wells in existence on the date of*  
24       *the enactment of this Act and associated water conveyance*

1 *infrastructure on the parcel of National Forest System*  
2 *lands to be conveyed.*

3       (e) *WITHDRAWAL.—The National Forest System land*  
4 *described in subsection (a) is withdrawn from the operation*  
5 *of the mining and mineral leasing laws of the United*  
6 *States.*

7       (f) *PAYMENT OF COSTS OF CONVEYANCE.—*

8           (1) *PAYMENT REQUIRED.—The Secretary of Ag-*  
9 *riculture shall require the County to cover costs (ex-*  
10 *cept costs for environmental remediation of the prop-*  
11 *erty) to be incurred by the Secretary, or to reimburse*  
12 *the Secretary for such costs incurred by the Secretary,*  
13 *to carry out the conveyance under subsection (a), in-*  
14 *cluding survey costs, costs for environmental docu-*  
15 *mentation, and any other administrative costs related*  
16 *to the conveyance. If amounts are collected from the*  
17 *County in advance of the Secretary incurring the ac-*  
18 *tual costs, and the amount collected exceeds the costs*  
19 *actually incurred by the Secretary to carry out the*  
20 *conveyance, the Secretary shall refund the excess*  
21 *amount to the County.*

22           (2) *TREATMENT OF AMOUNTS RECEIVED.—*  
23 *Amounts received as reimbursement under paragraph*  
24 *(1) shall be credited to the fund or account that was*  
25 *used to cover those costs incurred by the Secretary of*

1     *Agriculture in carrying out the conveyance. Amounts*  
2     *so credited shall be merged with amounts in such*  
3     *fund or account, and shall be available for the same*  
4     *purposes, and subject to the same conditions and lim-*  
5     *itations, as amounts in such fund or account.*

6     *(g) ENVIRONMENTAL REMEDIATION.—*

7             *(1) IN GENERAL.—To expedite the conveyance of*  
8     *the parcel of National Forest System land described*  
9     *in subsection (a), including improvements thereon,*  
10    *environmental remediation of the land by the Depart-*  
11    *ment of the Air Force shall be limited to the removal*  
12    *of the perimeter wooden fence, which was treated with*  
13    *an arsenic-based weatherproof coating, and treatment*  
14    *of soil affected by leaching of such chemical.*

15            *(2) POTENTIAL FUTURE ENVIRONMENTAL REME-*  
16    *DIATION RESPONSIBILITIES.—Notwithstanding the*  
17    *conveyance of the parcel of National Forest System*  
18    *land described in subsection (a), the Secretary of the*  
19    *Air Force shall be responsible for the remediation of*  
20    *any environmental contamination, discovered post-*  
21    *conveyance, that is attributed to Air Force occupancy*  
22    *of and operations on the parcel pre-conveyance.*

23            *(h) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Not-*  
24    *withstanding the requirements of section 120(h) of the Com-*  
25    *prehensive Environmental Response, Compensation, and*



1 *Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary*  
2 *of Agriculture shall not be required to provide any of the*  
3 *covenants and warranties otherwise required under such*  
4 *section in connection with the conveyance of the property*  
5 *under subsection (a).*

6 (i) *DESCRIPTION OF PROPERTY.—The exact acreage*  
7 *and legal description of the property to be conveyed under*  
8 *subsection (a) shall be determined by a survey satisfactory*  
9 *to the Secretary of Agriculture.*

10 **SEC. 2836. TRANSFER OF ADMINISTRATIVE JURISDICTION,**  
11 **NAVAL SUPPORT ACTIVITY PANAMA CITY,**  
12 **FLORIDA, PARCEL.**

13 (a) *TRANSFER TO THE SECRETARY OF THE NAVY.—*  
14 *Administrative jurisdiction over the parcel of Federal land*  
15 *consisting of approximately 1.23 acres located within Naval*  
16 *Support Activity Panama City, Florida, and used by the*  
17 *Department of the Navy pursuant to Executive Order 10355*  
18 *of May 26, 1952, and Public Land Order Number 952 of*  
19 *April 6, 1954, is transferred from the Secretary of the Inte-*  
20 *rior to the Secretary of the Navy.*

21 (b) *LAND SURVEY.—The exact acreage and legal de-*  
22 *scription of the Federal land transferred by subsection (a)*  
23 *shall be determined by a survey satisfactory to the Secretary*  
24 *of the Navy and the Secretary of the Interior.*

25 (c) *CONSIDERATION AND REIMBURSEMENT.—*

1           (1) *NO CONSIDERATION.*—*The transfer made by*  
2           *subsection (a) shall be without consideration.*

3           (2) *REIMBURSEMENT.*—*The Secretary of the*  
4           *Navy shall reimburse the Secretary of the Interior for*  
5           *any costs incurred by the Secretary of the Interior*  
6           *under subsection (b) in conducting the survey and*  
7           *preparing the legal description of the Federal land*  
8           *transferred by subsection (a).*

9           (d) *STATUS OF LAND AFTER TRANSFER.*—*Upon*  
10          *transfer of the Federal land by subsection (a), the land shall*  
11          *cease to be public land and shall be treated as property (as*  
12          *defined in section 102(9) of title 40, United States Code)*  
13          *under the administrative jurisdiction of the Secretary of the*  
14          *Navy.*

15                           ***Subtitle E—Military Land***  
16                           ***Withdrawals***

17          ***SEC. 2841. RENEWAL OF LAND WITHDRAWAL AND RESERVA-***  
18                           ***TION TO BENEFIT NAVAL AIR FACILITY, EL***  
19                           ***CENTRO, CALIFORNIA.***

20          *Section 2925 of the El Centro Naval Air Facility*  
21          *Ranges Withdrawal Act (subtitle B of title XXIX of Public*  
22          *Law 104–201; 110 Stat. 2816) is amended by striking “25*  
23          *years after the date of the enactment of this subtitle” and*  
24          *inserting “on November 6, 2046”.*

1 **SEC. 2842. RENEWAL OF FALLON RANGE TRAINING COM-**  
2 **PLEX LAND WITHDRAWAL AND RESERVATION.**

3 *Notwithstanding section 3015 of the Military Lands*  
4 *Withdrawal Act of 1999 (title XXX of Public Law 106-*  
5 *65; 113 Stat. 892), the withdrawal and reservation of lands*  
6 *(known as the Fallon Range Training Complex) made by*  
7 *section 3011(a) of such Act (113 Stat. 885) shall terminate*  
8 *on November 6, 2046.*

9 **SEC. 2843. RENEWAL OF NEVADA TEST AND TRAINING**  
10 **RANGE LAND WITHDRAWAL AND RESERVA-**  
11 **TION.**

12 *Notwithstanding section 3015 of the Military Lands*  
13 *Withdrawal Act of 1999 (title XXX of Public Law 106-*  
14 *65; 113 Stat. 892), the withdrawal and reservation of lands*  
15 *(known as the Nevada Test and Training Range) made by*  
16 *section 3011(b) of such Act (113 Stat. 886) shall terminate*  
17 *on November 6, 2046.*

18 **SEC. 2844. CO-MANAGEMENT, NEW MEMORANDUM OF UN-**  
19 **DERSTANDING, AND ADDITIONAL REQUIRE-**  
20 **MENTS REGARDING NEVADA TEST AND**  
21 **TRAINING RANGE.**

22 (a) *DEFINITIONS.—In this section:*

23 (1) *The term “affected Indian tribe” means an*  
24 *Indian tribe that—*

1           (A) has historical connections to the land  
2           withdrawn and reserved as the Nevada Test and  
3           Training Range; and

4           (B) retains a presence on lands near the Ne-  
5           vada Test and Training Range.

6           (2) The term “heavy force” means a military  
7           unit with armored motorized equipment, such as  
8           tanks, motorized artillery, and armored personnel  
9           carriers.

10          (3) The term “large force” means a military  
11          unit designated as a battalion or larger organiza-  
12          tional unit.

13          (4) The term “Nevada Test and Training  
14          Range” means the lands known as the Nevada Test  
15          and Training Range withdrawn and reserved by sec-  
16          tion 3011(b) of the Military Lands Withdrawal Act  
17          of 1999 (title XXX of Public Law 106–65; 113 Stat.  
18          886).

19          (5) The term “new memorandum of under-  
20          standing” means the memorandum of understanding  
21          required by subsection (c)(1).

22          (6) The term “overlapping lands” means the  
23          lands overlapping both the Nevada Test and Training  
24          Range and the Desert National Wildlife Refuge.

1           (7) *The term “Secretaries” means the Secretary*  
2 *of the Air Force and the Secretary of the Interior act-*  
3 *ing jointly.*

4           (8) *The term “small force” means a military*  
5 *force of squad, platoon, or equivalent or smaller size.*

6           **(b) CO-MANAGEMENT OF FEDERAL LANDS OVERLAP-**  
7 **PING NEVADA TEST AND TRAINING RANGE AND DESERT**  
8 **NATIONAL WILDLIFE REFUGE.**—*The Secretaries shall co-*  
9 *manage the overlapping lands for both military and wild-*  
10 *life refuge purposes.*

11           **(c) MEMORANDUM OF UNDERSTANDING.**—

12           (1) **NEW MOU REQUIRED.**—*Not later than two*  
13 *years after the date of the enactment of this Act, the*  
14 *Secretaries shall prepare a memorandum of under-*  
15 *standing regarding the management of the overlap-*  
16 *ping lands for the purpose of facilitating the co-man-*  
17 *agement of the overlapping lands as required by sub-*  
18 *section (b).*

19           (2) **RELATION TO EXISTING MOU.**—*The new*  
20 *memorandum of understanding shall supersede the*  
21 *memorandum of understanding referred to in sub-*  
22 *paragraph (E) of section 3011(b)(5) of the Military*  
23 *Lands Withdrawal Act of 1999 (title XXX of Public*  
24 *Law 106–65; 113 Stat. 888). Clauses (ii), (iii), and*  
25 *(iv) of such subparagraph shall apply to the new*

1       *memorandum of understanding in the same manner*  
2       *as such clauses applied to the superseded memo-*  
3       *randum of understanding .*

4       *(d) ELEMENTS OF NEW MEMORANDUM OF UNDER-*  
5       *STANDING.—*

6               *(1) IN GENERAL.—Subject to the dispute resolu-*  
7       *tion process required by subsection (e), the new memo-*  
8       *randum of understanding shall include, at a min-*  
9       *imum, provisions to address the following:*

10                   *(A) The proper management and protection*  
11                   *of the natural and cultural resources of the over-*  
12                   *lapping lands.*

13                   *(B) The sustainable use by the public of*  
14                   *such resources to the extent consistent with exist-*  
15                   *ing laws and regulations, including applicable*  
16                   *environmental laws.*

17                   *(C) The use of the overlapping lands for the*  
18                   *military purposes for which the lands are with-*  
19                   *drawn and reserved.*

20               *(2) CONSULTATION.—The Secretaries shall pre-*  
21       *pare the new memorandum of understanding in con-*  
22       *sultation with the following:*

23                   *(A) The resource consultative committee.*

24                   *(B) Affected Indian tribes.*

1           (3) *TRIBAL ISSUES.*—*The new memorandum of*  
2           *understanding shall include provisions to address the*  
3           *manner in which the Secretary of the Air Force will*  
4           *accomplish the following:*

5                   (A) *Meet the United States trust respon-*  
6                   *sibilities with respect to affected Indian tribes,*  
7                   *tribal lands, and rights reserved by treaty or*  
8                   *Federal law affected by the withdrawal and res-*  
9                   *ervation of the overlapping lands.*

10                   (B) *Guarantee reasonable access to, and use*  
11                   *by members of affected Indian tribes of high pri-*  
12                   *ority cultural sites throughout the Nevada Test*  
13                   *and Training Range, including the overlapping*  
14                   *lands, consistent with the reservation of the*  
15                   *lands for military purposes.*

16                   (C) *Protect identified cultural and archae-*  
17                   *ological sites throughout the Nevada Test and*  
18                   *Training Range, including the overlapping*  
19                   *lands, and, in the event of an inadvertent*  
20                   *ground disturbance of such a site, implement ap-*  
21                   *propriate response activities to once again facili-*  
22                   *tate historic and subsistence use of the site by*  
23                   *members of affected Indian tribes.*

1           (D) Provide for timely consultation with af-  
2           fected Indian tribes as required by paragraph  
3           (2).

4           (4) DEPARTMENT OF THE INTERIOR ACCESS.—  
5           The new memorandum of understanding shall ensure  
6           that the Secretary of the Interior has regularly access  
7           to the overlapping lands to carry out the management  
8           responsibilities of the Secretary of the Interior regard-  
9           ing the Desert National Wildlife Refuge, including the  
10          following:

11           (A) The installation or maintenance of  
12           wildlife water development projects.

13           (B) The conduct of annual desert bighorn  
14           sheep surveys.

15           (C) The management of the annual desert  
16           bighorn sheep hunt in accordance with the Na-  
17           tional Wildlife Refuge System Administration  
18           Act of 1966 (16 U.S.C. 668dd–668ee).

19           (D) The conduct of annual biological sur-  
20           veys for the Agassiz's desert tortoise and other  
21           federally protected species, State-listed and at-  
22           risk species, migratory birds, golden eagle nests  
23           and rare plants.

24           (E) The conduct of annual invasive species  
25           surveys and treatment.



1           (F) *The conduct of annual contaminant*  
2           *surveys of soil, springs, groundwater and vegeta-*  
3           *tion.*

4           (G) *The regular installation and mainte-*  
5           *nance of climate monitoring systems.*

6           (H) *Such additional access opportunities,*  
7           *as needed, for wildlife research, including Global*  
8           *Positioning System collaring of desert bighorn*  
9           *sheep, bighorn sheep disease monitoring, inves-*  
10          *tigation of wildlife mortalities, and deploying,*  
11          *maintaining, and retrieving output from wildlife*  
12          *camera traps.*

13          (5) *HUNTING, FISHING, AND TRAPPING.—The*  
14          *new memorandum of understanding shall include*  
15          *provisions to require that any hunting, fishing, and*  
16          *trapping on the overlapping lands is conducted in ac-*  
17          *cordance with section 2671 of title 10, United States*  
18          *Code.*

19          (6) *OTHER REQUIRED MATTERS.—The new*  
20          *memorandum of understanding also shall include*  
21          *provisions regarding the following:*

22               (A) *The identification of current test and*  
23               *target impact areas and related buffer or safety*  
24               *zones, to the extent consistent with military pur-*  
25               *poses.*

1           (B) *The design and construction of all*  
2 *gates, fences, and barriers in the overlapping*  
3 *lands, to be constructed after the date of the en-*  
4 *actment of this Act, in a manner to allow wild-*  
5 *life access, to the extent practicable and con-*  
6 *sistent with military security, safety, and sound*  
7 *wildlife management use.*

8           (C) *The incorporation of any existing man-*  
9 *agement plans pertaining to the overlapping*  
10 *lands to the extent that the Secretaries, upon re-*  
11 *view of such plans, determine that incorporation*  
12 *into the new memorandum of understanding is*  
13 *appropriate.*

14           (D) *Procedures to ensure periodic reviews of*  
15 *the new memorandum of understanding are con-*  
16 *ducted by the Secretaries, and that the State of*  
17 *Nevada, affected Indian tribes, and the public*  
18 *are provided a meaningful opportunity to com-*  
19 *ment upon any proposed substantial revisions.*

20       (e) *RESOLUTION OF DISPUTES.—*

21           (1) *DISPUTE RESOLUTION PROCESS.—The Sec-*  
22 *retary of the Air Force shall be responsible for the res-*  
23 *olution of any dispute concerning the new memo-*  
24 *randum of understanding or any amendment thereto.*

1           (2) *CONSULTATION.*—*The Secretary of the Air*  
2 *Force shall make a decision under this subsection*  
3 *only after consultation with the Secretary of the Inte-*  
4 *rior, acting through the Regional Director of the*  
5 *United States Fish and Wildlife Service, and the co-*  
6 *ordinator of the resource consultative committee.*

7           (3) *GOAL.*—*The Secretary of the Air Force shall*  
8 *seek to resolve disputes under this subsection in a*  
9 *manner that provides the greatest access to the over-*  
10 *lapping lands to the public and to other Federal*  
11 *agencies and is protective of cultural and natural re-*  
12 *sources to the greatest extent possible consistent with*  
13 *the purposes for which the overlapping lands are re-*  
14 *served.*

15       (f) *RESOURCE CONSULTATIVE COMMITTEE.*—

16           (1) *ESTABLISHMENT REQUIRED.*—*The Secre-*  
17 *taries shall establish, pursuant to the new memo-*  
18 *randum of understanding, a resource consultative*  
19 *committee comprised of representatives from inter-*  
20 *ested Federal agencies, as well as at least one elected*  
21 *officer (or other authorized representative) from the*  
22 *State of Nevada, and at least one elected officer (or*  
23 *other authorized representative) from each local and*  
24 *tribal government impacted by the Nevada Test and*

1       *Training Range, as may be designated at the discre-*  
2       *tion of the Secretaries.*

3               (2) *PURPOSE.*—*The resource consultative com-*  
4       *mittee shall be established solely for the purpose of ex-*  
5       *changing views, information, and advice relating to*  
6       *the management of the natural and cultural resources*  
7       *of the Nevada Test and Training Range.*

8               (3) *OPERATIONAL BASIS.*—*The resource consult-*  
9       *ative committee shall operate in accordance with the*  
10       *terms set forth in the new memorandum of under-*  
11       *standing, which shall specify the Federal agencies and*  
12       *elected officers or representatives of State, local, and*  
13       *tribal governments to be invited to participate. The*  
14       *memorandum of understanding shall establish proce-*  
15       *dures for creating a forum for exchanging views, in-*  
16       *formation, and advice relating to the management of*  
17       *natural and cultural resources on the lands con-*  
18       *cerned, procedures for rotating the chair of the com-*  
19       *mittee, and procedures for scheduling regular meet-*  
20       *ings.*

21               (4) *COORDINATOR.*—*The Secretaries shall ap-*  
22       *point an individual to serve as coordinator of the re-*  
23       *source consultative committee. The duties of the coor-*  
24       *dinators shall be included in the new memorandum of*

1        *understanding. The coordinator shall not be a mem-*  
2        *ber of the committee.*

3        *(g) AUTHORIZED AND PROHIBITED ACTIVITIES.—*

4            *(1) AUTHORIZED ACTIVITIES.—Military activi-*  
5        *ties on the overlapping lands are authorized for the*  
6        *following purposes:*

7            *(A) Emergency response.*

8            *(B) Establishment and use of existing or*  
9        *new electronic tracking and communications*  
10       *sites.*

11          *(C) Establishment and use of drop zones.*

12          *(D) Use and maintenance of roads in exist-*  
13       *ence as of the date of the enactment of this Act.*

14          *(E) Small force readiness training by Air*  
15       *Force, Joint, or Coalition forces, including train-*  
16       *ing using small motorized vehicles both on- and*  
17       *off-road, in accordance with applicable inter-*  
18       *agency agreements.*

19          *(2) PROHIBITED ACTIVITIES.—Military activities*  
20       *on the overlapping lands are prohibited for the fol-*  
21       *lowing purposes:*

22          *(A) Large force or heavy force activities.*

23          *(B) Designation of new weapon impact*  
24       *areas.*

1           (C) *Any ground disturbance activity not*  
2           *authorized by paragraphs (1) and (2) of sub-*  
3           *section (c).*

4           (3) *RULES OF CONSTRUCTION.—Nothing in this*  
5           *subsection shall be construed to preclude—*

6                   (A) *low-level overflights of military aircraft,*  
7                   *the designation of new units of special use air-*  
8                   *space, or the use or establishment of military*  
9                   *flight training routes over the overlapping lands;*  
10                  *or*

11                   (B) *the Secretaries from entering into the*  
12                   *new memorandum of understanding or any*  
13                   *amendment thereto concerning the activities au-*  
14                   *thorized by paragraph (1).*

15           (h) *TRIBAL LIAISON POSITIONS.—*

16                   (1) *ACCESS COORDINATOR.—The Secretary of the*  
17                   *Air Force shall create a tribal liaison position for the*  
18                   *Nevada Test and Training Range, to be held by a*  
19                   *member of an affected Indian tribe, who will help co-*  
20                   *ordinate access to cultural and archaeological sites*  
21                   *throughout the Nevada Test and Training Range and*  
22                   *accompany members of Indian tribes accessing such*  
23                   *sites.*

24                   (2) *CULTURAL RESOURCES LIAISON.—The Sec-*  
25                   *retary of the Air Force shall create a tribal liaison*

1        *position for the Nevada Test and Training Range, to*  
2        *be held by a member of an affected Indian tribe, who*  
3        *will serve as a tribal cultural resources liaison to en-*  
4        *sure that—*

5                *(A) appropriate steps are being taken to*  
6                *protect cultural and archaeological sites through-*  
7                *out the Nevada Test and Training Range; and*

8                *(B) the management plan for the Nevada*  
9                *Test and Training Range is being followed.*

10        *(i) FISH AND WILDLIFE LIAISON.—The Secretaries*  
11        *shall create a Fish and Wildlife Service liaison position for*  
12        *the Nevada Test and Training Range, to be held by a Fish*  
13        *and Wildlife Service official designated by the Director of*  
14        *the United States Fish and Wildlife Service, who will serve*  
15        *as a liaison to ensure that—*

16                *(1) appropriate steps are being taken to protect*  
17                *Fish and Wildlife Service managed resources through-*  
18                *out the Nevada Test and Training Range; and*

19                *(2) the management plan for the Nevada Test*  
20                *and Training Range is being followed.*

1 **SEC. 2845. SPECIFIED DURATION OF WHITE SANDS MISSILE**  
2 **RANGE LAND WITHDRAWAL AND RESERVA-**  
3 **TION AND ESTABLISHMENT OF SPECIAL RES-**  
4 **ERVATION AREA FOR NORTHERN AND WEST-**  
5 **ERN EXTENSION AREAS.**

6 (a) *DURATION OF LAND WITHDRAWAL AND RESERVA-*  
7 *TION.*—*The withdrawal and reservation of lands (known as*  
8 *the White Sands Missile Range) made by section 2951 of*  
9 *the Military Land Withdrawals Act of 2013 (title XXIX*  
10 *of Public Law 113–66; 127 Stat. 1039), and the special res-*  
11 *ervation area established by this section, shall terminate on*  
12 *October 1, 2046.*

13 (b) *SPECIAL RESERVATION AREA.*—

14 (1) *ESTABLISHMENT.*—*There is hereby estab-*  
15 *lished a special reservation area consisting of the ap-*  
16 *proximately 341,415 acres of public land (including*  
17 *interests in land) in Socorro and Torrance Counties,*  
18 *New Mexico, and the approximately 352,115 acres of*  
19 *public land (including interests in land) in Sierra,*  
20 *Socorro, and Doña Ana Counties, New Mexico, de-*  
21 *picted as Northern Call-Up Area and Western Call-*  
22 *Up Area, respectively, on the maps entitled “WSMR*  
23 *Northern Call-Up Area” and “WSMR Western Call-*  
24 *Up Area”, both dated August 16, 2016. These lands*  
25 *include approximately 10,775 acres under the admin-*  
26 *istrative jurisdiction of the Secretary of the Army.*



1           (2) *RESERVATION GENERALLY.*—*The special res-*  
2           *ervation area, excluding the portion of the special res-*  
3           *ervation area under the administrative jurisdiction of*  
4           *the Secretary of the Army, is reserved for use by the*  
5           *Secretary of the Army for military purposes con-*  
6           *sisting of overflight research, development, test, and*  
7           *evaluation and training.*

8           (3) *ARMY LANDS.*—*The portion of the special res-*  
9           *ervation area under the administrative jurisdiction of*  
10          *the Secretary of the Army is reserved for use by the*  
11          *Secretary of the Army for military purposes as deter-*  
12          *mined by the Secretary of the Army.*

13          (c) *EXCEPTION FROM SPECIAL RESERVATION.*—*The*  
14          *Secretary of the Army may permit, on a case-by-case basis*  
15          *and consistent with section 44718 of title 49, United States*  
16          *Code, the erection in the special reservation area established*  
17          *by subsection (b) of a structure that extends higher than*  
18          *50 feet in height above the surface estate.*

19          (d) *MAPS AND LEGAL DESCRIPTIONS.*—*Section 3012*  
20          *of the Military Land Withdrawals Act of 2013 (title XXIX*  
21          *of Public Law 113–66; 127 Stat. 1026) shall apply with*  
22          *respect to the maps referred to in subsection (a) and the*  
23          *preparation of legal descriptions of the special reservation*  
24          *area established by subsection (b), except that the reference*

1 *to the date of the enactment of that Act shall be deemed*  
 2 *to refer to the date of the enactment of this Act.*

3 *(e) RULES OF CONSTRUCTION.—The establishment of*  
 4 *the special reservation area by subsection (b) shall not be*  
 5 *construed—*

6 *(1) to alter the terms, operation, or duration of*  
 7 *any agreement entered into by the Secretary of the*  
 8 *Army or the Secretary of the Interior involving any*  
 9 *portion of the lands included in the special reserva-*  
 10 *tion area, and the Secretaries shall continue to com-*  
 11 *ply with the terms of any such agreement; or*

12 *(2) to vest in the Secretary of the Army or the*  
 13 *Secretary of the Interior any authority vested in the*  
 14 *Secretary of Transportation or the Administrator of*  
 15 *the Federal Aviation Administration.*

16 ***Subtitle F—Asia-Pacific and Indo-***  
 17 ***Pacific Issues***

18 ***SEC. 2851. CHANGE TO BIENNIAL REPORTING REQUIRE-***  
 19 ***MENT FOR INTERAGENCY COORDINATION***  
 20 ***GROUP OF INSPECTORS GENERAL FOR GUAM***  
 21 ***REALIGNMENT.***

22 *Section 2835(e)(1) of the Military Construction Au-*  
 23 *thorization Act for Fiscal Year 2010 (division B of Public*  
 24 *Law 111–84; 10 U.S.C. 2687 note) is amended—*

1           (1) *in the paragraph heading, by striking “AN-*  
2           *NUAL” and inserting “BIENNIAL”; and*

3           (2) *in the matter preceding subparagraph (A)—*

4                 (A) *by striking “February 1 of each year”*  
5                 *and inserting “February 1, 2022, and every sec-*  
6                 *ond February 1 thereafter”;*

7                 (B) *by striking “fiscal year” and inserting*  
8                 *“two fiscal years”;*

9                 (C) *by striking “such year” and inserting*  
10                *“such years”; and*

11                (D) *by striking “the year” and inserting*  
12                *“the years”.*

13 **SEC. 2852. ADDITIONAL EXCEPTION TO RESTRICTION ON**  
14                 **DEVELOPMENT OF PUBLIC INFRASTRUCTURE**  
15                 **IN CONNECTION WITH REALIGNMENT OF MA-**  
16                 **RINE CORPS FORCES IN ASIA-PACIFIC RE-**  
17                 **GION.**

18           *Notwithstanding section 2821(b) of the Military Con-*  
19           *struction Authorization Act for Fiscal Year 2015 (division*  
20           *B of Public Law 113–291; 10 U.S.C. 2687 note), the Sec-*  
21           *retary of Defense may proceed with the public infrastruc-*  
22           *ture project on Guam intended to provide a new public*  
23           *health laboratory, as identified in the report prepared by*  
24           *the Secretary of Defense under section 2822(d)(2) of the*  
25           *Military Construction Authorization Act for Fiscal Year*

1 2014 (division B of Public Law 113–66; 127 Stat. 1017)  
2 and entitled “Economic Adjustment Committee Implemen-  
3 tation Plan Supporting the Preferred Alternative for the  
4 Relocation of Marine Corps Forces to Guam”, subject to the  
5 availability of funds for the project.

6 **SEC. 2853. DEVELOPMENT OF MASTER PLAN FOR INFRA-**  
7 **STRUCTURE TO SUPPORT ROTATIONAL**  
8 **ARMED FORCES IN AUSTRALIA.**

9 (a) *MASTER PLAN REQUIRED.*—The Secretary of De-  
10 fense shall develop a master plan for the construction of  
11 infrastructure required to support the rotational presence  
12 of units and members the United States Armed Forces in  
13 the Northern Territory of the Commonwealth of Australia  
14 (in this section referred to as the “Northern Territory”).

15 (b) *MASTER PLAN ELEMENTS.*—The master plan shall  
16 include the following:

17 (1) A list and description of the scope, cost, and  
18 schedule for each military construction, repair, or  
19 other infrastructure project carried out at installa-  
20 tions or training areas in the Northern Territory  
21 since October 1, 2011.

22 (2) A list and description of the scope, cost, and  
23 schedule for each military construction, repair, or  
24 other infrastructure project anticipated to be nec-  
25 essary at installations or training areas in the North-

1        *ern Territory during the 10-year period beginning on*  
2        *the date of the enactment of this Act.*

3            (3) *The site plans for each installation and*  
4        *training area in the Northern Territory.*

5            (4) *For each project included in the master plan*  
6        *pursuant to paragraph (1) or (2), an explanation*  
7        *of—*

8            (A) *whether the proponent of the project was*  
9        *the Secretary of a military department, a com-*  
10       *bat support agency, a combatant command, or*  
11       *the Commonwealth of Australia; and*

12           (B) *the funding source, or anticipated re-*  
13       *source sponsor, for the project, including whether*  
14       *the project is funded by the United States, by the*  
15       *Commonwealth of Australia, or jointly by both*  
16       *countries.*

17           (5) *Such other issues as determined by the Sec-*  
18       *retary of Defense to be appropriate.*

19           (c) *COORDINATION.—The Secretary of Defense shall co-*  
20       *ordinate with the Commander of United States Indo-Pacific*  
21       *Command and the Secretaries of the military departments*  
22       *to develop the master plan.*

23           (d) *REPORT REQUIREMENT.—Not later than 180 days*  
24       *after the date of the enactment of this Act, the Secretary*  
25       *of Defense shall submit to the congressional defense commit-*

1 *tees a report containing a copy of the master plan. The*  
2 *report shall be submitted in unclassified form, but may in-*  
3 *clude a classified annex.*

4 **SEC. 2854. STUDY AND STRATEGY REGARDING BULK FUELS**  
5 **MANAGEMENT IN UNITED STATES INDO-PA-**  
6 **CIFIC COMMAND AREA OF RESPONSIBILITY.**

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

8 *(1) The ordering and delivery of bulk fuels is or-*  
9 *ganizationally bifurcated to the detriment of the De-*  
10 *partment of Defense.*

11 *(2) Legacy bulk fuel management will not meet*  
12 *the accelerated pace of operations required to support*  
13 *the National Defense Strategy and the emphasis on*  
14 *disaggregated operations.*

15 *(3) The number of United States flagged tanking*  
16 *vessels continues to decline, which has resulted in an*  
17 *excessive reliance on foreign flagged tanking vessels to*  
18 *be available to support the National Defense Strategy.*

19 *(4) A foreign flagged tanking vessel support*  
20 *strategy induces excessive risk to support United*  
21 *States disaggregated operations in a highly contested*  
22 *environment.*

23 *(5) The inadequacies of the legacy bulk fuel man-*  
24 *agement strategy is particularly acute in the United*  
25 *States Indo-Pacific Command Area of Responsibility.*

1       **(b) SENSE OF CONGRESS.**—*It is the sense of Congress*  
2 *that a single organizational element should be responsible*  
3 *for the bulk fuel management and delivery throughout the*  
4 *United States Indo-Pacific Command Area of Responsi-*  
5 *bility.*

6       **(c) STUDY AND STRATEGY REQUIRED.**—*The Secretary*  
7 *of the Navy shall—*

8               **(1)** *conduct a study of current and projected bulk*  
9 *fuel management strategies in the United States Indo-*  
10 *Pacific Command Area of Responsibility; and*

11               **(2)** *prepare a proposed bulk fuel management*  
12 *strategy that optimally supports bulk fuel manage-*  
13 *ment in the United States Indo-Pacific Command*  
14 *Area of Responsibility.*

15       **(d) ELEMENTS OF STUDY.**—*The study required by*  
16 *subsection (c) shall include the following elements:*

17               **(1)** *A description of current organizational re-*  
18 *sponsibility of bulk fuel management in the United*  
19 *States Indo-Pacific Command Area of Responsibility*  
20 *from ordering, storage, strategic transportation, and*  
21 *tactical transportation to the last tactical mile.*

22               **(2)** *A description of legacy bulk fuel management*  
23 *assets that can be used to support the United States*  
24 *Indo-Pacific Command.*

1           (3) *Options for congressional consideration to*  
2           *better align organizational responsibility through the*  
3           *entirety of the bulk fuel management system in the*  
4           *United States Indo-Pacific Command Area of Re-*  
5           *sponsibility, as proposed in the bulk fuel management*  
6           *strategy prepared pursuant to paragraph (2) of such*  
7           *subsection.*

8           (e) *COORDINATION.*—*The Secretary of the Navy shall*  
9           *conduct the study and prepare the bulk fuel management*  
10          *strategy required by subsection (c) in coordination with*  
11          *subject-matter experts of the United States Indo-Pacific*  
12          *Command, the United States Transportation Command,*  
13          *and the Defense Logistics Agency.*

14          (f) *REPORT REQUIRED.*—*Not later than one year after*  
15          *the date of the enactment of this Act, the Secretary of the*  
16          *Navy shall submit to the congressional defense committees*  
17          *a report containing the results of the study required by sub-*  
18          *section (c) and the bulk fuel management strategy required*  
19          *by such subsection.*

20          (g) *PROHIBITION ON CERTAIN CONSTRUCTION PEND-*  
21          *ING REPORT.*—*None of the funds authorized to be appro-*  
22          *priated by this Act or otherwise made available for fiscal*  
23          *year 2021 for the Navy for construction related to addi-*  
24          *tional bulk fuel storage in the United States Indo-Pacific*  
25          *Command Area of Responsibility may be obligated or ex-*



1 *pending until the report required by subsection (f) is sub-*  
2 *mitted to the congressional defense committees.*

3 ***Subtitle G—Other Matters***

4 ***SEC. 2861. DEFENSE COMMUNITY INFRASTRUCTURE PRO-***  
5 ***GRAM.***

6 *(a) PRIORITIZATION OF COMMUNITY INFRASTRUCTURE*  
7 *PROJECTS.—Section 2391(d)(1) of title 10, United States*  
8 *Code, is amended—*

9 *(1) by inserting “(A)” after “(1)”;*

10 *(2) by striking “, if the Secretary determines*  
11 *that such assistance will enhance the military value,*  
12 *resilience, or military family quality of life at such*  
13 *military installation”;* and

14 *(3) by adding at the end the following new sub-*  
15 *paragraph:*

16 *“(B) The Secretary shall establish criteria for the selec-*  
17 *tion of community infrastructure projects to receive assist-*  
18 *ance under this subsection, including selection of commu-*  
19 *nity infrastructure projects in the following order of pri-*  
20 *ority:*

21 *“(i) Projects that will enhance military installa-*  
22 *tion resilience.*

23 *“(ii) Projects that will enhance military value at*  
24 *a military installation.*

1           “(iii) *Projects that will enhance military family*  
2           *quality of life at a military installation.*”.

3           (b) *COST-SHARING REQUIREMENTS.*—Paragraph (2)  
4           of section 2391(d) of title 10, United States Code, is amend-  
5           ed to read as follows:

6           “(2)(A) *The criteria established for the selection of*  
7           *community infrastructure projects to receive assistance*  
8           *under this subsection shall include a requirement that, ex-*  
9           *cept as provided in subparagraph (B), the State or local*  
10           *government agree to contribute not less than 30 percent of*  
11           *the funding for the community infrastructure project.*

12           “(B) *If a proposed community infrastructure project*  
13           *will be carried out in a rural area or the Secretary of De-*  
14           *fense determines that a proposed community infrastructure*  
15           *project is advantageous for reasons related to national secu-*  
16           *arity, the Secretary—*

17           “(i) *shall not penalize a State or local govern-*  
18           *ment for offering to make a contribution of 30 percent*  
19           *or less of the funding for the community infrastruc-*  
20           *ture project; and*

21           “(ii) *may reduce the requirement for a State or*  
22           *local government contribution to 30 percent or less or*  
23           *wave the cost-sharing requirement entirely.*”.

24           (c) *SPECIFIED DURATION OF PROGRAM.*—Section  
25           2391(d)(4) of title 10, United States Code, is amended by

1 *striking “upon the expiration of the 10-year period which*  
2 *begins on the date of the enactment of the National Defense*  
3 *Authorization Act for Fiscal Year 2019” and inserting “on*  
4 *September 30, 2028”.*

5 **SEC. 2862. PILOT PROGRAM ON REDUCTION OF EFFECTS OF**  
6 **MILITARY AVIATION NOISE ON CERTAIN COV-**  
7 **ERED PROPERTY.**

8 (a) *IN GENERAL.*—*The Secretary of Defense shall*  
9 *carry out a five-year pilot program under which the com-*  
10 *mander of a military installation may provide funds for*  
11 *the purpose of installing noise insulation on covered prop-*  
12 *erty impacted by military aviation noise from aircraft uti-*  
13 *lizing the installation.*

14 (b) *COST SHARING REQUIREMENT.*—*To be eligible to*  
15 *receive funds under the pilot program, a recipient shall*  
16 *enter into an agreement with the commander to cover at*  
17 *least 50 percent of the cost to acquire and install the noise*  
18 *insulation for the covered property.*

19 (c) *NOISE REDUCTION THRESHOLD.*—*To be eligible to*  
20 *receive funds under the pilot program, the commander must*  
21 *determine that, if noise insulation is installed as requested,*  
22 *noise at the covered property would be reduced by at least*  
23 *five dB.*

1       (d) *OTHER FUNDING LIMITATIONS.*—Funds provided  
2 under the pilot program shall be used for the installation  
3 of noise insulation for covered property—

4           (1) *located within a Department of Defense noise*  
5 *contour between 65 dB day-night average sound level*  
6 *and 75 dB day-night average sound level as validated*  
7 *on a National Environmental Policy Act-compliant*  
8 *assessment within the past three years; and*

9           (2) *where interior noise has been measured at 45*  
10 *dB day-night average sound level by the installation.*

11       (e) *GOALS AND BEST PRACTICES.*—In carrying out the  
12 pilot program, a commander shall pursue the following  
13 goals and use the following best practices:

14           (1) *Minimize cost in order to maximize the*  
15 *quantity of covered property served.*

16           (2) *Focus efforts on covered property newly im-*  
17 *acted by increased noise levels.*

18       (f) *COVERED PROPERTY DEFINED.*—For purposes of  
19 the pilot program, the term “covered property” means the  
20 following:

21           (1) *A private residence.*

22           (2) *A hospital.*

23           (3) *A daycare facility.*

24           (4) *A school.*

1           (5) *A facility whose primary purpose is serving*  
2           *senior citizens.*

3           (g) *CONDITION ON COMMENCEMENT.—Commencement*  
4           *of the pilot program shall be subject to the availability of*  
5           *appropriations for the program.*

6   **SEC. 2863. DEPARTMENT OF DEFENSE POLICY FOR REGULA-**  
7                           **TION OF DANGEROUS DOGS IN MILITARY**  
8                           **COMMUNITIES.**

9           (a) *POLICY REQUIRED.—Not later than 90 days after*  
10          *the date of the enactment of this Act, the Secretary of De-*  
11          *fense, through the Veterinary Service Activity of the Depart-*  
12          *ment of Defense, shall establish a standardized policy appli-*  
13          *cable across all military communities for the regulation of*  
14          *dangerous dogs that is—*

15                   (1) *breed-neutral; and*

16                   (2) *consistent with advice from professional vet-*  
17          *erinary and animal behavior experts in regard to ef-*  
18          *fective regulation of dangerous dogs.*

19          (b) *REGULATIONS.—*

20                   (1) *IN GENERAL.—Not later than 180 days after*  
21          *the date of the enactment of this Act, the Secretary*  
22          *shall prescribe regulations implementing the policy*  
23          *established under subsection (a).*

24                   (2) *BEST PRACTICES.—The regulations pre-*  
25          *scribed under paragraph (1) shall include strategies,*

1       *for implementation within all military communities,*  
2       *for the prevention of dog bites that are consistent with*  
3       *the following best practices:*

4               (A) *Enforcement of comprehensive,*  
5               *nonbreed-specific regulations relating to dan-*  
6               *gerous dogs, with emphasis on identification of*  
7               *dangerous dog behavior and chronically irre-*  
8               *sponsible owners.*

9               (B) *Enforcement of animal control regula-*  
10              *tions, such as leash laws and stray animal con-*  
11              *trol policies.*

12              (C) *Promotion and communication of re-*  
13              *sources for pet spaying and neutering.*

14              (D) *Investment in community education*  
15              *initiatives, such as teaching criteria for pet selec-*  
16              *tion, pet care best practices, owner responsibil-*  
17              *ities, and safe and appropriate interaction with*  
18              *dogs.*

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

20              (1) *The term “dangerous dog” means a dog*  
21       *that—*

22                      (A) *has attacked a person or another ani-*  
23                      *mal without justification, causing injury or*  
24                      *death to the person or animal; or*

1           (B) exhibits behavior that reasonably sug-  
 2           gests the likely risk of such an attack.

3           (2) The term “military communities” means—

4           (A) all installations of the Department; and

5           (B) all military housing, including  
 6           privatized military housing under subchapter IV  
 7           of chapter 169 of title 10, United States Code.

8       **TITLE XXIX—OVERSEAS CONTIN-**  
 9       **GENY 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 projects 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*

<b>Country</b>	<b>Location</b>	<b>Amount</b>
<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*

<b>Country</b>	<b>Location</b>	<b>Amount</b>
<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 **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.*



1       (b) *AUTHORIZATION OF NEW PLANT PROJECTS.*—  
2 *From funds referred to in subsection (a) that are available*  
3 *for carrying out plant projects, the Secretary of Energy*  
4 *may carry out new plant projects for the National Nuclear*  
5 *Security Administration as follows:*

6           *Project 21-D-510, High Explosive Synthesis,*  
7 *Formulation, and Production facility, Pantex Plant,*  
8 *Amarillo, Texas, \$177,395,000.*

9           *Project 21-D-511, Savannah River Plutonium*  
10 *Processing Facility, Savannah River Site, Aiken,*  
11 *South Carolina, \$241,896,000.*

12           *Project 21-D-512, Plutonium Pit Production*  
13 *Project, Los Alamos National Laboratory, Los Ala-*  
14 *mos, New Mexico, \$116,900,000 for planning and de-*  
15 *sign and \$79,100,000 for construction.*

16           *Project 21-D-530, Steam and Condensate Up-*  
17 *grade, Knolls Atomic Power Laboratory, Schenectady,*  
18 *New York, \$50,200,000.*

19           *General Purpose Project, TA-15 Dual-Axis Ra-*  
20 *diographic Hydrodynamic Test facility, Hydro Vessel*  
21 *Repair facility, Los Alamos National Laboratory, Los*  
22 *Alamos, New Mexico, \$16,491,000.*

23           *General Purpose Project, U1a.03 Test Bed Facil-*  
24 *ity Improvements, Nevada National Security Site,*  
25 *Mercury, Nevada, \$16,000,000.*

1 **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

2       (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
3 *hereby authorized to be appropriated to the Department of*  
4 *Energy for fiscal year 2021 for defense environmental*  
5 *cleanup activities in carrying out programs as specified in*  
6 *the funding table in section 4701.*

7       (b) *AUTHORIZATION OF NEW PLANT PROJECTS.—*  
8 *From funds referred to in subsection (a) that are available*  
9 *for carrying out plant projects, the Secretary of Energy*  
10 *may carry out, for defense environmental cleanup activities,*  
11 *the following new plant projects:*

12               *Project 21–D–401, Hoisting Capability Project,*  
13               *Waste Isolation Pilot Plant, Carlsbad, New Mexico,*  
14               *\$10,000,000.*

15 **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

16       *Funds are hereby authorized to be appropriated to the*  
17 *Department of Energy for fiscal year 2021 for other defense*  
18 *activities in carrying out programs as specified in the fund-*  
19 *ing table in section 4701.*

20 **SEC. 3104. NUCLEAR ENERGY.**

21       *Funds are hereby authorized to be appropriated to the*  
22 *Department of Energy for fiscal year 2021 for nuclear en-*  
23 *ergy as specified in the funding table in section 4701.*

1 **Subtitle B—Program Authoriza-**  
2 **tions, Restrictions, Limitations,**  
3 **and Other Matters**

4 **SEC. 3111. NUCLEAR WARHEAD ACQUISITION PROCESSES.**

5 (a) *SENSE OF CONGRESS.*—It is the sense of Congress  
6 that—

7 (1) *in its 25th year, the science-based Stockpile*  
8 *Stewardship Program established under section 4201*  
9 *of the Atomic Energy Defense Act (50 U.S.C. 2521)*  
10 *has succeeded in providing the United States with a*  
11 *credible nuclear deterrent in the absence of nuclear ex-*  
12 *plosive testing;*

13 (2) *maintaining global moratoria on nuclear ex-*  
14 *plosive testing is in the national security interest of*  
15 *the United States;*

16 (3) *a robust, second-to-none science and tech-*  
17 *nology enterprise is required to maintain and certify*  
18 *the nuclear weapons stockpile of the United States;*  
19 *and*

20 (4) *the National Nuclear Security Administra-*  
21 *tion must continue to improve program management*  
22 *and execution of the major acquisition programs of*  
23 *the Administration.*

24 (b) *REQUIREMENTS.*—

1           (1) *PHASES.*—*Subtitle A of title XLII of the*  
2           *Atomic Energy Defense Act (50 U.S.C. 4201 et seq.)*  
3           *is amended by adding at the end the following new*  
4           *section:*

5           **“SEC. 4223. REQUIREMENTS FOR CERTAIN JOINT NUCLEAR**  
6                                   **WEAPONS LIFE CYCLE PHASES.**

7           “(a) *DESIGN AND ENGINEERING REQUIREMENTS.*—  
8           *The Administrator shall ensure the following:*

9                           “(1) *The national security laboratories engage in*  
10           *peer review of proposed designs of nuclear weapons.*

11                           “(2) *The nuclear weapons production facilities*  
12           *are involved early and often during the design and*  
13           *engineering process of nuclear weapons in order to*  
14           *take into account how such design and engineering*  
15           *will affect the production of the nuclear weapons.*

16           “(b) *REQUIREMENTS AFTER PHASE 1.*—*After the Ad-*  
17           *ministrator completes phase 1 of the joint nuclear weapons*  
18           *life cycle for a nuclear weapon, the Nuclear Weapons Coun-*  
19           *cil shall submit to the congressional defense committees a*  
20           *report containing the following:*

21                           “(1) *A description of the potential military char-*  
22           *acteristics of the nuclear weapon.*

23                           “(2) *A description of the stockpile-to-target se-*  
24           *quence requirements of the nuclear weapon.*

1           “(3) *A description of any other requirements of*  
2           *the Administration or the Department of Energy that*  
3           *will affect the nuclear weapon, including the first*  
4           *product unit date, the initial operational capability*  
5           *date, the final operational capability date, or require-*  
6           *ments relating to increased safety and surety.*

7           “(4) *Initial assessments of the effect to the nu-*  
8           *clear security enterprise workforce and any required*  
9           *new or recapitalized major facilities or capabilities*  
10          *relating to the nuclear weapon.*

11          “(c) *REQUIREMENTS ENTERING INTO PHASE 2.—Not*  
12          *later than 15 days after the date on which the Nuclear*  
13          *Weapons Council approves a nuclear weapon for phase 2*  
14          *of the joint nuclear weapons life cycle, the Administrator*  
15          *shall submit to the congressional defense committees a plan*  
16          *to implement an independent peer-review process, a board*  
17          *of experts, or both, with respect to the nonnuclear weapon*  
18          *component and subsystem design and engineering aspects*  
19          *of such nuclear weapon. The Administrator shall ensure*  
20          *that such process—*

21                 “(1) *uses all relevant capabilities of the Federal*  
22                 *Government, the defense industrial base, and aca-*  
23                 *demia, and other capabilities that the Administrator*  
24                 *determines necessary; and*

1           “(2) *informs the entire development life cycle of*  
2 *such nuclear weapon.*

3           “(d) *REQUIREMENTS ENTERING INTO PHASE 3.—*

4           “(1) *INDEPENDENT COST ASSESSMENT.—Before*  
5 *the Nuclear Weapons Council approves a nuclear*  
6 *weapon for phase 3 of the joint nuclear weapons life*  
7 *cycle, the Administrator shall ensure that an inde-*  
8 *pendent cost assessment is conducted for phase 3 that*  
9 *includes assigning a percentage of confidence level*  
10 *with respect to the Administrator being able to carry*  
11 *out phase 3 within the estimated schedule and cost ob-*  
12 *jectives.*

13           “(2) *CERTIFICATIONS AND REPORTS.—Not later*  
14 *than 15 days after the date on which the Nuclear*  
15 *Weapons Council approves a nuclear weapon for*  
16 *phase 3 of the joint nuclear weapons life cycle—*

17           “(A) *the Administrator shall certify to the*  
18 *congressional defense committees that—*

19           “(i) *the joint nuclear weapons life cycle*  
20 *process for phases 1 through 5 of the nuclear*  
21 *weapon has equal or greater rigor as the life*  
22 *extension process under each part of phase*  
23 *6; and*

24           “(ii) *the level of design and technology*  
25 *maturity of the proposed design of the nu-*

1           *clear weapon can be carried out within the*  
2           *estimated schedule and cost objectives speci-*  
3           *fied in the cost assessment under paragraph*  
4           *(1); and*

5           *“(B) the Commander of the United States*  
6           *Strategic Command shall submit to the congres-*  
7           *sional defense committees a report containing—*

8                   *“(i) the specific warhead requirements*  
9                   *for the delivery system of the nuclear weap-*  
10                   *on, including such planned requirements*  
11                   *during the 15-year period following the date*  
12                   *of the report; and*

13                   *“(ii) an identification of the tail num-*  
14                   *bers of the warheads for that delivery sys-*  
15                   *tem that may require life extensions, be re-*  
16                   *tired, or be altered during such period, and*  
17                   *a description of the considerations for decid-*  
18                   *ing on such actions.*

19           *“(e) WAIVERS.—Subsections (b) through (d) may be*  
20           *waived during a period of war declared by Congress after*  
21           *the date of the enactment of the National Defense Authoriza-*  
22           *tion Act for Fiscal Year 2021.*

23           *“(f) JOINT NUCLEAR WEAPONS LIFE CYCLE DE-*  
24           *FINED.—In this section, the term ‘joint nuclear weapons life*  
25           *cycle’ has the meaning given that term in section 4220.”.*

1           (2) *CLERICAL AMENDMENT.*—*The table of con-*  
2           *tents for the Atomic Energy Defense Act is amended*  
3           *by inserting after the item relating to section 4222 the*  
4           *following new item:*

*“Sec. 4223. Requirements for certain joint nuclear weapons life cycle phases.”.*

5           (c) *SELECTED ACQUISITION REPORTS AND INDE-*  
6           *PENDENT COST ESTIMATES.*—*Section 4217(b)(1) of such*  
7           *Act (50 U.S.C. 2537(b)(1)) is amended—*

8                   (1) *in subparagraph (A)—*

9                           (A) *in clause (i), by striking “phase 6.2A”*  
10                           *and inserting “phase 2A and phase 6.2A”;*

11                           (B) *in clause (ii), by striking “phase 6.3”*  
12                           *and inserting “phase 3 and phase 6.3”;*

13                           (C) *in clause (iii)—*

14                                   (i) *by striking “phase 6.4” and insert-*  
15                                   *ing “phase 4 and phase 6.4”; and*

16                                   (ii) *by striking “phase 6.5” and insert-*  
17                                   *ing “phase 5 and phase 6.5”; and*

18                   (2) *in subparagraph (B), by striking “phase 6.2”*  
19                   *and inserting “phase 2 and phase 6.2”.*

20           (d) *REPORT.*—*Not later than 120 days after the date*  
21           *of the enactment of this Act, the Director for Cost Esti-*  
22           *mating and Program Evaluation of the National Nuclear*  
23           *Security Administration shall submit to the congressional*  
24           *defense committees a report containing recommendations to*  
25           *strengthen governance, program execution, and program*



1 *management controls with respect to the process of the joint*  
2 *nuclear weapons life cycle (as defined in section 4220 of*  
3 *the Atomic Energy Defense Act (50 U.S.C. 2538b).*

4 **SEC. 3112. UNCOSTED AND UNOBLIGATED AMOUNTS OF NA-**  
5 **TIONAL NUCLEAR SECURITY ADMINISTRA-**  
6 **TION.**

7 *Section 3251(b) of the National Nuclear Security Ad-*  
8 *ministration Act (50 U.S.C. 2451(b)) is amended by adding*  
9 *at the end the following new paragraph:*

10 *“(3) In the budget justification materials for each of*  
11 *fiscal years 2022 through 2026 submitted to Congress in*  
12 *support of each such budget, the Administrator shall include*  
13 *a detailed description of the uncosted and unobligated*  
14 *amounts that the Administrator maintains, listed by the*  
15 *year for which the amounts were appropriated, including—*

16 *“(A) the gross uncosted and unobligated amounts*  
17 *for each individual program element (using thresholds*  
18 *specified in the report submitted by the Secretary of*  
19 *Energy to Congress titled ‘Report on Uncosted Bal-*  
20 *ances for Fiscal Year Ended September 30, 2014’);*  
21 *and*

22 *“(B) an explanation for why the uncosted and*  
23 *unobligated amounts have not been expended.”.*

1 **SEC. 3113. EXTENSION OF LIMITATION RELATING TO RE-**  
2 **CLASSIFICATION OF HIGH-LEVEL WASTE.**

3 *Section 3121 of the National Defense Authorization*  
4 *Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat.*  
5 *1953) is amended by striking “fiscal year 2020” and insert-*  
6 *ing “fiscal year 2020 or fiscal year 2021”.*

7 **SEC. 3114. EXTENSION OF PILOT PROGRAM ON UNAVAIL-**  
8 **ABILITY FOR OVERHEAD COSTS OF AMOUNTS**  
9 **SPECIFIED FOR LABORATORY-DIRECTED RE-**  
10 **SEARCH AND DEVELOPMENT.**

11 *Section 3119 of the National Defense Authorization*  
12 *Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C.*  
13 *2791 note) is amended—*

14 *(1) in subsection (c)(2), by striking “four” and*  
15 *inserting “five”; and*

16 *(2) in subsection (d), by striking “February 15,*  
17 *2020” and inserting “December 31, 2020”.*

18 **SEC. 3115. PLUTONIUM PIT PRODUCTION.**

19 *(a) INDEPENDENT COST ESTIMATE.—*

20 *(1) REQUIREMENT.—The Secretary of Energy*  
21 *shall conduct an independent cost estimate of the Sa-*  
22 *vannah River Plutonium Processing Facility project*  
23 *in accordance with Department of Energy Directive*  
24 *413.3b, as in effect on the date of the enactment of*  
25 *this Act.*

1           (2) *CONFIDENCE LEVEL.*—*The assessment under*  
2           *paragraph (1) shall assign a percentage of confidence*  
3           *level with respect to the Secretary being able to carry*  
4           *out the Facility project within the estimated schedule*  
5           *and cost objectives.*

6           (3) *SUBMISSION.*—*The Secretary shall submit to*  
7           *the congressional defense committees the independent*  
8           *cost estimate under paragraph (1).*

9           **(b) *CONDITIONAL REPORTS AND CERTIFICATIONS.***—

10           (1) *LOW CONFIDENCE.*—*If the assessment under*  
11           *subsection (a) assigns a confidence level below 90 per-*  
12           *cent pursuant to paragraph (2) of such subsection—*

13                   (A) *the Secretary shall submit to the con-*  
14                   *gressional defense committees the report described*  
15                   *in paragraph (2); and*

16                   (B) *the Commander of the United States*  
17                   *Strategic Command shall certify to such commit-*  
18                   *tees that either—*

19                           (i) *the requirement to produce not less*  
20                           *than 80 war reserve plutonium pits during*  
21                           *2030 pursuant to section 4219 of the Atomic*  
22                           *Energy Defense Act (50 U.S.C. 2538a) can-*  
23                           *not be extended by up to five years without*  
24                           *causing a grave threat to the national secu-*  
25                           *rity of the United States, taking into ac-*

1           *count options for temporarily surging the*  
2           *production of such pits at Los Alamos Na-*  
3           *tional Laboratory and other mitigation*  
4           *strategies available to the Commander; or*

5                     *(ii) such requirement can be so ex-*  
6                     *tended without causing a grave threat to the*  
7                     *national security of the United States.*

8           (2) *REPORT.*—*The report described in this para-*  
9           *graph is a report by the Secretary that contains ei-*  
10          *ther of the following:*

11                    *(A) A certification by the Secretary, with-*  
12                    *out delegation, that, notwithstanding the con-*  
13                    *fidence level contained in the assessment under*  
14                    *subsection (a), the Secretary has a confidence*  
15                    *level of 90 percent or greater with respect to*  
16                    *being able to carry out the Facility project with-*  
17                    *in the estimated schedule and cost objectives.*

18                    *(B) If the Secretary cannot make the certifi-*  
19                    *cation under subparagraph (A), a plan by the*  
20                    *Secretary to achieve such a confidence level of 90*  
21                    *percent or greater, including with respect to*  
22                    *changing the costs, schedule, and scope of the Fa-*  
23                    *cility project.*

1 **SEC. 3116. PROGRAM FOR RESEARCH AND DEVELOPMENT**  
2 **OF ADVANCED NAVAL NUCLEAR FUEL SYS-**  
3 **TEM BASED ON LOW-ENRICHED URANIUM.**

4 (a) *ESTABLISHMENT.*—Not later than 60 days after  
5 the date of the enactment of this Act, the Administrator for  
6 Nuclear Security shall establish a program to assess the via-  
7 bility of using low-enriched uranium in naval nuclear pro-  
8 pulsion reactors, including such reactors located on aircraft  
9 carriers and submarines, that meet the requirements of the  
10 Navy.

11 (b) *ACTIVITIES.*—In carrying out the program under  
12 subsection (a), the Administrator shall carry out activities  
13 to develop an advanced naval nuclear fuel system based on  
14 low-enriched uranium, including activities relating to—

15 (1) *down-blending of high-enriched uranium into*  
16 *low-enriched uranium;*

17 (2) *manufacturing of candidate advanced low-*  
18 *enriched uranium fuels;*

19 (3) *irradiation tests and post-irradiation exam-*  
20 *ination of these fuels; and*

21 (4) *modification or procurement of equipment*  
22 *and infrastructure relating to such activities.*

23 (c) *REPORT.*—Not later than 120 days after the date  
24 of the enactment of this Act, the Administrator shall submit  
25 to the congressional defense committees a plan outlining the  
26 activities the Administrator will carry out under the pro-

1 gram established under subsection (a), including the fund-  
2 ing requirements associated with developing a low-enriched  
3 uranium fuel.

4 **SEC. 3117. INDEPENDENT STUDY ON EFFECTS OF USE OF**  
5 **NUCLEAR WEAPONS.**

6 (a) *STUDY.*—The Administrator for Nuclear Security  
7 shall seek to enter into an agreement with the National  
8 Academies of Sciences, Engineering, and Medicine under  
9 which the National Academies conduct a study on the at-  
10 mospheric effects of nuclear explosions.

11 (b) *MATTERS INCLUDED.*—The study under subsection  
12 (a) shall include the following:

13 (1) *An evaluation of the non-fallout atmospheric*  
14 *effects of likely and plausible scenarios for nuclear*  
15 *war, ranging from relatively small, regional ex-*  
16 *changes to large exchanges associated with nuclear*  
17 *war between major powers.*

18 (2) *An examination of the effects evaluated under*  
19 *paragraph (1) by—*

20 (A) *the yield, type, and number of nuclear*  
21 *weapons;*

22 (B) *the types and locations of targets;*

23 (C) *the time distribution of the explosions;*

24 (D) *the atmospheric conditions; and*

1           (E) other factors that may have a signifi-  
2           cant impact on the effects.

3           (3) An assessment of current models of nuclear  
4           explosions, including with respect to—

5                   (A) the fires such explosions may cause;

6                   (B) the atmospheric transport of the gases  
7                   from such explosions;

8                   (C) the radioactive material from such ex-  
9                   plosions; and

10                  (D) the soot and other debris from such ex-  
11                  plosions and fires, the atmospheric effects of such  
12                  soot and debris, and the consequences of such ef-  
13                  fects, including the consequences relating to ex-  
14                  treme weather, air pollution, stratospheric ozone,  
15                  agriculture, and marine and terrestrial eco-  
16                  systems.

17           (4) Identification of the capabilities and limita-  
18           tions of the models described in paragraph (3) for as-  
19           sessing the impacts of nuclear war, including—

20                   (A) an evaluation of the relevant uncertain-  
21                   ties;

22                   (B) a highlight of the key data gaps; and

23                   (C) recommendations for how such models  
24                   can be improved to inform decision making.

25           (c) REPORT.—

1           (1) *IN GENERAL.*—Not later than 18 months  
2           after the date of the enactment of this Act, the Na-  
3           tional Academies shall submit to the Administrator  
4           for National Security and the congressional defense  
5           committees a report on the study under subsection  
6           (a).

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

10          (d) *INFORMATION.*—The Secretary of Defense shall  
11          provide to the National Academies the information of the  
12          Department of Defense necessary for the National Acad-  
13          emies to conduct the study under subsection (a), including  
14          information relating to relevant scenarios described in sub-  
15          section (b).

16 **SEC. 3118. REPORTS ON DIVERSITY OF CERTAIN CON-**  
17                               **TRACTOR EMPLOYEES OF NATIONAL NU-**  
18                               **CLEAR SECURITY ADMINISTRATION.**

19          (a) *ANNUAL REPORTS.*—Not later than December 31,  
20          2020, and each year thereafter through 2022, the Adminis-  
21          trator for Nuclear Security shall submit to the congressional  
22          defense committees a report on the diversity of contractor  
23          employees of the National Nuclear Security Administration.



1       (b) *MATTERS INCLUDED.*—Subject to subsection (c),  
2 each report under subsection (a) shall include, for each cov-  
3 ered element of the Administration, the following:

4           (1) With respect to the fiscal year covered by the  
5 report and the previous fiscal year, demographic data  
6 of—

7                   (A) the contractor employees of the covered  
8 element;

9                   (B) the contractor employees hired at the  
10 covered element during each such year; and

11                   (C) the contractor employees of the covered  
12 element who voluntarily separated during each  
13 such year.

14       (2) A breakdown of the data under paragraph  
15 (1) by each position in the common occupational clas-  
16 sification system.

17       (3) A description of the plan to increase diver-  
18 sity at the covered element, and how such plan re-  
19 sponds to any trends identified with respect to the  
20 data under paragraph (1).

21       (4) An identification of the official of the covered  
22 element responsible for implementing such plan and  
23 a description of how the person determines whether  
24 the covered element is meeting the goals of the plan.

1           (5) *A description of the training resources relat-*  
2           *ing to diversity, equality, and inclusion are available*  
3           *to contractor employees of the covered element with*  
4           *hiring authority, and an identification of how many*  
5           *such contractor employees have been trained.*

6           (c) *DATA.—The Administrator shall carry out this sec-*  
7           *tion using data that is—*

8           (1) *otherwise available to the Administrator and*  
9           *to the management and operating contractors of the*  
10           *nuclear security enterprise; and*

11           (2) *collected in accordance with applicable regu-*  
12           *lations of the Equal Employment Opportunity Com-*  
13           *mission, regulations of the Office of Federal Contract*  
14           *Compliance Programs of the Department of Labor,*  
15           *and applicable provisions of Federal law on privacy.*

16           (d) *PUBLICATION.—The Administrator shall make*  
17           *publicly available on the internet website of the Department*  
18           *of Energy each report under subsection (a), subject to the*  
19           *regulations and Federal law specified in subsection (c)(2).*

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

21           (1) *The term “contractor employee” means an*  
22           *employee of a management and operating contractor*  
23           *of the nuclear security enterprise.*

24           (2) *The term “covered element” means each na-*  
25           *tional security laboratory and nuclear weapons pro-*

1        *duction facility (as such terms are defined in section*  
2        *3281 of the National Nuclear Security Administra-*  
3        *tion Act (50 U.S.C. 2471)).*

4                *(3) The term “nuclear security enterprise” has*  
5        *the meaning that term in section 3281 of the National*  
6        *Nuclear Security Administration Act (50 U.S.C.*  
7        *2471)).*

8        **SEC. 3119. FINDINGS, PURPOSE, AND APOLOGY RELATING**  
9                        **TO FALLOUT EMITTED DURING THE GOVERN-**  
10                      **MENT’S ATMOSPHERIC NUCLEAR TESTS.**

11        *Section 2(a)(1) of the Radiation Exposure Compensa-*  
12        *tion Act (Public Law 101-426; 42 U.S.C. 2210 note) is*  
13        *amended by inserting “, including individuals in New Mex-*  
14        *ico, Idaho, Colorado, Arizona, Utah, Texas, Wyoming, Or-*  
15        *egon, Washington, South Dakota, North Dakota, Nevada,*  
16        *Guam, and the Northern Mariana Islands,” after “tests ex-*  
17        *posed individuals”.*

18        **SEC. 3120. SENSE OF CONGRESS REGARDING URANIUM**  
19                        **MINING AND NUCLEAR TESTING.**

20        *It is the sense of Congress that the United States should*  
21        *compensate and recognize all of the miners, workers,*  
22        *downwinders, and others suffering from the effects of ura-*  
23        *nium mining and nuclear testing carried out during the*  
24        *Cold War.*

1 **TITLE XXXII—DEFENSE NU-**  
2 **CLEAR FACILITIES SAFETY**  
3 **BOARD**

4 **SEC. 3201. AUTHORIZATION.**

5 *There are authorized to be appropriated for fiscal year*  
6 *2021, \$28,836,000 for the operation of the Defense Nuclear*  
7 *Facilities Safety Board under chapter 21 of the Atomic En-*  
8 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

9 **TITLE XXXIV—NAVAL**  
10 **PETROLEUM RESERVES**

11 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

12 *(a) AMOUNT.—There are hereby authorized to be ap-*  
13 *propriated to the Secretary of Energy \$13,006,000 for fiscal*  
14 *year 2021 for the purpose of carrying out activities under*  
15 *chapter 869 of title 10, United States Code, relating to the*  
16 *naval petroleum reserves.*

17 *(b) PERIOD OF AVAILABILITY.—Funds appropriated*  
18 *pursuant to the authorization of appropriations in sub-*  
19 *section (a) shall remain available until expended.*

1                   **TITLE XXXV—MARITIME**  
2                               **MATTERS**  
3                               **Subtitle A—Maritime**  
4                               **Administration**

5   **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**  
6                               **TRATION.**

7           (a) *FISCAL YEAR 2021 AUTHORIZATION.*—*There are*  
8 *authorized to be appropriated to the Department of Trans-*  
9 *portation for fiscal year 2021, to be available without fiscal*  
10 *year limitation if so provided in appropriations Acts, for*  
11 *programs associated with maintaining the United States*  
12 *merchant marine, the following amounts:*

13                   (1) *For expenses necessary for operations of the*  
14 *United States Merchant Marine Academy,*  
15 *\$81,944,000, of which—*

16                               (A) *\$76,444,000 shall be for Academy oper-*  
17 *ations; and*

18                               (B) *\$5,500,000 shall remain available until*  
19 *expended for capital asset management at the*  
20 *Academy.*

21           (2) *For expenses necessary to support the State*  
22 *maritime academies, \$37,700,000, of which—*

23                               (A) *\$2,400,000 shall remain available until*  
24 *September 30, 2021, for the Student Incentive*  
25 *Program; and*

1           (B) \$30,500,000 shall remain available  
2           until expended for maintenance and repair of  
3           State maritime academy training vessels.

4           (3) For expenses necessary to support the Na-  
5           tional Security Multi-Mission Vessel Program,  
6           \$388,815,000, which shall remain available until ex-  
7           pended.

8           (4) For expenses necessary to support Maritime  
9           Administration operations and programs,  
10          \$55,853,000.

11          (5) For expenses necessary to dispose of vessels in  
12          the National Defense Reserve Fleet, \$4,200,000, which  
13          shall remain available until expended.

14          (6) For expenses necessary to maintain and pre-  
15          serve a United States flag merchant marine to serve  
16          the national security needs of the United States under  
17          chapter 531 of title 46, United States Code,  
18          \$494,008,000.

19          (7) For expenses necessary for the loan guarantee  
20          program authorized under chapter 537 of title 46,  
21          United States Code, \$33,000,000, of which—

22                 (A) \$30,000,000 may be used for the cost  
23                 (as defined in section 502(5) of the Federal Cred-  
24                 it Reform Act of 1990 (2 U.S.C. 661a(5))) of  
25                 loan guarantees under the program; and

1                   (B) \$3,000,000 may be used for administra-  
 2                   tive expenses relating to loan guarantee commit-  
 3                   ments under the program.

4                   (8) For expenses necessary to provide small ship-  
 5                   yards and maritime communities grants under sec-  
 6                   tion 54101 of title 46, United States Code,  
 7                   \$20,000,000.

8                   (b) AMOUNT OF FISCAL YEAR 2021 CONTRACTOR PAY-  
 9                   MENTS UNDER OPERATING AGREEMENTS.—Section  
 10                  53106(a)(1)(B) of title 46, United States Code, is amended  
 11                  by striking “\$5,233,463” and inserting “\$8,233,463”.

12                  (c) CONFORMING AMENDMENT.—Section 53111(2) of  
 13                  title 46, United States Code, is amended by striking  
 14                  “\$314,007,780” and inserting “\$494,008,000”.

15   **SEC. 3502. SENSE OF CONGRESS REGARDING ROLE OF DO-**  
 16                               **MESTIC MARITIME INDUSTRY IN NATIONAL**  
 17                               **SECURITY.**

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

19                   (1) The United States domestic maritime indus-  
 20                   try, with a fleet of nearly 40,000 vessels, supports  
 21                   nearly 650,000 American jobs and provides more  
 22                   than \$150,000,000 in annual economic output.

23                   (2) The vessel innovations of the domestic trades  
 24                   that transformed worldwide maritime commerce in-  
 25                   clude the development of container ships, self-unload-

1 *ing vessels, articulated tug-barges, trailer barges,*  
2 *chemical parcel tankers, railroad-on-barge carfloats,*  
3 *and river flotilla towing systems.*

4 *(3) The domestic fleet is essential to national se-*  
5 *curity is needed to crew United States Government-*  
6 *owned and other sealift vessels to protect the Nation.*

7 *(4) The Department of Defense and the entire*  
8 *national security infrastructure of the United States*  
9 *benefits from a robust commercial shipyard and ship*  
10 *repair industry, which helps provide both economic*  
11 *and military sealift support.*

12 *(5) The Department of Defense depends on the*  
13 *United States domestic trades' fleet of container ships,*  
14 *roll-on/roll-off ships, product tankers, and other ves-*  
15 *sels to assist with the flow of military cargoes during*  
16 *both peace time and war time.*

17 *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
18 *that—*

19 *(1) United States coastwise trade laws promote*  
20 *a strong domestic trade maritime industry, which*  
21 *supports the national security and economic vitality*  
22 *of the United States and the efficient operation of the*  
23 *United States transportation system; and*

24 *(2) a strong commercial maritime industry*  
25 *makes the United States more secure.*



1 **SEC. 3503. NONAPPLICABILITY OF REQUIREMENT RELAT-**  
2 **ING TO MINIMUM NUMBER OF OPERATING**  
3 **DAYS FOR VESSELS OPERATING UNDER MSP**  
4 **OPERATING AGREEMENTS.**

5 *Notwithstanding part 296 of title 46, Code of Federal*  
6 *Regulations, until December 31, 2020, or upon the written*  
7 *determination of the Secretary of Transportation until*  
8 *June 31, 2021, the operator of a vessel operating such vessel*  
9 *under an MSP Operating Agreement (as such term is de-*  
10 *fin ed in section 296.2 of title 46, Code of Federal Regula-*  
11 *tions)—*

12 *(1) shall not be required to comply with any re-*  
13 *quirement with respect to operating days (as such*  
14 *term is defined in such section) contained in such*  
15 *agreement; and*

16 *(2) shall maintain such vessel in a state of oper-*  
17 *ational readiness, including through the employment*  
18 *of the vessel’s crew complement, until the applicable*  
19 *date.*

20 **SEC. 3504. IMPROVEMENTS TO PROCESS FOR WAIVING**  
21 **NAVIGATION AND VESSEL-INSPECTION LAWS.**

22 *(a) IMPROVEMENTS TO WAIVER PROCESS.—Section*  
23 *501 of title 46, United States Code, is amended—*

24 *(1) in subsection (a), by adding “to address an*  
25 *immediate adverse effect on military operations” after*  
26 *“national defense”;*

1           (2) *in subsection (b)—*

2                   (A) *by redesignating paragraphs (2) and*  
3           (3) *as paragraphs (3) and (4), respectively;*

4                   (B) *by inserting after paragraph (1) the fol-*  
5           *lowing new paragraph:*

6           “(2) *DURATION OF WAIVER.—*

7                   “(A) *IN GENERAL.—Subject to subpara-*  
8           *graphs (B) and (C), a waiver issued under this*  
9           *subsection shall be for a period of not more than*  
10           *10 days.*

11                   “(B) *WAIVER EXTENSION.—Upon the termi-*  
12           *nation of the period of a waiver issued under*  
13           *this subsection, the head of an agency may ex-*  
14           *tend the waiver for an additional period of not*  
15           *more than 10 days, if the Maritime Adminis-*  
16           *trator makes the determinations referred to in*  
17           *paragraph (1).*

18                   “(C) *AGGREGATE DURATION.—The aggre-*  
19           *gate duration of the period of all waivers and ex-*  
20           *tensions of waivers under this subsection with re-*  
21           *spect to any one set of events shall not exceed 45*  
22           *days.”; and*

23                   (C) *in paragraph (4), as so redesignated—*

1                   (i) in subparagraph (B)(ii), by strik-  
2                   ing “paragraph (2)(A)” and inserting  
3                   “paragraph (3)(A)”; and

4                   (ii) by adding at the end the following  
5                   new subparagraph:

6                   “(C) NOTIFICATION REQUIRED FOR EXTEN-  
7                   SIONS.—For purposes of this paragraph, an ex-  
8                   tension requested or issued under paragraph  
9                   (2)(B) shall be treated in the same manner as a  
10                  waiver requested or issued under this section.”;

11                  (3) by redesignating subsection (c) as subsection  
12                  (d); and

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

15                  “(c) REPORT.—

16                         “(1) IN GENERAL.—Not later than 10 days after  
17                         the date of the conclusion of the voyage of a vessel  
18                         that, during such voyage, operated under a waiver  
19                         issued under this section, the owner or operator of the  
20                         vessel shall submit to the Maritime Administrator a  
21                         report that includes—

22                                 “(A) the name and flag of the vessel;

23                                 “(B) the dates of the voyage;

24                                 “(C) any relevant ports of call; and

1           “(D) any other information the Maritime  
2           Administrator determines necessary.

3           “(2) PUBLICATION.—Not later than 48 hours  
4           after receiving a report under paragraph (1), the  
5           Maritime Administrator shall publish such report on  
6           an appropriate website of the Department of Trans-  
7           portation.”.

8           (b) APPLICABILITY.—The amendments made by this  
9           section shall apply with respect to waivers issued after the  
10          date of the enactment of this Act.

## 11       **Subtitle B—Tanker Security Fleet**

### 12       **SEC. 3511. TANKER SECURITY FLEET.**

13          (a) IN GENERAL.—Part C of subtitle V of title 46,  
14          United States Code, is amended by inserting after chapter  
15          531 the following new chapter:

### 16       **“CHAPTER 532—TANKER SECURITY FLEET**

“53201. Definitions.

“53202. Establishment of the Tanker Security Fleet.

“53203. Vessel standards.

“53204. Award of operating agreements.

“53205. Effectiveness of operating agreements.

“53206. Obligations and rights under operating agreements.

“53207. Payments.

“53208. National security requirements.

“53209. Regulatory relief.

“53210. Special rule regarding age of participating Fleet vessels.

“53211. Regulations.

“53212. Authorization of appropriations.

“53213. Acquisition of Fleet vessels.

### 17       **“§ 53201. Definitions**

18          “In this chapter:

1           “(1) *FOREIGN COMMERCE.*—*The term ‘foreign*  
2 *commerce’ means—*

3                   “(A) *commerce or trade between the United*  
4 *States, its territories or possessions, or the Dis-*  
5 *trict of Columbia, and a foreign country; and*

6                   “(B) *commerce or trade between foreign*  
7 *countries including trade between foreign ports*  
8 *in accordance with normal commercial bulk*  
9 *shipping practices in such a manner as will per-*  
10 *mit vessels of the United States freely to compete*  
11 *with foreign-flag liquid bulk carrying vessels in*  
12 *their operation or in competing charters, subject*  
13 *to rules and regulations promulgated by the Sec-*  
14 *retary of Transportation pursuant to this chap-*  
15 *ter or subtitle.*

16           “(2) *PARTICIPATING FLEET VESSEL.*—*The term*  
17 *‘participating Fleet vessel’ means any tank vessel cov-*  
18 *ered by an operating agreement under this chapter on*  
19 *or after January 1, 2021.*

20           “(3) *PERSON.*—*The term ‘person’ includes cor-*  
21 *porations, partnerships, and associations existing*  
22 *under, or authorized by, laws of the United States, or*  
23 *any State, territory, district, or possession thereof, or*  
24 *any foreign country.*

1           “(4) *TANK VESSEL*.—*The term ‘tank vessel’ has*  
2           *the meaning that term has under section 2101.*

3           “(5) *UNITED STATES CITIZEN TRUST*.—*The term*  
4           *‘United States citizen trust’—*

5                   “(A) *means a trust for which—*

6                           “(i) *each of the trustees is a citizen of*  
7                           *the United States; and*

8                           “(ii) *the application for documentation*  
9                           *of the vessel under chapter 121 includes an*  
10                           *affidavit of each trustee stating that the*  
11                           *trustee is not aware of any reason involving*  
12                           *a beneficiary of the trust that is not a cit-*  
13                           *izen of the United States, or involving any*  
14                           *other person who is not a citizen of the*  
15                           *United States, as a result of which the bene-*  
16                           *ficiary or other person would hold more*  
17                           *than 25 percent of the aggregate power to*  
18                           *influence or limit the exercise of the author-*  
19                           *ity of the trustee with respect to matters in-*  
20                           *volving any ownership or operation of the*  
21                           *vessel that may adversely affect the interests*  
22                           *of the United States;*

23                           “(B) *does not include a trust for which any*  
24                           *person that is not a citizen of the United States*  
25                           *has authority to direct, or participate in direct-*

1           ing, a trustee for a trust in matters involving  
2           any ownership or operation of the vessel that  
3           may adversely affect the interests of the United  
4           States or in removing a trustee without cause,  
5           either directly or indirectly through the control  
6           of another person, unless the trust instrument  
7           provides that persons who are not citizens of the  
8           United States may not hold more than 25 per-  
9           cent of the aggregate authority to so direct or re-  
10          move a trustee; and

11                   “(C) may include a trust for which a per-  
12           son who is not a citizen of the United States  
13           holds more than 25 percent of the beneficial in-  
14           terest in the trust.

15   **“§ 53202. Establishment of the Tanker Security Fleet**

16           “(a) *IN GENERAL.*—The Secretary of Transportation,  
17   in consultation with the Secretary of Defense, shall establish  
18   a fleet of active, commercially viable, militarily useful, pri-  
19   vately owned product tankers to meet national defense and  
20   other security requirements and maintain a United States  
21   presence in international commercial shipping. The fleet  
22   shall consist of privately owned vessels of the United States  
23   for which there are in effect operating agreements under this  
24   chapter, and shall be known as the ‘Tanker Security Fleet’  
25   (hereinafter in this chapter referred to as the ‘Fleet’).

1       “(b) *VESSEL ELIGIBILITY*.—A vessel is eligible to be  
2 included in the Fleet if the vessel—

3           “(1) meets the requirements under paragraph  
4 (1), (2), (3), or (4) of subsection (c);

5           “(2) is operated (or in the case of a vessel to be  
6 constructed, will be operated) in providing transpor-  
7 tation in United States foreign commerce;

8           “(3) is self-propelled;

9           “(4) is not more than ten years of age on the  
10 date the vessel is first included in the Fleet and not  
11 more than 25 years of age at any time during which  
12 the vessel is included in the Fleet;

13           “(5) is determined by the Secretary of Defense to  
14 be suitable for use by the United States for national  
15 defense or military purposes in time of war or na-  
16 tional emergency; and

17           “(6) is commercially viable, as determined by the  
18 Secretary of Transportation; and

19           “(7) is—

20           “(A) a vessel of the United States; or

21           “(B) not a vessel of the United States, but—

22           “(i) the owner of the vessel has dem-  
23 onstrated an intent to have the vessel docu-  
24 mented under chapter 121 if it is included  
25 in the Fleet; and



1           “(ii) *at the time an operating agree-*  
2           *ment is entered into under this chapter, the*  
3           *vessel is eligible for documentation under*  
4           *chapter 121.*

5           “(c) *REQUIREMENTS REGARDING CITIZENSHIP OF*  
6 *OWNERS, CHARTERERS, AND OPERATORS.—*

7           “(1) *VESSELS OWNED AND OPERATED BY SEC-*  
8           *TION 50501 CITIZENS.—A vessel meets the require-*  
9           *ments of this paragraph if, during the period of an*  
10           *operating agreement under this chapter that applies*  
11           *to the vessel, the vessel will be owned and operated by*  
12           *one or more persons that are citizens of the United*  
13           *States under section 50501.*

14           “(2) *VESSELS OWNED BY A SECTION 50501 CIT-*  
15           *IZEN, OR UNITED STATES CITIZEN TRUST, AND CHAR-*  
16           *TERED TO A DOCUMENTATION CITIZEN.—A vessel*  
17           *meets the requirements of this paragraph if—*

18           “(A) *during the period of an operating*  
19           *agreement under this chapter that applies to the*  
20           *vessel, the vessel will be—*

21           “(i) *owned by a person that is a cit-*  
22           *izen of the United States under section*  
23           *50501 or that is a United States citizen*  
24           *trust; and*

25           “(ii) *demise chartered to a person—*

1           “(I) that is eligible to document  
2           the vessel under chapter 121;

3           “(II) the chairman of the board of  
4           directors, chief executive officer, and a  
5           majority of the members of the board of  
6           directors of which are citizens of the  
7           United States under section 50501,  
8           and are appointed and subjected to re-  
9           moval only upon approval by the Sec-  
10          retary; and

11          “(III) that certifies to the Sec-  
12          retary that there are no treaties, stat-  
13          utes, regulations, or other laws that  
14          would prohibit the owner or operator  
15          for the vessel from performing its obli-  
16          gations under an operating agreement  
17          under this chapter;

18          “(B) in the case of a vessel that will be de-  
19          mise chartered to a person that is owned or con-  
20          trolled by another person that is not a citizen of  
21          the United States under section 50501, the other  
22          person enters into an agreement with the Sec-  
23          retary not to influence the operation of the vessel  
24          in a manner that will adversely affect the inter-  
25          ests of the United States; and

1           “(C) the Secretary of Transportation and  
2           the Secretary of Defense notify the Committee on  
3           Armed Services and the Committee on Com-  
4           merce, Science, and Transportation of the Senate  
5           and the Committee on Armed Services and the  
6           Committee on Transportation and Infrastructure  
7           of the House of Representatives that the Secre-  
8           taries concur with the certification required  
9           under subparagraph (A)(ii)(III), and have re-  
10          viewed and agree that there are no legal, oper-  
11          ational, or other impediments that would pro-  
12          hibit the owner or operator for the vessel from  
13          performing its obligations under an operating  
14          agreement under this chapter.

15          “(3) VESSELS OWNED AND OPERATED BY A DE-  
16          FENSE OWNER OR OPERATOR.—A vessel meets the re-  
17          quirements of this paragraph if—

18                 “(A) during the period of an operating  
19                 agreement under this chapter that applies to the  
20                 vessel, the vessel will be owned and operated by  
21                 a person that—

22                         “(i) is eligible to document a vessel  
23                         under chapter 121;

24                         “(ii) operates or manages other vessels  
25                         of the United States for the Secretary of De-

1           *fense, or charters other vessels to the Sec-*  
2           *retary of Defense;*

3           *“(iii) has entered into a special secu-*  
4           *rity agreement for the purpose of this para-*  
5           *graph with the Secretary of Defense;*

6           *“(iv) makes the certification described*  
7           *in paragraph (2)(A)(ii)(III); and*

8           *“(v) in the case of a vessel described in*  
9           *paragraph (2)(B), enters into an agreement*  
10          *referred to in that subparagraph; and*

11          *“(B) the Secretary of Transportation and*  
12          *the Secretary of Defense notify the Committee on*  
13          *Armed Services and the Committee on Com-*  
14          *merce, Science, and Transportation of the Senate*  
15          *and the Committee on Armed Services and the*  
16          *Committee on Transportation and Infrastructure*  
17          *of the House of Representatives that they concur*  
18          *with the certification required under subpara-*  
19          *graph (A)(iv), and have reviewed and agree that*  
20          *there are no legal, operational, or other impedi-*  
21          *ments that would prohibit the owner or operator*  
22          *for the vessel from performing its obligations*  
23          *under an operating agreement under this chap-*  
24          *ter.*

1           “(4) *VESSELS OWNED BY DOCUMENTATION CITI-*  
2           *ZENS AND CHARTERED TO SECTION 50501 CITIZENS.—*  
3           *A vessel meets the requirements of this paragraph if,*  
4           *during the period of an operating agreement under*  
5           *this chapter, the vessel will be—*

6                     “(A) *owned by a person who is eligible to*  
7                     *document a vessel under chapter 121; and*

8                     “(B) *demise chartered to a person that is a*  
9                     *citizen of the United States under section 50501.*

10           “(d) *REQUEST BY SECRETARY OF DEFENSE.—The*  
11           *Secretary of Defense shall request that the Commandant of*  
12           *the Coast Guard issue any waiver under section 501 that*  
13           *the Secretary of Defense determines is necessary for pur-*  
14           *poses of this chapter.*

15           “(e) *VESSEL STANDARDS.—*

16                     “(1) *CERTIFICATE OF INSPECTION.—A vessel*  
17                     *used to provide oceangoing transportation that the*  
18                     *Commandant of the Coast Guard determines meets*  
19                     *the criteria of subsection (b) but which, on the date*  
20                     *of enactment of this section, is not documented under*  
21                     *chapter 121, shall be eligible for a certificate of in-*  
22                     *spection if the Commandant of the Coast Guard deter-*  
23                     *mines that—*

24                             “(A) *the vessel is classed by and designed in*  
25                             *accordance with the rules of the American Bu-*

1           *reau of Shipping, or another classification soci-*  
2           *ety accepted by the Commandant of the Coast*  
3           *Guard;*

4           “(B) *the vessel complies with applicable*  
5           *international agreements and associated guide-*  
6           *lines, as determined by the country in which the*  
7           *vessel was documented immediately before becom-*  
8           *ing documented under chapter 121; and*

9           “(C) *the country has not been identified by*  
10           *the Commandant of the Coast Guard as inad-*  
11           *equately enforcing international vessel regula-*  
12           *tions as to that vessel.*

13           “(2) *RELIANCE ON CLASSIFICATION SOCIETY.—*

14           “(A) *IN GENERAL.—The Commandant of*  
15           *the Coast Guard may rely on a certification*  
16           *from the American Bureau of Shipping or, sub-*  
17           *ject to subparagraph (B), another classification*  
18           *society accepted by the Commandant of the Coast*  
19           *Guard, to establish that a vessel is in compliance*  
20           *with the requirements of paragraph (1).*

21           “(B) *FOREIGN CLASSIFICATION SOCIETY.—*  
22           *The Secretary may accept certification from a*  
23           *foreign classification society under subparagraph*  
24           *(A) only—*

1                   “(i) to the extent that the government  
2                   of the foreign country in which the society  
3                   is headquartered provides access on a recip-  
4                   rocal basis to the American Bureau of Ship-  
5                   ping; and

6                   “(ii) if the foreign classification society  
7                   has offices and maintains records in the  
8                   United States.

9   **“§ 53203. Vessel standards**

10           “(a) *CERTIFICATE OF INSPECTION*.—A vessel used to  
11   provide transportation service as a common carrier that the  
12   Secretary of Transportation determines meets the criteria  
13   of section 53102(b), which on the date of enactment of this  
14   section is not a documented vessel, shall be eligible for a  
15   certificate of inspection if the Secretary determines that—

16                   “(1) the vessel is classed by and designed in ac-  
17                   cordance with the rules of the American Bureau of  
18                   Shipping or another classification society accepted by  
19                   the Secretary;

20                   “(2) the vessel complies with applicable inter-  
21                   national agreements and associated guidelines, as de-  
22                   termined by the country in which the vessel was docu-  
23                   mented immediately before becoming a documented  
24                   vessel (as defined in that section); and

1           “(3) that country has not been identified by the  
2           Secretary as inadequately enforcing international ves-  
3           sel regulations as to that vessel.

4           “(b) *CONTINUED ELIGIBILITY FOR CERTIFICATE.*—  
5           Subsection (a) does not apply to any vessel that has failed  
6           to comply with the applicable international agreements and  
7           association guidelines referred to in subsection (a)(2).

8           “(c) *RELIANCE ON CLASSIFICATION SOCIETY.*—

9           “(1) *IN GENERAL.*—The Secretary may rely on  
10          a certification from the American Bureau of Ship-  
11          ping or, subject to paragraph (2), another classifica-  
12          tion society accepted by the Secretary, to establish  
13          that a vessel is in compliance with the requirements  
14          of subsections (a) and (b).

15          “(2) *FOREIGN CLASSIFICATION SOCIETY.*—The  
16          Secretary may accept certification from a foreign  
17          classification society under paragraph (1) only—

18                 “(A) to the extent that the government of the  
19                 foreign country in which the society is  
20                 headquartered provides access on a reciprocal  
21                 basis to the American Bureau of Shipping; and

22                 “(B) if the foreign classification society has  
23                 offices and maintains records in the United  
24                 States.



1 **“§ 53204. Award of operating agreements**

2       “(a) *IN GENERAL.*—*The Secretary of Transportation*  
3 *shall require, as a condition of including any vessel in the*  
4 *Fleet, that the owner or operator of the vessel enter into*  
5 *an operating agreement with the Secretary under this sec-*  
6 *tion.*

7       “(b) *PROCEDURE FOR APPLICATIONS.*—

8               “(1) *PARTICIPATING FLEET VESSELS.*—

9                       “(A) *IN GENERAL.*—*The Secretary of*  
10 *Transportation shall accept an application for*  
11 *an operating agreement for a participating Fleet*  
12 *vessel under the priority under paragraph (2)*  
13 *only from a person that has authority to enter*  
14 *into an operating agreement under this chapter.*

15                       “(B) *VESSEL UNDER DEMISE CHARTER.*—  
16 *For purposes of subparagraph (A), in the case of*  
17 *a vessel that is subject to a demise charter that*  
18 *terminates by its own terms on September 30,*  
19 *2035 (without giving effect to any extension pro-*  
20 *vided therein for completion of a voyage or to ef-*  
21 *fect the actual redelivery of the vessel), or that is*  
22 *terminable at the will of the owner of the vessel*  
23 *after such date, only the owner of the vessel shall*  
24 *be treated as having the authority referred to in*  
25 *subparagraph (A).*

1           “(C) *VESSEL OWNED BY A UNITED STATES*  
2           *CITIZEN TRUST.*—For purposes of subparagraph  
3           (B), in the case of a vessel owned by a United  
4           States citizen trust, the term ‘owner of the vessel’  
5           includes the beneficial owner of the vessel with  
6           respect to such trust.

7           “(2) *DISCRETION WITHIN PRIORITY.*—The Sec-  
8           retary of Transportation—

9           “(A) may award operating agreements  
10           under paragraph (1) according to such priorities  
11           as the Secretary considers appropriate; and

12           “(B) shall award operating agreements  
13           within any such priority—

14           “(i) in accordance with operational re-  
15           quirements specified by the Secretary of De-  
16           fense;

17           “(ii) in the case of operating agree-  
18           ments awarded under subparagraph (B) of  
19           paragraph (1), according to applicants’  
20           records of owning and operating vessels;  
21           and

22           “(iii) subject to approval of the Sec-  
23           retary of Defense.

24           “(c) *LIMITATION.*—For any fiscal year, the Secretary  
25           may not award operating agreements under this chapter

1 *that require payments under section 53207 for more than*  
2 *10 vessels.*

3 **“§ 53205. Effectiveness of operating agreements**

4       “(a) *IN GENERAL.*—*Subject to the availability of ap-*  
5 *propriations for such purpose, the Secretary of Transpor-*  
6 *tation may enter into an operating agreement under this*  
7 *chapter for fiscal year 2021 and any subsequent fiscal year.*  
8 *Each such agreement may be renewed annually for up to*  
9 *seven years.*

10       “(b) *VESSELS UNDER CHARTER TO THE UNITED*  
11 *STATES.*—*The owner or operator of a vessel under charter*  
12 *to the United States is eligible to receive payments pursuant*  
13 *to any operating agreement that covers such vessel.*

14       “(c) *TERMINATION.*—

15               “(1) *TERMINATION BY SECRETARY FOR LACK OF*  
16 *OWNER OR OPERATOR COMPLIANCE.*—*If the owner or*  
17 *operator with respect to an operating agreement ma-*  
18 *terially fails to comply with the terms of the agree-*  
19 *ment—*

20                       “(A) *the Secretary shall notify the owner or*  
21 *operator and provide a reasonable opportunity*  
22 *to comply with the operating agreement; and*

23                       “(B) *the Secretary shall terminate the oper-*  
24 *ating agreement if the owner or operator fails to*  
25 *achieve such compliance.*

1           “(2) *TERMINATION BY OWNER OR OPERATOR.*—

2                   “(A) *IN GENERAL.*—*If an owner or operator*  
3 *provides notice of the intent to terminate an op-*  
4 *erating agreement under this chapter by not*  
5 *later than 60 days prior to the date specified by*  
6 *the owner or operator for such termination, such*  
7 *agreement shall terminate on the date specified*  
8 *by the owner or operator.*

9                   “(B) *REPLACEMENT.*—*An operating agree-*  
10 *ment with respect to a vessel shall terminate on*  
11 *the date that is three years after the date on*  
12 *which the vessel begins operating under the*  
13 *agreement, if—*

14                           “(i) *the owner or operator notifies the*  
15 *Secretary, by not later than two years after*  
16 *the date the vessel begins operating under*  
17 *the agreement, that the owner or operator*  
18 *intends to terminate the agreement under*  
19 *this subparagraph; and*

20                           “(ii) *the Secretary of Transportation,*  
21 *in coordination with the Secretary of De-*  
22 *fense, determines that—*

23                                   “(I) *an application for an oper-*  
24 *ating agreement under this chapter has*  
25 *been received for a replacement vessel*

1           *that is acceptable to the Secretaries;*  
2           *and*

3           “(II) *during the period of an op-*  
4           *erating agreement under this chapter*  
5           *that applies to the replacement vessel,*  
6           *the replacement vessel will be—*

7                   “(aa) *owned and operated by*  
8                   *one or more persons that are citi-*  
9                   *zens of the United States under*  
10                   *section 50501; or*

11                   “(bb) *owned by a person who*  
12                   *is eligible to document the vessel*  
13                   *under chapter 121, and operated*  
14                   *by a person that is a citizen of the*  
15                   *United States under section*  
16                   *50501.*

17           “(d) *NONRENEWAL FOR LACK OF FUNDS.—*

18                   “(1) *IN GENERAL.—If sufficient funds are not*  
19                   *made available to carry out an operating agreement*  
20                   *under this chapter—*

21                           “(A) *the Secretary of Transportation shall*  
22                           *submit to the Committee on Armed Services and*  
23                           *the Committee on Commerce, Science, and*  
24                           *Transportation of the Senate and the Committee*  
25                           *on Armed Services and the Committee on Trans-*

1           *portation and Infrastructure of the House of*  
2           *Representatives notice that such agreement shall*  
3           *be not renewed effective on the 60th day of the*  
4           *fiscal year, unless such funds are made available*  
5           *before such day; and*

6                   “(B) *effective on the 60th day of such fiscal*  
7           *year, terminate such agreement and provide no-*  
8           *tice of such termination to the owner or operator*  
9           *of the vessel covered by the agreement.*

10           “(2) *RELEASE OF VESSELS FROM OBLIGA-*  
11           *TIONS.—If an operating agreement for a vessel under*  
12           *this chapter is not renewed pursuant to paragraph*  
13           *(1), then the owner or operator of the vessel is released*  
14           *from any further obligation under the operating*  
15           *agreement as of the date of such termination or non-*  
16           *renewal.*

17           “(3) *FOREIGN TRANSFER AND REGISTRATION.—*  
18           *The owner or operator of a vessel covered by an oper-*  
19           *ating agreement under this chapter may transfer and*  
20           *register such vessel under a foreign registry that is ac-*  
21           *ceptable to the Secretary and the Secretary of Defense,*  
22           *notwithstanding section 53201.*

23           “(4) *REQUISITION.—If chapter 563 is applicable*  
24           *to a vessel after registration, then the vessel is avail-*

1       *able to be requisitioned by the Secretary pursuant to*  
2       *chapter 563.*

3       **“§53206. Obligations and rights under operating**  
4               **agreements**

5       “(a) *OPERATION OF VESSEL.—An operating agree-*  
6       *ment under this chapter shall require that, during the pe-*  
7       *riod the vessel covered by the agreement is operating under*  
8       *the agreement the vessel shall—*

9               “(1) *be operated in the United States foreign*  
10       *commerce, mixed United States foreign commerce and*  
11       *domestic trade allowed under a registry endorsement*  
12       *issued under section 12111, in foreign-to-foreign com-*  
13       *merce, or under a charter to the United States;*

14              “(2) *not be operated in the coastwise trade except*  
15       *as described in paragraph (1); and*

16              “(3) *be documented under chapter 121.*

17       “(b) *OPERATING AGREEMENT IS AN OBLIGATION OF*  
18       *THE UNITED STATES GOVERNMENT.—An operating agree-*  
19       *ment under this chapter constitutes a contractual obligation*  
20       *of the United States Government to pay the amounts pro-*  
21       *vided for in the agreement to the extent of actual appropria-*  
22       *tions.*

23       “(c) *OBLIGATIONS OF OWNER OR OPERATOR.—*

24              “(1) *IN GENERAL.—The owner or operator of a*  
25       *vessel covered by an operating agreement under this*

1 *chapter shall agree, as a condition of such agreement,*  
2 *to remain obligated to carry out the requirements de-*  
3 *scribed in paragraph (2) until the termination date*  
4 *specified in the agreement, even in the case of early*  
5 *termination of the agreement under section 53205(c).*  
6 *This subsection shall not apply in the case of an oper-*  
7 *ating agreement terminated for lack of funds under*  
8 *section 53205(d).*

9 “(2) *REQUIREMENTS.*—*The requirements de-*  
10 *scribed in this paragraph are the following:*

11 “(A) *To continue the documentation of the*  
12 *vessel under chapter 121.*

13 “(B) *To be bound by the requirements of*  
14 *section 53208.*

15 “(C) *That all terms and conditions of an*  
16 *emergency preparedness agreement entered into*  
17 *under section 53208 shall remain in effect, except*  
18 *that the terms of such emergency preparedness*  
19 *agreement may be modified by the mutual con-*  
20 *sent of the owner or operator, the Secretary and*  
21 *the Secretary of Defense as provided in such sec-*  
22 *tion.*

23 “(d) *TRANSFER OF OPERATING AGREEMENTS.*—*The*  
24 *owner or operator of a vessel covered by an operating agree-*  
25 *ment under this chapter may transfer that agreement (in-*



1 *cluding all rights and obligations under the agreement) to*  
2 *any person that is eligible to enter into that operating*  
3 *agreement under this chapter, if the transfer is approved*  
4 *by the Secretary of Transportation and the Secretary of De-*  
5 *fense.*

6       “(e) *REPLACEMENT OF VESSELS COVERED BY AGREE-*  
7 *MENTS.—An owner or operator of a vessel covered by an*  
8 *operating agreement under this chapter may replace the*  
9 *vessel with another vessel that is eligible to be included in*  
10 *the Fleet under section 53202(b), if the Secretary of Trans-*  
11 *portation, in coordination with the Secretary of Defense,*  
12 *approves the replacement of the vessel. In selecting a re-*  
13 *placement vessel, the owner or operator shall give primary*  
14 *consideration to—*

15               “(1) *the commercial viability of the vessel;*

16               “(2) *the utility of the vessel with respect to the*  
17 *operating requirements of the owner or operator; and*

18               “(3) *ensuring that the commercial and military*  
19 *utility of any replacement vessel is not less than that*  
20 *of the initial vessel.*

21 **“§ 53207. Payments**

22       “(a) *ANNUAL PAYMENT.—Subject to the availability of*  
23 *appropriations for such purpose and the other provisions*  
24 *of this chapter, the Secretary shall pay to the owner or oper-*  
25 *ator of a vessel covered by an operating agreement under*

1 *this chapter an amount equal to \$6,000,000 for each vessel*  
2 *covered by the agreement for each fiscal year that the vessel*  
3 *is covered by the agreement. Such amount shall be paid in*  
4 *equal monthly installments on the last day of each month.*  
5 *The amount payable under this subsection may not be re-*  
6 *duced except as provided by this section.*

7       “(b) *CERTIFICATION REQUIRED FOR PAYMENT.—As a*  
8 *condition of receiving payment under this section for a fis-*  
9 *cal year for a vessel, the owner or operator of the vessel*  
10 *shall certify, in accordance with regulations issued by the*  
11 *Secretary, that the vessel has been and will be operated in*  
12 *accordance with section 53206 for at least 320 days during*  
13 *the fiscal year. Days during which the vessel is drydocked,*  
14 *surveyed, inspected, or repaired shall be considered days of*  
15 *operation for purposes of this subsection.*

16       “(c) *GENERAL LIMITATIONS.—The Secretary may not*  
17 *make any payment under this chapter for a vessel with re-*  
18 *spect to any days for which the vessel is—*

19               “(1) *not operated or maintained in accordance*  
20 *with an operating agreement under this chapter; or*

21               “(2) *more than 25 years of age.*

22       “(d) *REDUCTIONS IN PAYMENTS.—With respect to*  
23 *payments under this chapter for a vessel covered by an oper-*  
24 *ating agreement, the Secretary—*

1           “(1) *except as provided in paragraph (2), may*  
2           *not reduce such a payment for the operation of the*  
3           *vessel to carry military or other preference cargoes*  
4           *under section 55302(a), 55304, 55305, or 55314, sec-*  
5           *tion 2631 of title 10, or any other cargo preference*  
6           *law of the United States;*

7           “(2) *may not make such a payment for any day*  
8           *that the vessel is engaged in transporting more than*  
9           *7,500 tons of civilian bulk preference cargoes pursu-*  
10          *ant to section 55302(a), 55305, or 55314, that is bulk*  
11          *cargo; and*

12          “(3) *shall make a pro rata reduction for each*  
13          *day less than 320 in a fiscal year that the vessel is*  
14          *not operated in accordance with section 53206.*

15          “(e) *LIMITATIONS REGARDING NONCONTIGUOUS DO-*  
16          *MESTIC TRADE.—*

17                 “(1) *IN GENERAL.—No owner or operator shall*  
18                 *receive payments pursuant to this chapter during a*  
19                 *period in which it participates in noncontiguous do-*  
20                 *mestic trade.*

21                 “(2) *LIMITATION ON APPLICATION.—Paragraph*  
22                 *(1) shall not apply to a owner or operator that is a*  
23                 *citizen of the United States within the meaning of*  
24                 *section 50501, applying the 75 percent ownership re-*  
25                 *quirement of that section.*

1           “(3) *PARTICIPATES IN A NONCONTIGUOUS TRADE*  
2           *DEFINED.*—*In this subsection the term ‘participates*  
3           *in a noncontiguous domestic trade’ means directly or*  
4           *indirectly owns, charters, or operates a vessel engaged*  
5           *in transportation of cargo between a point in the con-*  
6           *tiguous 48 States and a point in Alaska, Hawaii, or*  
7           *Puerto Rico, other than a point in Alaska north of*  
8           *the Arctic Circle.*

9           **“§ 53208. National security requirements**

10          “(a) *EMERGENCY PREPAREDNESS AGREEMENT RE-*  
11          *QUIRED.*—*The Secretary of Transportation, in coordina-*  
12          *tion with the Secretary of Defense, shall establish an emer-*  
13          *gency preparedness program under this section under which*  
14          *the owner or operator of a vessel covered by an operating*  
15          *agreement under this chapter shall agree, as a condition*  
16          *of the operating agreement, to enter into an emergency pre-*  
17          *paredness agreement with the Secretaries. Each such emer-*  
18          *gency preparedness agreement shall be entered into as*  
19          *promptly as practicable after the owner or operator has en-*  
20          *tered into the operating agreement.*

21          “(b) *TERMS OF AGREEMENT.*—*The terms of an agree-*  
22          *ment under this section—*

23                  “(1) *shall provide that upon request by the Sec-*  
24                  *retary of Defense during time of war or national*  
25                  *emergency, or whenever determined by the Secretary*

1       *of Defense to be necessary for national security or*  
2       *contingency operation (as that term is defined in sec-*  
3       *tion 101 of title 10), the owner or operator shall make*  
4       *available commercial transportation resources (in-*  
5       *cluding services) described in subsection (d) to the*  
6       *Secretary of Defense;*

7               *“(2) shall include such additional terms as may*  
8       *be established by the Secretary of Transportation and*  
9       *the Secretary of Defense; and*

10              *“(3) shall allow for the modification or addition*  
11       *of terms upon agreement by the Secretary of Trans-*  
12       *portation and the owner or operator and the approval*  
13       *by the Secretary of Defense.*

14              *“(c) PARTICIPATION AFTER EXPIRATION OF OPER-*  
15       *ATING AGREEMENT.—Except as provided by section 53206,*  
16       *the Secretary may not require, through an emergency pre-*  
17       *paredness agreement or an operating agreement, that an*  
18       *owner or operator of a vessel covered by an operating agree-*  
19       *ment continue to participate in an emergency preparedness*  
20       *agreement after the operating agreement has expired ac-*  
21       *ording to its terms or is otherwise no longer in effect. After*  
22       *the expiration of an emergency preparedness agreement, a*  
23       *owner or operator may voluntarily continue to participate*  
24       *in the agreement.*

1       “(d) *RESOURCES MADE AVAILABLE.*—*The commercial*  
2 *transportation resources to be made available under an*  
3 *emergency preparedness agreement shall include vessels or*  
4 *capacity in vessels, terminal facilities, management serv-*  
5 *ices, and other related services, or any agreed portion of*  
6 *such nonvessel resources for activation as the Secretary of*  
7 *Defense may determine to be necessary, seeking to minimize*  
8 *disruption of the owner or operator’s service to commercial*  
9 *customers.*

10       “(e) *COMPENSATION.*—

11               “(1) *IN GENERAL.*—*Each emergency prepared-*  
12 *ness agreement under this section shall provide that*  
13 *the Secretary of Defense shall pay fair and reasonable*  
14 *compensation for all commercial transportation re-*  
15 *sources provided pursuant to this section.*

16               “(2) *SPECIFIC REQUIREMENTS.*—*Compensation*  
17 *under this subsection—*

18                       “(A) *shall not be less than the owner or op-*  
19 *erator’s commercial market charges for like*  
20 *transportation resources;*

21                       “(B) *shall be fair and reasonable consid-*  
22 *ering all circumstances;*

23                       “(C) *shall be provided from the time that a*  
24 *vessel or resource is required by the Secretary of*  
25 *Defense until the time it is redelivered to the*

1           owner or operator and is available to reenter  
2           commercial service; and

3                   “(D) shall be in addition to and shall not  
4           in any way reflect amounts payable under sec-  
5           tion 53207.

6           “(f) *TEMPORARY REPLACEMENT VESSELS.*—Notwith-  
7           standing section 55302(a), 55304, 55305, or 55314, section  
8           2631 of title 10, or any other cargo preference law of the  
9           United States—

10                   “(1) an owner or operator may operate or em-  
11           ploy in foreign commerce a foreign-flag vessel or for-  
12           eign-flag vessel capacity as a temporary replacement  
13           for a vessel of the United States or vessel of the  
14           United States capacity that is activated by the Sec-  
15           retary of Defense under an emergency preparedness  
16           agreement or a primary Department of Defense sealift  
17           readiness program; and

18                   “(2) such replacement vessel or vessel capacity  
19           shall be eligible during the replacement period to  
20           transport preference cargoes subject to sections  
21           55302(a), 55304, 55305, and 55314 and section 2631  
22           of title 10 to the same extent as the eligibility of the  
23           vessel or vessel capacity replaced.

24           “(g) *REDELIVERY AND LIABILITY OF THE UNITED*  
25           *STATES FOR DAMAGES.*—

1           “(1) *IN GENERAL.*—*All commercial transpor-*  
2           *tation resources activated under an emergency pre-*  
3           *paredness agreement shall, upon termination of the*  
4           *period of activation, be redelivered to the owner or op-*  
5           *erator in the same good order and condition as when*  
6           *received, less ordinary wear and tear, or the Sec-*  
7           *retary of Defense shall fully compensate the owner or*  
8           *operator for any necessary repair or replacement.*

9           “(2) *LIMITATION ON UNITED STATES LIABIL-*  
10          *ITY.*—*Except as may be expressly agreed in an emer-*  
11          *gency preparedness agreement, or as otherwise pro-*  
12          *vided by law, the Government shall not be liable for*  
13          *disruption of an owner or operator’s commercial busi-*  
14          *ness or other consequential damages to an owner or*  
15          *operator arising from the activation of commercial*  
16          *transportation resources under an emergency pre-*  
17          *paredness agreement.*

18          **“§ 53209. Regulatory relief**

19          “(a) *OPERATION IN FOREIGN COMMERCE.*—*An owner*  
20          *or operator for a vessel included in an operating agreement*  
21          *under this chapter may operate the vessel in the foreign*  
22          *commerce of the United States without restriction.*

23          “(b) *OTHER RESTRICTIONS.*—*The restrictions of sec-*  
24          *tion 55305(a) concerning the building, rebuilding, or docu-*  
25          *mentation of a vessel in a foreign country shall not apply*



1 *to a vessel for any day the operator of the vessel is receiving*  
2 *payments for the operation of that vessel under an oper-*  
3 *ating agreement under this chapter.*

4       “(c) *TELECOMMUNICATIONS EQUIPMENT.*—*The tele-*  
5 *communications and other electronic equipment on an ex-*  
6 *isting vessel that is redocumented under the laws of the*  
7 *United States for operation under an operating agreement*  
8 *under this chapter shall be deemed to satisfy all Federal*  
9 *Communications Commission equipment certification re-*  
10 *quirements, if—*

11               “(1) *such equipment complies with all applicable*  
12 *international agreements and associated guidelines as*  
13 *determined by the country in which the vessel was*  
14 *documented immediately before becoming documented*  
15 *under the laws of the United States;*

16               “(2) *that country has not been identified by the*  
17 *Secretary as inadequately enforcing international reg-*  
18 *ulations as to that vessel; and*

19               “(3) *at the end of its useful life, such equipment*  
20 *shall be replaced with equipment that meets Federal*  
21 *Communications Commission equipment certification*  
22 *standards.*

1 **“§ 53210. Special rule regarding age of participating**  
2 **Fleet vessels**

3 *“Any age restriction under section 53202(b)(4) shall*  
4 *not apply to a participating Fleet vessel during the 30-*  
5 *month period beginning on the date the vessel begins oper-*  
6 *ating under an operating agreement under this chapter, if*  
7 *the Secretary of Transportation determines that the owner*  
8 *or operator of the vessel has entered into an arrangement*  
9 *to obtain and operate under the operating agreement for*  
10 *the participating Fleet vessel a replacement vessel that,*  
11 *upon commencement of such operation, will be eligible to*  
12 *be included in the Fleet under section 53202(b).*

13 **“§ 53211. Regulations**

14 *“The Secretary of Transportation and the Secretary*  
15 *of Defense may each prescribe rules as necessary to carry*  
16 *out their respective responsibilities under this chapter.*

17 **“§ 53212. Authorization of appropriations**

18 *“There is authorized to be appropriated for payments*  
19 *under section 53207, \$60,000,000 for each of fiscal years*  
20 *2021 through 2035, to remain available until expended.*

21 **“§ 53213. Acquisition of Fleet vessels**

22 *“(a) IN GENERAL.—Upon replacement of a Fleet vessel*  
23 *under an operating agreement under this chapter, and sub-*  
24 *ject to agreement by the owner or operator of the vessel,*  
25 *the Secretary of Transportation may, subject to the concur-*

1 *rence of the Secretary of Defense, acquire the vessel being*  
 2 *replaced for inclusion in the National Defense Reserve Fleet.*

3       “(b) *REQUIREMENTS.—To be eligible for acquisition*  
 4 *by the Secretary of Transportation under this section a ves-*  
 5 *sel shall—*

6               “(1) *have been covered by an operating agree-*  
 7 *ment under this chapter for not less than three years;*  
 8 *and*

9               “(2) *meet recapitalization requirements for the*  
 10 *Ready Reserve Force.*

11       “(c) *FAIR MARKET VALUE.—A fair market value shall*  
 12 *be established by the Maritime Administration for acquisi-*  
 13 *tion of an eligible vessel under this section.*

14       “(d) *APPROPRIATIONS.—Vessel acquisitions under this*  
 15 *section shall be subject to the availability of appropriations.*  
 16 *Amounts made available to carry out this section shall be*  
 17 *derived from amounts authorized to be appropriated for the*  
 18 *National Defense Reserve Fleet. Amounts authorized to be*  
 19 *appropriated to carry out the Maritime Security Program*  
 20 *may not be use to carry out this section.”.*

21       “(b) *CLERICAL AMENDMENT.—The table of chapters for*  
 22 *subtitle VII of title 46, United States Code, is amended by*  
 23 *adding at the end the following:*

“532. *Tanker Security Fleet* ..... 53201”.

24       “(c) *DEADLINE FOR ACCEPTING APPLICATIONS.—*

1           (1) *IN GENERAL.*—*The Secretary of Transportation shall begin accepting applications for enrollment of vessels in the Tanker Security Fleet established under chapter 532 of title 46, United States Code, as added by subsection (a), by not later than 30 days after the date of the enactment of this Act.*

7           (2) *APPROVAL.*—*Not later than 90 days after receipt of an application for the enrollment of a vessel in the Tanker Security Fleet, the Secretary, in coordination with the Secretary of Defense, shall—*

11                     (A) *approve the application and enter into an operating agreement with the applicant; or*

13                     (B) *provide to the applicant a written explanation for the denial of the application.*

## 15     ***DIVISION D—FUNDING TABLES***

### 16     ***SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.***

18           (a) *IN GENERAL.*—*Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.*

24           (b) *MERIT-BASED DECISIONS.*—*A decision to commit, obligate, or expend funds with or to a specific entity on*

1 *the basis of a dollar amount authorized pursuant to sub-*  
2 *section (a) shall—*

3           (1) *be based on merit-based selection procedures*  
4 *in accordance with the requirements of sections*  
5 *2304(k) and 2374 of title 10, United States Code, or*  
6 *on competitive procedures; and*

7           (2) *comply with other applicable provisions of*  
8 *law.*

9           (c) *RELATIONSHIP TO TRANSFER AND PROGRAMMING*  
10 *AUTHORITY.—An amount specified in the funding tables in*  
11 *this division may be transferred or reprogrammed under*  
12 *a transfer or reprogramming authority provided by another*  
13 *provision of this Act or by other law. The transfer or re-*  
14 *programming of an amount specified in such funding tables*  
15 *shall not count against a ceiling on such transfers or*  
16 *reprogrammings under section 1001 or section 1512 of this*  
17 *Act or any other provision of law, unless such transfer or*  
18 *reprogramming would move funds between appropriation*  
19 *accounts.*

20           (d) *APPLICABILITY TO CLASSIFIED ANNEX.—This sec-*  
21 *tion applies to any classified annex that accompanies this*  
22 *Act.*

23           (e) *ORAL AND WRITTEN COMMUNICATIONS.—No oral*  
24 *or written communication concerning any amount specified*

1 in the funding tables in this division shall supersede the  
 2 requirements of this section.

3 **TITLE XLI—PROCUREMENT**

4 **SEC. 4101. PROCUREMENT.**

<b>SEC. 4101. PROCUREMENT</b> <i>(In Thousands of Dollars)</i>			
<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
002	MQ-1 UAV .....		75,000
	Additional aircraft .....		[75,000]
003	FUTURE UAS FAMILY .....	1,100	1,100
004	RQ-11 (RAVEN) .....	20,851	20,851
<b>ROTARY</b>			
007	AH-64 APACHE BLOCK IIIA REMAN .....	792,027	792,027
008	AH-64 APACHE BLOCK IIIA REMAN AP .....	169,460	169,460
011	UH-60 BLACKHAWK M MODEL (MYP) .....	742,998	725,298
	Unjustified costs .....		[-17,700]
012	UH-60 BLACKHAWK M MODEL (MYP) AP .....	87,427	87,427
013	UH-60 BLACK HAWK L AND V MODELS .....	172,797	172,797
014	CH-47 HELICOPTER .....	160,750	266,850
	Program increase .....		[136,000]
	Unjustified cost growth .....		[-29,900]
015	CH-47 HELICOPTER AP .....	18,372	47,372
	Program increase .....		[29,000]
<b>MODIFICATION OF AIRCRAFT</b>			
018	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS) .....	7,509	7,509
019	GRAY EAGLE MODS2 .....	16,280	16,280
020	MULTI SENSOR ABN RECON (MIP) .....	35,864	35,864
021	AH-64 MODS .....	118,316	113,216
	Unjustified cost growth—M-DSA .....		[-5,100]
022	CH-47 CARGO HELICOPTER MODS (MYP) .....	15,548	15,548
023	GRCS SEMA MODS (MIP) .....	2,947	2,947
024	ARL SEMA MODS (MIP) .....	9,598	9,598
025	EMARSS SEMA MODS (MIP) .....	2,452	2,452
026	UTILITY/CARGO AIRPLANE MODS .....	13,868	13,868
027	UTILITY HELICOPTER MODS .....	25,842	31,342
	Program increase .....		[5,500]
028	NETWORK AND MISSION PLAN .....	77,432	77,432
029	COMMS, NAV SURVEILLANCE .....	101,355	101,355
031	AVIATION ASSURED PNT .....	54,609	54,609
032	GATM ROLLUP .....	12,180	12,180
034	UAS MODS .....	4,204	4,204
<b>GROUND SUPPORT AVIONICS</b>			
035	AIRCRAFT SURVIVABILITY EQUIPMENT .....	49,455	49,455
036	SURVIVABILITY CM .....	8,035	8,035
037	CMWS .....	10,567	10,567
038	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	237,467	237,467
<b>OTHER SUPPORT</b>			
039	AVIONICS SUPPORT EQUIPMENT .....	1,789	1,789
040	COMMON GROUND EQUIPMENT .....	17,584	17,584
041	AIRCREW INTEGRATED SYSTEMS .....	48,265	48,265
042	AIR TRAFFIC CONTROL .....	26,408	26,408
044	LAUNCHER, 2.75 ROCKET .....	2,256	2,256
045	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2 .....	8,982	8,982
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>3,074,594</b>	<b>3,267,394</b>
<b>MISSILE PROCUREMENT, ARMY</b>			
<b>SURFACE-TO-AIR MISSILE SYSTEM</b>			
002	M-SHORAD—PROCUREMENT .....	378,654	378,654
003	MSE MISSILE .....	603,188	603,188
004	PRECISION STRIKE MISSILE (PRSM) .....	49,941	42,441
	Contract delay .....		[-7,500]
005	INDIRECT FIRE PROTECTION CAPABILITY INC 2-I .....	106,261	25,011
	Army identified funds excess to need .....		[-40,500]
	Funding excess to need .....		[-40,750]
<b>AIR-TO-SURFACE MISSILE SYSTEM</b>			
006	HELLFIRE SYS SUMMARY .....	91,225	91,225
007	JOINT AIR-TO-GROUND MSLS (JAGM) .....	213,397	213,397
008	LONG RANGE PRECISION MUNITION .....	45,307	45,307
<b>ANTI-TANK/ASSAULT MISSILE SYS</b>			
009	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	190,325	190,325
010	TOW 2 SYSTEM SUMMARY .....	121,074	121,074

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
011	GUIDED MLRS ROCKET (GMLRS) .....	850,157	850,157
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....	30,836	30,836
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS) .....	41,226	41,226
	<b>MODIFICATIONS</b>		
016	PATRIOT MODS .....	278,050	278,050
017	ATACMS MODS .....	141,690	141,690
020	AVENGER MODS .....	13,942	13,942
021	ITAS/TOW MODS .....	5,666	5,666
022	MLRS MODS .....	310,419	310,419
023	HIMARS MODIFICATIONS .....	6,081	6,081
	<b>SPARES AND REPAIR PARTS</b>		
024	SPARES AND REPAIR PARTS .....	5,090	5,090
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
025	AIR DEFENSE TARGETS .....	8,978	8,978
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>3,491,507</b>	<b>3,402,757</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
002	ARMORED MULTI PURPOSE VEHICLE (AMPV) .....	192,971	172,971
	Prior year carry-over .....		[-80,000]
	Program increase .....		[60,000]
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
004	STRYKER UPGRADE .....	847,212	1,183,052
	CROWS-J program delay .....		[-39,160]
	Program increase—Army UPL .....		[375,000]
005	BRADLEY PROGRAM (MOD) .....	493,109	435,759
	Prior year carry-over .....		[-17,350]
	UBIS early to need .....		[-40,000]
006	M109 FOV MODIFICATIONS .....	26,893	21,893
	Prior year carryover .....		[-5,000]
007	PALADIN INTEGRATED MANAGEMENT (PIM) .....	435,825	435,825
009	ASSAULT BRIDGE (MOD) .....	5,074	5,074
010	ASSAULT BREACHER VEHICLE .....	19,500	19,500
011	M88 FOV MODS .....	18,382	13,082
	Program reduction .....		[-5,300]
012	JOINT ASSAULT BRIDGE .....	72,178	61,878
	Program delay .....		[-10,300]
013	M1 ABRAMS TANK (MOD) .....	392,013	386,278
	Prior year carry-over .....		[-5,735]
014	ABRAMS UPGRADE PROGRAM .....	1,033,253	1,020,396
	Component cost savings .....		[-3,480]
	Prior year carry-over .....		[-9,377]
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S .....	17,864	17,864
018	MORTAR SYSTEMS .....	10,288	10,288
019	XM320 GRENADE LAUNCHER MODULE (GLM) .....	5,969	5,969
020	PRECISION SNIPER RIFLE .....	10,137	10,137
021	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM .....	999	999
022	CARBINE .....	7,411	7,411
023	NEXT GENERATION SQUAD WEAPON .....	35,822	35,822
024	COMMON REMOTELY OPERATED WEAPONS STATION .....	24,534	24,534
025	HANDGUN .....	4,662	4,662
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
026	MK-19 GRENADE MACHINE GUN MODS .....	6,444	6,444
027	M777 MODS .....	10,983	10,983
028	M4 CARBINE MODS .....	4,824	4,824
031	M240 MEDIUM MACHINE GUN MODS .....	6,385	6,385
032	SNIPER RIFLES MODIFICATIONS .....	1,898	1,898
033	M119 MODIFICATIONS .....	2,009	2,009
034	MORTAR MODIFICATION .....	1,689	1,689
035	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV) .....	2,604	2,604
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
036	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	2,763	2,763
037	PRODUCTION BASE SUPPORT (WOCV-WTCV) .....	3,045	3,045
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>3,696,740</b>	<b>3,916,038</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
001	CTG, 5.56MM, ALL TYPES .....	68,472	68,472
002	CTG, 7.62MM, ALL TYPES .....	109,933	109,933
003	NEXT GENERATION SQUAD WEAPON AMMUNITION .....	11,988	11,988
004	CTG, HANDGUN, ALL TYPES .....	853	853
005	CTG, .50 CAL, ALL TYPES .....	58,280	58,280
006	CTG, 20MM, ALL TYPES .....	31,708	31,708
007	CTG, 25MM, ALL TYPES .....	9,111	9,111
008	CTG, 30MM, ALL TYPES .....	58,172	58,172
009	CTG, 40MM, ALL TYPES .....	114,638	114,638
	<b>MORTAR AMMUNITION</b>		

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
010	60MM MORTAR, ALL TYPES .....	31,222	31,222
011	81MM MORTAR, ALL TYPES .....	42,857	42,857
012	120MM MORTAR, ALL TYPES .....	107,762	107,762
	<b>TANK AMMUNITION</b>		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	233,444	233,444
	<b>ARTILLERY AMMUNITION</b>		
014	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	35,963	35,963
015	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	293,692	283,692
	Program delays .....		[-10,000]
016	PROJ 155MM EXTENDED RANGE M982 .....	69,159	69,159
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	232,913	232,913
	<b>MINES</b>		
018	MINES & CLEARING CHARGES, ALL TYPES .....	65,278	62,778
	Program decrease .....		[-2,500]
019	CLOSE TERRAIN SHAPING OBSTACLE .....	4,995	2,995
	Program reduction .....		[-2,000]
	<b>ROCKETS</b>		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	69,112	61,612
	Prior year carryover .....		[-7,500]
021	ROCKET, HYDRA 70, ALL TYPES .....	125,915	125,915
	<b>OTHER AMMUNITION</b>		
022	CAD/PAD, ALL TYPES .....	8,891	8,891
023	DEMOLITION MUNITIONS, ALL TYPES .....	54,043	54,043
024	GRENADES, ALL TYPES .....	28,931	28,931
025	SIGNALS, ALL TYPES .....	27,036	27,036
026	SIMULATORS, ALL TYPES .....	10,253	10,253
	<b>MISCELLANEOUS</b>		
027	AMMO COMPONENTS, ALL TYPES .....	3,476	3,476
029	ITEMS LESS THAN \$5 MILLION (AMMO) .....	10,569	10,569
030	AMMUNITION PECULIAR EQUIPMENT .....	12,338	12,338
031	FIRST DESTINATION TRANSPORTATION (AMMO) .....	15,908	15,908
032	CLOSEOUT LIABILITIES .....	99	99
	<b>PRODUCTION BASE SUPPORT</b>		
033	INDUSTRIAL FACILITIES .....	592,224	696,724
	Program increase .....		[104,500]
034	CONVENTIONAL MUNITIONS DEMILITARIZATION .....	235,112	235,112
035	ARMS INITIATIVE .....	3,369	3,369
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY .....</b>	<b>2,777,716</b>	<b>2,860,216</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
001	TACTICAL TRAILERS/DOLLY SETS .....	12,986	12,986
002	SEMITRAILERS, FLATBED: .....	31,443	31,443
003	SEMITRAILERS, TANKERS .....	17,082	17,082
004	HI MOB MULTI-PURP WHLD VEH (HMMWV) .....	44,795	44,795
005	GROUND MOBILITY VEHICLES (GMV) .....	37,932	37,932
008	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL .....	894,414	894,414
009	TRUCK, DUMP, 20T (CCE) .....	29,368	29,368
010	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	95,092	95,092
011	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C .....	999	999
012	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....	27,687	27,687
014	PLS ESP .....	21,969	21,969
015	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....	65,635	132,635
	Program increase .....		[67,000]
016	HMMWV RECAPITALIZATION PROGRAM .....	5,927	5,927
017	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	36,497	36,497
018	MODIFICATION OF IN SVC EQUIP .....	114,977	114,977
	<b>NON-TACTICAL VEHICLES</b>		
020	PASSENGER CARRYING VEHICLES .....	1,246	1,246
021	NONTACTICAL VEHICLES, OTHER .....	19,870	19,870
	<b>COMM—JOINT COMMUNICATIONS</b>		
022	SIGNAL MODERNIZATION PROGRAM .....	160,469	150,469
	Unit cost growth .....		[-10,000]
023	TACTICAL NETWORK TECHNOLOGY MOD IN SVC .....	360,379	337,879
	Program delays .....		[-10,000]
	Unit cost growth .....		[-12,500]
024	SITUATION INFORMATION TRANSPORT .....	63,396	63,396
026	JCSE EQUIPMENT (USRDECOM) .....	5,170	5,170
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
029	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....	101,498	101,498
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	72,450	64,950
	Program delays .....		[-7,500]
031	SHF TERM .....	13,173	13,173
032	ASSURED POSITIONING, NAVIGATION AND TIMING .....	134,928	134,928
033	SMART-T (SPACE) .....	8,611	8,611
034	GLOBAL BRDCST SVC—GBS .....	8,191	8,191
	<b>COMM—C3 SYSTEM</b>		
036	COE TACTICAL SERVER INFRASTRUCTURE (TSI) .....	94,871	94,871



**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>COMM—COMBAT COMMUNICATIONS</b>			
037	HANDHELD MANPACK SMALL FORM FIT (HMS) .....	550,848	550,848
038	RADIO TERMINAL SET, MIDS LVT(2) .....	8,237	8,237
041	SPIDER FAMILY OF NETWORKED MUNITIONS INCR .....	13,967	0
	Program cancellation .....		[-13,967]
043	UNIFIED COMMAND SUITE .....	19,579	19,579
044	COTS COMMUNICATIONS EQUIPMENT .....	94,156	94,156
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	18,313	18,313
046	ARMY COMMUNICATIONS & ELECTRONICS .....	51,480	51,480
<b>COMM—INTELLIGENCE COMM</b>			
048	CI AUTOMATION ARCHITECTURE (MIP) .....	13,146	13,146
049	DEFENSE MILITARY DECEPTION INITIATIVE .....	5,624	5,624
<b>INFORMATION SECURITY</b>			
051	INFORMATION SYSTEM SECURITY PROGRAM-ISSP .....	4,596	4,596
052	COMMUNICATIONS SECURITY (COMSEC) .....	159,272	149,272
	Program decrease .....		[-10,000]
053	DEFENSIVE CYBER OPERATIONS .....	54,753	54,753
054	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO .....	1,760	1,760
056	ITEMS LESS THAN \$5M (INFO SECURITY) .....	260	260
<b>COMM—LONG HAUL COMMUNICATIONS</b>			
057	BASE SUPPORT COMMUNICATIONS .....	29,761	29,761
<b>COMM—BASE COMMUNICATIONS</b>			
058	INFORMATION SYSTEMS .....	147,696	147,696
059	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....	4,900	4,900
060	HOME STATION MISSION COMMAND CENTERS (HSMCC) .....	15,227	15,227
061	JOINT INFORMATION ENVIRONMENT (JIE) .....	3,177	3,177
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	300,035	280,035
	Unjustified growth .....		[-20,000]
<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>			
065	JTT/CIBS-M (MIP) .....	5,304	5,304
066	TERRESTRIAL LAYER SYSTEMS (TLS) (MIP) .....	8,081	8,081
068	DCGS-A (MIP) .....	151,886	151,886
070	TROJAN (MIP) .....	17,593	17,593
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	28,558	28,558
073	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP) .....	999	999
<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>			
075	LIGHTWEIGHT COUNTER MORTAR RADAR .....	5,332	5,332
076	EW PLANNING & MANAGEMENT TOOLS (EWPMT) .....	7,849	7,849
077	AIR VIGILANCE (AV) (MIP) .....	8,160	8,160
079	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST .....	8,669	8,669
082	CI MODERNIZATION (MIP) .....	300	300
<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>			
083	SENTINEL MODS .....	58,884	58,884
084	NIGHT VISION DEVICES .....	1,127,375	897,375
	IVAS reduction .....		[-230,000]
086	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	13,954	13,954
088	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	10,069	10,069
089	FAMILY OF WEAPON SIGHTS (FWS) .....	133,590	115,090
	Program decrease .....		[-18,500]
091	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	243,850	226,350
	Program delays .....		[-17,500]
092	JOINT EFFECTS TARGETING SYSTEM (JETS) .....	69,641	50,541
	Early to need .....		[-19,100]
094	COMPUTER BALLISTICS: LHMCB XM32 .....	7,509	7,509
095	MORTAR FIRE CONTROL SYSTEM .....	3,800	3,800
096	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS .....	7,292	7,292
097	COUNTERFIRE RADARS .....	72,421	71,421
	Excess to need .....		[-1,000]
<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>			
098	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE ( .....	49,947	49,947
099	FIRE SUPPORT C2 FAMILY .....	9,390	9,390
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	47,374	47,374
101	LAMD BATTLE COMMAND SYSTEM .....	201,587	191,587
	Program reduction .....		[-10,000]
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	5,004
	Program increase .....		[2,000]
<b>ELECT EQUIP—AUTOMATION</b>			
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

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
115	RESERVE COMPONENT AUTOMATION SYS (RCAS) .....	14,848	14,848
	<b>ELECT EQUIP—AUDIO VISUAL SYS (A/V)</b>		
117	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....	4,995	4,995
	<b>ELECT EQUIP—SUPPORT</b>		
119	BCT EMERGING TECHNOLOGIES .....	16,983	8,983
	Program reduction .....		[-8,000]
	<b>CLASSIFIED PROGRAMS</b>		
19A	CLASSIFIED PROGRAMS .....	1,582	1,582
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
123	CBRN DEFENSE .....	28,456	28,456
124	SMOKE & OBSCURANT FAMILY. SOF (NON AAO ITEM) .....	13,995	13,995
	<b>BRIDGING EQUIPMENT</b>		
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
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
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	99,069
	Program reduction .....		[-10,000]
134	EOD ROBOTICS SYSTEMS RECAPITALIZATION .....	36,584	36,584
135	ROBOTICS AND APPLIQUE SYSTEMS .....	179,544	174,744
	SMET contract delay .....		[-4,800]
137	RENDER SAFE SETS KITS OUTFITS .....	64,583	64,583
139	FAMILY OF BOATS AND MOTORS .....	5,289	5,289
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
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
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
	<b>PETROLEUM EQUIPMENT</b>		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	78,448	78,448
	<b>MEDICAL EQUIPMENT</b>		
151	COMBAT SUPPORT MEDICAL .....	59,485	64,485
	Future Warfighter Shelter .....		[5,000]
	<b>MAINTENANCE EQUIPMENT</b>		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	40,337	40,337
153	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	5,386	5,386
	<b>CONSTRUCTION EQUIPMENT</b>		
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
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
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
	<b>GENERATORS</b>		
167	GENERATORS AND ASSOCIATED EQUIP .....	53,433	53,433
168	TACTICAL ELECTRIC POWER RECAPITALIZATION .....	22,216	22,216
	<b>MATERIAL HANDLING EQUIPMENT</b>		
169	FAMILY OF FORKLIFTS .....	16,145	16,145
	<b>TRAINING EQUIPMENT</b>		
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
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
176	CALIBRATION SETS EQUIPMENT .....	2,511	2,511
177	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	78,578	73,578
	Program reduction .....		[-5,000]
178	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	14,941	14,941
	<b>OTHER SUPPORT EQUIPMENT</b>		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	8,629	8,629
181	PHYSICAL SECURITY SYSTEMS (OPA3) .....	75,499	72,299
	Early to need .....		[-3,200]
182	BASE LEVEL COMMON EQUIPMENT .....	27,444	27,444
183	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	32,485	32,485
187	SPECIAL EQUIPMENT FOR TEST AND EVALUATION .....	39,436	39,436
	<b>OPA2</b>		
189	INITIAL SPARES—C&E .....	9,950	9,950

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>8,625,206</b>	<b>8,288,139</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
001	F/A-18E/F (FIGHTER) HORNET .....	1,761,146	1,761,146
002	F/A-18E/F (FIGHTER) HORNET AP .....		28,100
	FY22 aircraft .....		[28,100]
003	JOINT STRIKE FIGHTER CV .....	2,181,780	2,106,680
	Excess depot standup funding .....		[-6,500]
	F135 affordability challenges .....		[-21,000]
	Lot 15 target cost savings .....		[-41,600]
	Unjustified ALIS funding .....		[-6,000]
004	JOINT STRIKE FIGHTER CV AP .....	330,386	330,386
005	JSF STOVL .....	1,109,393	1,053,893
	Excess depot standup funding .....		[-5,000]
	F135 affordability challenges .....		[-15,000]
	Lot 15 target cost savings .....		[-18,000]
	Unjustified ALIS funding .....		[-10,000]
	Unjustified production engineering support .....		[-7,500]
006	JSF STOVL AP .....	303,035	303,035
007	CH-53K (HEAVY LIFT) .....	813,324	813,324
008	CH-53K (HEAVY LIFT) AP .....	201,188	201,188
009	V-22 (MEDIUM LIFT) .....	934,793	1,146,193
	Navy UPL .....		[211,400]
010	V-22 (MEDIUM LIFT) AP .....	39,547	39,547
011	H-1 UPGRADES (UH-1Y/AH-1Z) .....	7,267	7,267
013	P-8A POSEIDON .....	80,134	1,020,034
	Line shutdown early to need .....		[-80,100]
	Six additional aircraft .....		[1,020,000]
015	E-2D ADV HAWKEYE .....	626,109	626,109
016	E-2D ADV HAWKEYE AP .....	123,166	123,166
	<b>TRAINER AIRCRAFT</b>		
017	ADVANCED HELICOPTER TRAINING SYSTEM .....	269,867	269,867
	<b>OTHER AIRCRAFT</b>		
018	KC-130J .....	380,984	380,984
019	KC-130J AP .....	67,022	67,022
021	MQ-4 TRITON .....	150,570	280,570
	One additional aircraft .....		[130,000]
023	MQ-8 UAV .....	40,375	40,375
024	STUASLO UAV .....	30,930	30,930
026	VH-92A EXECUTIVE HELO .....	610,231	610,231
	<b>MODIFICATION OF AIRCRAFT</b>		
028	F-18 A-D UNIQUE .....	208,261	208,261
029	F-18E/F AND EA-18G MODERNIZATION AND SUSTAINM .....	468,954	468,954
030	AEA SYSTEMS .....	21,061	21,061
031	AV-8 SERIES .....	34,082	34,082
032	INFRARED SEARCH AND TRACK (IRST) .....	158,055	158,055
033	ADVERSARY .....	42,946	42,946
034	F-18 SERIES .....	379,351	379,351
035	H-53 SERIES .....	74,771	74,771
036	MH-60 SERIES .....	131,584	136,584
	Program increase .....		[5,000]
037	H-1 SERIES .....	185,140	185,140
038	EP-3 SERIES .....	26,602	26,602
040	E-2 SERIES .....	175,540	175,540
041	TRAINER A/C SERIES .....	7,085	7,085
042	C-2A .....	9,525	9,525
043	C-130 SERIES .....	141,705	141,705
044	FEWSG .....	684	684
045	CARGO/TRANSPORT A/C SERIES .....	8,911	8,911
046	E-6 SERIES .....	197,206	197,206
047	EXECUTIVE HELICOPTERS SERIES .....	29,086	29,086
049	T-45 SERIES .....	155,745	155,745
050	POWER PLANT CHANGES .....	24,633	24,633
051	JPATS SERIES .....	22,682	22,682
052	AVIATION LIFE SUPPORT MODS .....	40,401	40,401
053	COMMON ECM EQUIPMENT .....	138,480	138,480
054	COMMON AVIONICS CHANGES .....	143,322	143,322
055	COMMON DEFENSIVE WEAPON SYSTEM .....	2,142	2,142
056	ID SYSTEMS .....	35,999	35,999
057	P-8 SERIES .....	180,530	180,530
058	MAGTF EW FOR AVIATION .....	27,794	27,794
059	MQ-8 SERIES .....	28,774	28,774
060	V-22 (TILT/ROTOR ACFT) OSPREY .....	334,405	334,405
061	NEXT GENERATION JAMMER (NGJ) .....	176,638	176,638
062	F-35 STOVL SERIES .....	153,588	146,388
	Block IV/TR3 upgrade delays .....		[-7,200]
063	F-35 CV SERIES .....	105,452	99,552

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	<i>Block IV/TR3 upgrade delays</i> .....		[−5,900]
064	QRC .....	126,618	126,618
065	MQ-4 SERIES .....	12,998	12,998
066	RQ-21 SERIES .....	18,550	18,550
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
070	SPARES AND REPAIR PARTS .....	2,198,460	2,198,460
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
071	COMMON GROUND EQUIPMENT .....	543,559	543,559
072	AIRCRAFT INDUSTRIAL FACILITIES .....	75,685	75,685
073	WAR CONSUMABLES .....	40,633	40,633
074	OTHER PRODUCTION CHARGES .....	21,194	21,194
075	SPECIAL SUPPORT EQUIPMENT .....	155,179	155,179
076	FIRST DESTINATION TRANSPORTATION .....	2,121	2,121
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>17,127,378</b>	<b>18,298,078</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
001	TRIDENT II MODS .....	1,173,837	1,173,837
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
002	MISSILE INDUSTRIAL FACILITIES .....	7,275	7,275
	<b>STRATEGIC MISSILES</b>		
003	TOMAHAWK .....	277,694	277,694
	<b>TACTICAL MISSILES</b>		
004	AMRAAM .....	326,952	326,952
005	SIDEWINDER .....	126,485	126,485
007	STANDARD MISSILE .....	456,206	456,206
008	STANDARD MISSILE AP .....	66,716	66,716
009	SMALL DIAMETER BOMB II .....	78,867	78,867
010	RAM .....	90,533	90,533
011	JOINT AIR GROUND MISSILE (JAGM) .....	49,386	49,386
014	AERIAL TARGETS .....	174,336	174,336
015	DRONES AND DECOYS .....	41,256	41,256
016	OTHER MISSILE SUPPORT .....	3,501	3,501
017	LRASM .....	168,845	168,845
018	LCS OTH MISSILE .....	32,910	32,910
	<b>MODIFICATION OF MISSILES</b>		
019	TOMAHAWK MODS .....	164,915	164,915
020	ESSM .....	215,375	206,475
	<i>Excessive production support growth</i> .....		[−8,900]
022	HARM MODS .....	147,572	147,572
023	STANDARD MISSILES MODS .....	83,654	17,254
	<i>SM-2 Blk IIC excessive concurrency</i> .....		[−66,400]
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
024	WEAPONS INDUSTRIAL FACILITIES .....	1,996	1,996
025	FLEET SATELLITE COMM FOLLOW-ON .....	53,401	53,401
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
027	ORDNANCE SUPPORT EQUIPMENT .....	215,659	215,659
	<b>TORPEDOES AND RELATED EQUIP</b>		
028	SSTD .....	5,811	5,811
029	MK-48 TORPEDO .....	284,901	284,901
030	ASW TARGETS .....	13,833	13,833
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
031	MK-54 TORPEDO MODS .....	110,286	110,286
032	MK-48 TORPEDO ADCAP MODS .....	57,214	57,214
033	MARITIME MINES .....	5,832	5,832
	<b>SUPPORT EQUIPMENT</b>		
034	TORPEDO SUPPORT EQUIPMENT .....	97,581	97,581
035	ASW RANGE SUPPORT .....	4,159	4,159
	<b>DESTINATION TRANSPORTATION</b>		
036	FIRST DESTINATION TRANSPORTATION .....	4,106	4,106
	<b>GUNS AND GUN MOUNTS</b>		
037	SMALL ARMS AND WEAPONS .....	16,030	16,030
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
038	CIWS MODS .....	37,147	37,147
039	COAST GUARD WEAPONS .....	45,804	45,804
040	GUN MOUNT MODS .....	74,427	74,427
041	LCS MODULE WEAPONS .....	4,253	4,253
042	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	6,662	6,662
	<b>SPARES AND REPAIR PARTS</b>		
045	SPARES AND REPAIR PARTS .....	159,578	159,578
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>4,884,995</b>	<b>4,809,695</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....	41,496	41,496
002	JDAM .....	64,631	64,631
003	AIRBORNE ROCKETS, ALL TYPES .....	60,719	60,719
004	MACHINE GUN AMMUNITION .....	11,158	11,158

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005	PRACTICE BOMBS .....	51,409	51,409
006	CARTRIDGES & CART ACTUATED DEVICES .....	64,694	64,694
007	AIR EXPENDABLE COUNTERMEASURES .....	51,523	51,523
008	JATOS .....	6,761	6,761
009	5 INCH/54 GUN AMMUNITION .....	31,517	31,517
010	INTERMEDIATE CALIBER GUN AMMUNITION .....	38,005	38,005
011	OTHER SHIP GUN AMMUNITION .....	40,626	40,626
012	SMALL ARMS & LANDING PARTY AMMO .....	48,202	48,202
013	PYROTECHNIC AND DEMOLITION .....	9,766	9,766
015	AMMUNITION LESS THAN \$5 MILLION .....	2,115	2,115
	<b>MARINE CORPS AMMUNITION</b>		
016	MORTARS .....	46,781	46,781
017	DIRECT SUPPORT MUNITIONS .....	119,504	79,662
	USMC identified funds excess to need .....		[-39,842]
018	INFANTRY WEAPONS AMMUNITION .....	83,220	83,220
019	COMBAT SUPPORT MUNITIONS .....	32,650	32,650
020	AMMO MODERNIZATION .....	15,144	15,144
021	ARTILLERY MUNITIONS .....	59,539	59,539
022	ITEMS LESS THAN \$5 MILLION .....	4,142	4,142
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>883,602</b>	<b>843,760</b>
	<b>SHIPBUILDING AND CONVERSION, NAVY</b>		
	<b>FLEET BALLISTIC MISSILE SHIPS</b>		
001	OHIO REPLACEMENT SUBMARINE .....	2,891,475	2,891,475
002	OHIO REPLACEMENT SUBMARINE AP .....	1,123,175	1,123,175
	<b>OTHER WARSHIPS</b>		
003	CARRIER REPLACEMENT PROGRAM .....	997,544	907,544
	Full funding early to need .....		[-90,000]
004	CVN-81 .....	1,645,606	1,465,606
	Full funding early to need .....		[-180,000]
005	VIRGINIA CLASS SUBMARINE .....	2,334,693	4,630,693
	Restore second Virginia-class SSN .....		[2,296,000]
006	VIRGINIA CLASS SUBMARINE .....	1,901,187	2,173,187
	Restore second Virginia-class SSN .....		[272,000]
007	CVN REFUELING OVERHAULS .....	1,878,453	1,878,453
008	CVN REFUELING OVERHAULS AP .....	17,384	17,384
009	DDG 1000 .....	78,205	78,205
010	DDG-51 .....	3,040,270	3,040,270
011	DDG-51 AP .....	29,297	29,297
013	FFG-FRIGATE .....	1,053,123	954,523
	Anticipated learning curve .....		[-98,600]
	<b>AMPHIBIOUS SHIPS</b>		
014	LPD FLIGHT II .....	1,155,801	1,118,101
	Excessive unit cost growth .....		[-37,700]
019	EXPEDITIONARY FAST TRANSPORT (EPF) .....		260,000
	One additional ship .....		[260,000]
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>		
022	TOWING, SALVAGE, AND RESCUE SHIP (ATS) .....	168,209	168,209
023	LCU 1700 .....	87,395	87,395
024	OUTFITTING .....	825,586	825,586
026	SERVICE CRAFT .....	249,781	249,781
027	LCAC SLEP .....	56,461	56,461
028	COMPLETION OF PY SHIPBUILDING PROGRAMS .....	369,112	369,112
	<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....	<b>19,902,757</b>	<b>22,324,457</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>SHIP PROPULSION EQUIPMENT</b>		
001	SURFACE POWER EQUIPMENT .....	11,738	11,738
	<b>GENERATORS</b>		
002	SURFACE COMBATANT HM&E .....	58,497	58,497
	<b>NAVIGATION EQUIPMENT</b>		
003	OTHER NAVIGATION EQUIPMENT .....	74,084	74,084
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
004	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG .....	204,806	204,806
005	DDG MOD .....	547,569	531,169
	Excessive CSSQT cost growth .....		[-16,400]
006	FIREFIGHTING EQUIPMENT .....	18,394	18,394
007	COMMAND AND CONTROL SWITCHBOARD .....	2,374	2,374
008	LHA/LHD MIDLIFE .....	78,265	78,265
009	POLLUTION CONTROL EQUIPMENT .....	23,035	23,035
010	SUBMARINE SUPPORT EQUIPMENT .....	64,632	60,132
	Excess cost growth .....		[-4,500]
011	VIRGINIA CLASS SUPPORT EQUIPMENT .....	22,868	22,868
012	LCS CLASS SUPPORT EQUIPMENT .....	3,976	3,976
013	SUBMARINE BATTERIES .....	31,322	31,322
014	LPD CLASS SUPPORT EQUIPMENT .....	50,475	55,475
	Electronic actuator pilot program .....		[5,000]
015	DDG 1000 CLASS SUPPORT EQUIPMENT .....	42,279	36,779

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<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
	<i>Excess cost growth</i> .....		[-5,500]
016	STRATEGIC PLATFORM SUPPORT EQUIP .....	15,429	15,429
017	DSSP EQUIPMENT .....	2,918	2,918
018	CG MODERNIZATION .....	87,978	87,978
019	LCAC .....	9,366	9,366
020	UNDERWATER EOD EQUIPMENT .....	16,842	16,842
021	ITEMS LESS THAN \$5 MILLION .....	105,715	95,715
	<i>Cost growth</i> .....		[-10,000]
022	CHEMICAL WARFARE DETECTORS .....	3,044	3,044
023	SUBMARINE LIFE SUPPORT SYSTEM .....	5,885	5,885
	<b>REACTOR PLANT EQUIPMENT</b>		
024	SHIP MAINTENANCE, REPAIR AND MODERNIZATION .....	1,260,721	400,621
	<i>LCS in-service modernization excess cost growth</i> .....		[-12,100]
	<i>Redignment to OPN-24A for Shipyard Infrastructure Optimization Plan</i> .....		[-198,000]
	<i>Transfer to O&amp;M for ship depot maintenance</i> .....		[-650,000]
024A	SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN .....		198,000
	<i>Redignment from OPN-24 for Shipyard Infrastructure Optimization Plan</i> .....		[198,000]
025	REACTOR POWER UNITS .....	5,305	5,305
026	REACTOR COMPONENTS .....	415,404	415,404
	<b>OCEAN ENGINEERING</b>		
027	DIVING AND SALVAGE EQUIPMENT .....	11,143	11,143
	<b>SMALL BOATS</b>		
028	STANDARD BOATS .....	52,371	52,371
	<b>PRODUCTION FACILITIES EQUIPMENT</b>		
029	OPERATING FORCES IPE .....	233,667	233,667
	<b>OTHER SHIP SUPPORT</b>		
030	LCS COMMON MISSION MODULES EQUIPMENT .....	39,714	39,714
031	LCS MCM MISSION MODULES .....	218,822	167,922
	<i>COBRA early to need</i> .....		[-9,300]
	<i>Program Decrease</i> .....		[-41,600]
032	LCS ASW MISSION MODULES .....	61,759	61,759
033	LCS SUW MISSION MODULES .....	24,412	24,412
034	LCS IN-SERVICE MODERNIZATION .....	121,848	151,848
	<i>Preservation of LCS 3 and LCS 4</i> .....		[30,000]
035	SMALL & MEDIUM UUV .....	67,709	43,709
	<i>Early to need based on IOTE schedule</i> .....		[-24,000]
	<b>SHIP SONARS</b>		
037	SPQ-9B RADAR .....	27,517	27,517
038	AN/SQQ-89 SURF ASW COMBAT SYSTEM .....	128,664	128,664
039	SSN ACOUSTIC EQUIPMENT .....	374,737	374,737
040	UNDERSEA WARFARE SUPPORT EQUIPMENT .....	9,286	9,286
	<b>ASW ELECTRONIC EQUIPMENT</b>		
041	SUBMARINE ACOUSTIC WARFARE SYSTEM .....	26,066	26,066
042	SSTD .....	13,241	13,241
043	FIXED SURVEILLANCE SYSTEM .....	193,446	193,446
044	SURTASS .....	63,838	63,838
	<b>ELECTRONIC WARFARE EQUIPMENT</b>		
045	AN/SLQ-32 .....	387,195	387,195
	<b>RECONNAISSANCE EQUIPMENT</b>		
046	SHIPBOARD IW EXPLOIT .....	235,744	223,644
	<i>Excess cost growth</i> .....		[-12,100]
047	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	3,862	3,862
	<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		
048	COOPERATIVE ENGAGEMENT CAPABILITY .....	26,006	26,006
049	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....	15,385	15,385
050	ATDLS .....	103,835	103,835
051	NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....	3,594	3,594
052	MINESWEEPING SYSTEM REPLACEMENT .....	15,744	15,744
053	SHALLOW WATER MCM .....	5,493	5,493
054	NAVSTAR GPS RECEIVERS (SPACE) .....	38,043	38,043
055	AMERICAN FORCES RADIO AND TV SERVICE .....	2,592	2,592
056	STRATEGIC PLATFORM SUPPORT EQUIP .....	7,985	7,985
	<b>AVIATION ELECTRONIC EQUIPMENT</b>		
057	ASHORE ATC EQUIPMENT .....	83,475	83,475
058	AFLOAT ATC EQUIPMENT .....	65,113	65,113
059	ID SYSTEMS .....	23,815	23,815
060	JOINT PRECISION APPROACH AND LANDING SYSTEM ( .....	100,751	100,751
061	NAVAL MISSION PLANNING SYSTEMS .....	13,947	13,947
	<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>		
062	MARITIME INTEGRATED BROADCAST SYSTEM .....	1,375	1,375
063	TACTICAL/MOBILE CAI SYSTEMS .....	22,771	22,771
064	DCGS-N .....	18,872	18,872
065	CANES .....	389,585	389,585
066	RADLAC .....	10,335	10,335
067	CANES-INTELL .....	48,654	48,654
068	GPETE .....	8,133	8,133
069	MASF .....	4,150	4,150
070	INTEG COMBAT SYSTEM TEST FACILITY .....	5,934	5,934

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
071	EMI CONTROL INSTRUMENTATION .....	4,334	4,334
072	ITEMS LESS THAN \$5 MILLION .....	159,815	159,815
	<b>SHIPBOARD COMMUNICATIONS</b>		
073	SHIPBOARD TACTICAL COMMUNICATIONS .....	56,106	56,106
074	SHIP COMMUNICATIONS AUTOMATION .....	124,288	124,288
075	COMMUNICATIONS ITEMS UNDER \$5M .....	45,120	45,120
	<b>SUBMARINE COMMUNICATIONS</b>		
076	SUBMARINE BROADCAST SUPPORT .....	31,133	31,133
077	SUBMARINE COMMUNICATION EQUIPMENT .....	62,214	62,214
	<b>SATELLITE COMMUNICATIONS</b>		
078	SATELLITE COMMUNICATIONS SYSTEMS .....	47,421	47,421
079	NAVY MULTIBAND TERMINAL (NMT) .....	64,552	64,552
	<b>SHORE COMMUNICATIONS</b>		
080	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	4,398	4,398
	<b>CRYPTOGRAPHIC EQUIPMENT</b>		
081	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	157,551	147,551
	Program decrease .....		[-10,000]
082	MIO INTEL EXPLOITATION TEAM .....	985	985
	<b>CRYPTOLOGIC EQUIPMENT</b>		
083	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	15,906	15,906
	<b>OTHER ELECTRONIC SUPPORT</b>		
090	COAST GUARD EQUIPMENT .....	70,689	70,689
	<b>SONOBUOYS</b>		
092	SONOBUOYS—ALL TYPES .....	237,639	286,639
	Inventory increase .....		[49,000]
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
093	MINOTAUR .....	5,077	5,077
094	WEAPONS RANGE SUPPORT EQUIPMENT .....	83,969	83,969
095	AIRCRAFT SUPPORT EQUIPMENT .....	187,758	187,758
096	ADVANCED ARRESTING GEAR (AAG) .....	16,059	16,059
097	METEOROLOGICAL EQUIPMENT .....	15,192	15,192
099	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
	<b>SHIP GUN SYSTEM EQUIPMENT</b>		
103	SHIP GUN SYSTEMS EQUIPMENT .....	5,540	5,540
	<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>		
104	HARPOON SUPPORT EQUIPMENT .....	208	208
105	SHIP MISSILE SUPPORT EQUIPMENT .....	262,077	252,077
	Excess cost growth .....		[-10,000]
106	TOMAHAWK SUPPORT EQUIPMENT .....	84,087	76,087
	TMPC cost growth .....		[-8,000]
	<b>FBM SUPPORT EQUIPMENT</b>		
107	STRATEGIC MISSILE SYSTEMS EQUIP .....	258,910	258,910
	<b>ASW SUPPORT EQUIPMENT</b>		
108	SSN COMBAT CONTROL SYSTEMS .....	173,770	173,770
109	ASW SUPPORT EQUIPMENT .....	26,584	26,584
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	7,470	7,470
111	ITEMS LESS THAN \$5 MILLION .....	6,356	6,356
	<b>OTHER EXPENDABLE ORDNANCE</b>		
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
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
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
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
124	SUPPLY EQUIPMENT .....	19,693	19,693
125	FIRST DESTINATION TRANSPORTATION .....	4,956	4,956
126	SPECIAL PURPOSE SUPPLY SYSTEMS .....	668,639	638,639
	Program decrease .....		[-30,000]
	<b>TRAINING DEVICES</b>		
127	TRAINING SUPPORT EQUIPMENT .....	4,026	4,026
128	TRAINING AND EDUCATION EQUIPMENT .....	73,454	73,454
	<b>COMMAND SUPPORT EQUIPMENT</b>		
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	CHSR EQUIPMENT .....	6,697	6,697

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
135	ENVIRONMENTAL SUPPORT EQUIPMENT .....	27,503	27,503
136	PHYSICAL SECURITY EQUIPMENT .....	138,281	138,281
137	ENTERPRISE INFORMATION TECHNOLOGY .....	42,680	42,680
	<b>OTHER</b>		
140	NEXT GENERATION ENTERPRISE SERVICE .....	184,443	184,443
141	CYBERSPACE ACTIVITIES .....	16,523	16,523
	<b>CLASSIFIED PROGRAMS</b>		
41A	CLASSIFIED PROGRAMS .....	18,446	18,446
	<b>SPARES AND REPAIR PARTS</b>		
142	SPARES AND REPAIR PARTS .....	374,195	421,195
	SPY-1 battle spare .....		[47,000]
	<b>TOTAL OTHER PROCUREMENT, NAVY .....</b>	<b>10,948,518</b>	<b>10,236,018</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	AAV7A1 PIP .....	87,476	87,476
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES .....	478,874	478,874
003	LAUV PIP .....	41,988	41,988
	<b>ARTILLERY AND OTHER WEAPONS</b>		
004	155MM LIGHTWEIGHT TOWED HOWITZER .....	59	59
005	ARTILLERY WEAPONS SYSTEM .....	174,687	234,337
	Ground Based Anti-Ship Missiles—USMC UPL .....		[59,650]
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	24,867	24,867
	<b>OTHER SUPPORT</b>		
007	MODIFICATION KITS .....	3,067	0
	USMC funds identified excess to need .....		[-3,067]
	<b>GUIDED MISSILES</b>		
008	GROUND BASED AIR DEFENSE .....	18,920	18,920
009	ANTI-ARMOR MISSILE-JAVELIN .....	19,888	19,888
010	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS) .....	21,891	21,891
011	ANTI-ARMOR MISSILE-TOW .....	34,985	34,985
012	GUIDED MLRS ROCKET (GMLRS) .....	133,689	133,689
	<b>COMMAND AND CONTROL SYSTEMS</b>		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C .....	35,057	35,057
	<b>REPAIR AND TEST EQUIPMENT</b>		
014	REPAIR AND TEST EQUIPMENT .....	24,405	24,405
	<b>OTHER SUPPORT (TEL)</b>		
015	MODIFICATION KITS .....	1,006	1,006
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
016	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	69,725	69,725
017	AIR OPERATIONS C2 SYSTEMS .....	15,611	15,611
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	284,283	284,283
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
020	GCSS-MC .....	1,587	1,587
021	FIRE SUPPORT SYSTEM .....	24,934	24,934
022	INTELLIGENCE SUPPORT EQUIPMENT .....	50,728	50,728
024	UNMANNED AIR SYSTEMS (INTEL) .....	24,853	24,853
025	DCGS-MC .....	38,260	38,260
026	UAS PAYLOADS .....	5,489	5,489
	<b>OTHER SUPPORT (NON-TEL)</b>		
029	NEXT GENERATION ENTERPRISE NETWORK (NGEN) .....	78,922	78,922
030	COMMON COMPUTER RESOURCES .....	35,349	35,349
031	COMMAND POST SYSTEMS .....	33,713	33,713
032	RADIO SYSTEMS .....	343,250	343,250
033	COMM SWITCHING & CONTROL SYSTEMS .....	40,627	40,627
034	COMM & ELEC INFRASTRUCTURE SUPPORT .....	43,782	43,782
035	CYBERSPACE ACTIVITIES .....	53,896	53,896
	<b>CLASSIFIED PROGRAMS</b>		
36A	CLASSIFIED PROGRAMS .....	3,797	3,797
	<b>ADMINISTRATIVE VEHICLES</b>		
037	COMMERCIAL CARGO VEHICLES .....	22,460	22,460
	<b>TACTICAL VEHICLES</b>		
038	MOTOR TRANSPORT MODIFICATIONS .....	10,739	10,739
039	JOINT LIGHT TACTICAL VEHICLE .....	381,675	381,675
040	FAMILY OF TACTICAL TRAILERS .....	2,963	2,963
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
042	ENVIRONMENTAL CONTROL EQUIP ASSORT .....	385	385
043	TACTICAL FUEL SYSTEMS .....	501	501
044	POWER EQUIPMENT ASSORTED .....	23,430	23,430
045	AMPHIBIOUS SUPPORT EQUIPMENT .....	5,752	5,752
046	EOD SYSTEMS .....	20,939	20,939
	<b>MATERIALS HANDLING EQUIPMENT</b>		
047	PHYSICAL SECURITY EQUIPMENT .....	23,063	23,063
	<b>GENERAL PROPERTY</b>		
048	FIELD MEDICAL EQUIPMENT .....	4,187	4,187
049	TRAINING DEVICES .....	101,765	101,765
050	FAMILY OF CONSTRUCTION EQUIPMENT .....	19,305	19,305



**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
051	ULTRA-LIGHT TACTICAL VEHICLE (ULTV) .....	678	678
	<b>OTHER SUPPORT</b>		
052	ITEMS LESS THAN \$5 MILLION .....	9,174	9,174
	<b>SPARES AND REPAIR PARTS</b>		
053	SPARES AND REPAIR PARTS .....	27,295	27,295
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>2,903,976</b>	<b>2,960,559</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL FORCES</b>		
001	F-35 .....	4,567,018	4,236,018
	Excess depot standup funding .....		[-22,000]
	Excess miscellaneous support costs .....		[-156,000]
	Excess production engineering support .....		[-10,000]
	F135 affordability challenges .....		[-48,000]
	Lot 15 target cost savings .....		[-75,000]
	Unjustified ALIS funding .....		[-20,000]
002	F-35 AP .....	610,800	610,800
004	F-15EX .....	1,269,847	1,269,847
005	F-15EX AP .....	133,500	133,500
	<b>TACTICAL AIRLIFT</b>		
007	KC-46A MDAP .....	2,850,151	2,189,151
	Decrease quantity by three aircraft .....		[-462,000]
	Prior year carryover .....		[-119,000]
	Spares excess to need due to quantity decrease .....		[-40,000]
	Wing Air Refueling Pods early to need .....		[-40,000]
	<b>OTHER AIRLIFT</b>		
008	C-130J .....	37,131	37,131
010	MC-130J .....	362,807	241,807
	Prior year carryover .....		[-121,000]
011	MC-130J AP .....	39,987	29,987
	FY22 quantity reduction .....		[-10,000]
	<b>HELICOPTERS</b>		
012	UH-1N REPLACEMENT .....	194,016	194,016
013	COMBAT RESCUE HELICOPTER .....	973,473	973,473
	<b>MISSION SUPPORT AIRCRAFT</b>		
015	CIVIL AIR PATROL A/C .....	2,811	11,211
	Program Increase .....		[8,400]
	<b>OTHER AIRCRAFT</b>		
016	TARGET DRONES .....	133,273	133,273
018	COMPASS CALL .....	161,117	291,117
	Program increase .....		[130,000]
020	MQ-9 .....	29,409	120,209
	Program increase .....		[108,000]
	Unjustified request .....		[-17,200]
	<b>STRATEGIC AIRCRAFT</b>		
022	B-1 .....	3,853	3,853
023	B-2A .....	31,476	31,476
024	B-1B .....	21,808	1,808
	Slow modernization execution .....		[-20,000]
025	B-52 .....	53,949	22,249
	GPS IU early to need .....		[-28,700]
	Tactical data link contract delay .....		[-3,000]
025A	LONG-RANGE STRIKE BOMBER ADVANCED PROCUREMENT .....		20,000
	Advanced procurement .....		[20,000]
026	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	9,999	9,999
	<b>TACTICAL AIRCRAFT</b>		
027	A-10 .....	135,793	135,793
028	E-11 BACN/HAG .....	33,645	33,645
029	F-15 .....	349,304	349,304
030	F-16 .....	615,760	615,760
032	F-22A .....	387,905	361,705
	Contract delays .....		[-26,200]
033	F-35 MODIFICATIONS .....	322,185	290,485
	Block IV/TR3 delays .....		[-31,700]
034	F-15 EPAW .....	31,995	27,195
	Concurrency .....		[-4,800]
035	INCREMENT 3.2B .....	5,889	5,889
036	KC-46A MDAP .....	24,085	9,085
	Excessive airworthiness directives and service bulletins .....		[-15,000]
	<b>AIRLIFT AIRCRAFT</b>		
037	C-5 .....	62,108	50,008
	Unjustified PMA cost growth .....		[-12,100]
038	C-17A .....	66,798	56,798
	BLOS ahead of need .....		[-10,000]
040	C-32A .....	2,947	2,947
041	C-37A .....	12,985	5,985
	SATCOM installs ahead of need .....		[-7,000]
	<b>TRAINER AIRCRAFT</b>		

**SEC. 4101. PROCUREMENT**  
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<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
042	GLIDER MODS .....	977	977
043	T-6 .....	26,829	26,829
044	T-1 .....	4,465	4,465
045	T-38 .....	36,806	41,806
	T-38 ejection seat improvements .....		[5,000]
	<b>OTHER AIRCRAFT</b>		
046	U-2 MODS .....	110,618	110,618
047	KC-10A (ATCA) .....	117	117
049	VC-25A MOD .....	1,983	1,983
050	C-40 .....	9,252	7,252
	SATCOM installs ahead of need .....		[-2,000]
051	C-130 .....	5,871	140,671
	AMP 1 excess to need .....		[-3,800]
	Eight-bladed propeller upgrade kits only .....		[55,000]
	Improved modular airborne fire fighting system (iMAFFS) .....		[4,600]
	T-56 3.5 engine mod .....		[79,000]
052	C-130J MODS .....	140,032	140,032
053	C-135 .....	88,250	86,450
	Other government cost growth .....		[-1,800]
055	COMPASS CALL .....	193,389	193,389
057	RC-135 .....	191,332	191,332
058	E-3 .....	172,141	172,141
059	E-4 .....	58,803	58,803
060	E-8 .....	11,037	38,037
	Program increase .....		[27,000]
061	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45 .....	53,343	53,343
062	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	1,573	1,573
063	H-1 .....	4,410	4,410
064	H-60 .....	44,538	44,538
065	RQ-4 MODS .....	40,468	40,468
066	HC/MC-130 MODIFICATIONS .....	20,780	20,780
067	OTHER AIRCRAFT .....	100,774	100,774
068	MQ-9 MODS .....	188,387	188,387
070	CV-22 MODS .....	122,306	328,506
	SOCOM UPL .....		[206,200]
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
071	INITIAL SPARES/REPAIR PARTS .....	926,683	915,383
	Unobligated balances—F-16s .....		[-11,300]
	<b>COMMON SUPPORT EQUIPMENT</b>		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	132,719	132,719
	<b>POST PRODUCTION SUPPORT</b>		
074	B-2A .....	1,683	1,683
075	B-2B .....	46,734	46,734
076	B-52 .....	1,034	1,034
079	E-11 BACN/HAG .....	63,419	63,419
080	F-15 .....	2,632	2,632
081	F-16 .....	14,163	14,163
083	OTHER AIRCRAFT .....	4,595	4,595
084	RQ-4 POST PRODUCTION CHARGES .....	32,585	32,585
	<b>INDUSTRIAL PREPAREDNESS</b>		
085	INDUSTRIAL RESPONSIVENESS .....	18,215	18,215
	<b>WAR CONSUMABLES</b>		
086	WAR CONSUMABLES .....	36,046	36,046
	<b>OTHER PRODUCTION CHARGES</b>		
087	OTHER PRODUCTION CHARGES .....	1,439,640	1,439,640
	<b>CLASSIFIED PROGRAMS</b>		
89A	CLASSIFIED PROGRAMS .....	21,692	21,692
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>17,908,145</b>	<b>17,233,745</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>		
001	MISSILE REPLACEMENT EQ-BALLISTIC .....	75,012	75,012
	<b>TACTICAL</b>		
002	REPLAC EQUIP & WAR CONSUMABLES .....	4,495	4,495
004	JOINT AIR-SURFACE STANDOFF MISSILE .....	475,949	475,949
005	LRASMO .....	19,800	19,800
006	SIDEWINDER (AIM-9X) .....	164,769	164,769
007	AMRAAM .....	453,223	453,223
008	PREDATOR HELLFIRE MISSILE .....	40,129	40,129
009	SMALL DIAMETER BOMB .....	45,475	45,475
010	SMALL DIAMETER BOMB II .....	273,272	273,272
	<b>INDUSTRIAL FACILITIES</b>		
011	INDUSTRIAL PREPAREDNS/POL PREVENTION .....	814	814
	<b>CLASS IV</b>		
013	ICBM FUZE MOD .....	3,458	3,458
014	ICBM FUZE MOD AP .....	43,450	43,450
015	MM III MODIFICATIONS .....	85,310	85,310
016	AGM-65D MAVERICK .....	298	298

**SEC. 4101. PROCUREMENT**  
*(In Thousands of Dollars)*

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
017	AIR LAUNCH CRUISE MISSILE (ALCM) .....	52,924	52,924
	<b>MISSILE SPARES AND REPAIR PARTS</b>		
018	MSL SPRS/REPAIR PARTS (INITIAL) .....	9,402	9,402
019	MSL SPRS/REPAIR PARTS (REPLEN) .....	84,671	84,671
	<b>SPECIAL PROGRAMS</b>		
025	SPECIAL UPDATE PROGRAMS .....	23,501	23,501
	<b>CLASSIFIED PROGRAMS</b>		
25A	CLASSIFIED PROGRAMS .....	540,465	540,465
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE .....</b>	<b>2,396,417</b>	<b>2,396,417</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS .....	14,962	14,962
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	123,365	123,365
	<b>BOMBS</b>		
003	PRACTICE BOMBS .....	59,725	59,725
006	JOINT DIRECT ATTACK MUNITION .....	206,989	206,989
007	B61 .....	35,634	35,634
	<b>OTHER ITEMS</b>		
009	CAD/PAD .....	47,830	47,830
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....	6,232	6,232
011	SPARES AND REPAIR PARTS .....	542	542
012	MODIFICATIONS .....	1,310	1,310
013	ITEMS LESS THAN \$5,000,000 .....	4,753	4,753
	<b>FLARES</b>		
015	FLARES .....	40,088	40,088
	<b>FUZES</b>		
016	FUZES .....	40,983	40,983
	<b>SMALL ARMS</b>		
017	SMALL ARMS .....	13,925	13,925
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE .....</b>	<b>596,338</b>	<b>596,338</b>
	<b>PROCUREMENT, SPACE FORCE</b>		
	<b>SPACE PROCUREMENT, SF</b>		
001	ADVANCED EHF .....	14,823	14,823
002	AF SATELLITE COMM SYSTEM .....	48,326	43,326
	Insufficient justification .....		[-5,000]
003	COUNTERSPACE SYSTEMS .....	65,540	57,540
	Insufficient justification .....		[-8,000]
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	66,190	66,190
005	GENERAL INFORMATION TECH—SPACE .....	3,299	3,299
006	GPSIII FOLLOW ON .....	627,796	612,796
	Unjustified growth .....		[-15,000]
007	GPS III SPACE SEGMENT .....	20,122	20,122
008	GLOBAL POSITIONING (SPACE) .....	2,256	2,256
009	SPACEBORNE EQUIP (COMSEC) .....	35,495	35,495
010	MILSATCOM .....	15,795	15,795
011	SBIR HIGH (SPACE) .....	160,891	160,891
012	SPECIAL SPACE ACTIVITIES .....	78,387	78,387
013	NATIONAL SECURITY SPACE LAUNCH .....	1,043,171	1,043,171
014	NUDET DETECTION SYSTEM .....	6,638	6,638
015	ROCKET SYSTEMS LAUNCH PROGRAM .....	47,741	47,741
016	SPACE FENCE .....	11,279	11,279
017	SPACE MODS .....	96,551	86,551
	Insufficient justification .....		[-10,000]
018	SPACELIFT RANGE SYSTEM SPACE .....	100,492	100,492
	<b>SPARES</b>		
019	SPARES AND REPAIR PARTS .....	1,272	1,272
	<b>TOTAL PROCUREMENT, SPACE FORCE .....</b>	<b>2,446,064</b>	<b>2,408,064</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	9,016	9,016
	<b>CARGO AND UTILITY VEHICLES</b>		
002	MEDIUM TACTICAL VEHICLE .....	15,058	15,058
003	CAP VEHICLES .....	1,059	1,800
	Program increase .....		[741]
004	CARGO AND UTILITY VEHICLES .....	38,920	38,920
	<b>SPECIAL PURPOSE VEHICLES</b>		
005	JOINT LIGHT TACTICAL VEHICLE .....	30,544	30,544
006	SECURITY AND TACTICAL VEHICLES .....	319	319
007	SPECIAL PURPOSE VEHICLES .....	43,157	34,381
	Program decrease .....		[-2,500]
	Unjustified request .....		[-6,276]
	<b>FIRE FIGHTING EQUIPMENT</b>		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	8,621	8,621
	<b>MATERIALS HANDLING EQUIPMENT</b>		

**SEC. 4101. PROCUREMENT**  
*(In Thousands of Dollars)*

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
009	MATERIALS HANDLING VEHICLES .....	12,897	12,897
	<b>BASE MAINTENANCE SUPPORT</b>		
010	RUNWAY SNOW REMOV AND CLEANING EQU .....	3,577	3,577
011	BASE MAINTENANCE SUPPORT VEHICLES .....	43,095	43,095
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
013	COMSEC EQUIPMENT .....	54,864	54,864
	<b>INTELLIGENCE PROGRAMS</b>		
014	INTERNATIONAL INTEL TECH & ARCHITECTURES .....	9,283	9,283
015	INTELLIGENCE TRAINING EQUIPMENT .....	6,849	6,849
016	INTELLIGENCE COMM EQUIPMENT .....	33,471	33,471
	<b>ELECTRONICS PROGRAMS</b>		
017	AIR TRAFFIC CONTROL & LANDING SYS .....	29,409	29,409
018	BATTLE CONTROL SYSTEM—FIXED .....	7,909	7,909
019	THEATER AIR CONTROL SYS IMPROVEMEN .....	32,632	32,632
020	WEATHER OBSERVATION FORECAST .....	33,021	33,021
021	STRATEGIC COMMAND AND CONTROL .....	31,353	31,353
022	CHEYENNE MOUNTAIN COMPLEX .....	10,314	10,314
023	MISSION PLANNING SYSTEMS .....	15,132	15,132
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN) .....	9,806	9,806
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
026	GENERAL INFORMATION TECHNOLOGY .....	39,887	39,887
027	AF GLOBAL COMMAND & CONTROL SYS .....	2,602	2,602
029	MOBILITY COMMAND AND CONTROL .....	10,541	10,541
030	AIR FORCE PHYSICAL SECURITY SYSTEM .....	96,277	93,777
	<i>Program decrease</i> .....		[-2,500]
031	COMBAT TRAINING RANGES .....	195,185	195,185
032	MINIMUM ESSENTIAL EMERGENCY COMM N .....	29,664	29,664
033	WIDE AREA SURVEILLANCE (WAS) .....	59,633	59,633
034	C3 COUNTERMEASURES .....	105,584	105,584
036	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS .....	899	899
038	THEATER BATTLE MGT C2 SYSTEM .....	3,392	3,392
039	AIR & SPACE OPERATIONS CENTER (AOC) .....	24,983	24,983
	<b>AIR FORCE COMMUNICATIONS</b>		
041	BASE INFORMATION TRANSPRT INFRAST (BITI) WIRED .....	19,147	19,147
042	AFNET .....	84,515	84,515
043	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	6,185	6,185
044	USCENTCOM .....	19,649	19,649
045	USSTRATCOM .....	4,337	4,337
	<b>ORGANIZATION AND BASE</b>		
046	TACTICAL C-E EQUIPMENT .....	137,033	137,033
047	RADIO EQUIPMENT .....	15,264	15,264
049	BASE COMM INFRASTRUCTURE .....	132,281	132,281
	<b>MODIFICATIONS</b>		
050	COMM ELECT MODS .....	21,471	21,471
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT .....	49,578	49,578
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>		
052	POWER CONDITIONING EQUIPMENT .....	11,454	11,454
053	MECHANIZED MATERIAL HANDLING EQUIP .....	12,110	12,110
	<b>BASE SUPPORT EQUIPMENT</b>		
054	BASE PROCURED EQUIPMENT .....	21,142	21,142
055	ENGINEERING AND EOD EQUIPMENT .....	7,700	7,700
056	MOBILITY EQUIPMENT .....	18,266	22,966
	<i>Program increase</i> .....		[4,700]
057	FUELS SUPPORT EQUIPMENT (FSE) .....	9,601	9,601
058	BASE MAINTENANCE AND SUPPORT EQUIPMENT .....	42,078	30,378
	<i>Program decrease</i> .....		[-4,700]
	<i>Unjustified request</i> .....		[-7,000]
	<b>SPECIAL SUPPORT PROJECTS</b>		
060	DARP RC135 .....	27,164	27,164
061	DCGS-AF .....	121,528	121,528
063	SPECIAL UPDATE PROGRAM .....	782,641	782,641
	<b>CLASSIFIED PROGRAMS</b>		
63A	CLASSIFIED PROGRAMS .....	21,086,112	21,026,112
	<i>Program adjustment</i> .....		[-60,000]
	<b>SPARES AND REPAIR PARTS</b>		
064	SPARES AND REPAIR PARTS (CYBER) .....	1,664	1,664
065	SPARES AND REPAIR PARTS .....	15,847	15,847
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>23,695,720</b>	<b>23,618,185</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, OSD</b>		
026	MAJOR EQUIPMENT, DPAA .....	500	500
049	MAJOR EQUIPMENT, OSD .....	3,099	3,099
	<b>MAJOR EQUIPMENT, NSA</b>		
048	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	101	101
	<b>MAJOR EQUIPMENT, WHS</b>		
053	MAJOR EQUIPMENT, WHS .....	515	515

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>MAJOR EQUIPMENT, DISA</b>			
011	INFORMATION SYSTEMS SECURITY .....	17,211	17,211
012	TELEPORT PROGRAM .....	29,841	29,841
013	JOINT FORCES HEADQUARTERS—DODIN .....	3,091	3,091
014	ITEMS LESS THAN \$5 MILLION .....	41,569	41,569
016	DEFENSE INFORMATION SYSTEM NETWORK .....	26,978	26,978
017	WHITE HOUSE COMMUNICATION AGENCY .....	44,161	44,161
018	SENIOR LEADERSHIP ENTERPRISE .....	35,935	35,935
019	JOINT REGIONAL SECURITY STACKS (JRSS) .....	88,741	8,741
	Program decrease .....		[-80,000]
020	JOINT SERVICE PROVIDER .....	157,538	157,538
021	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO) .....	42,084	42,084
<b>MAJOR EQUIPMENT, DLA</b>			
023	MAJOR EQUIPMENT .....	417,459	417,459
<b>MAJOR EQUIPMENT, DCSA</b>			
003	MAJOR EQUIPMENT .....	2,212	2,212
<b>MAJOR EQUIPMENT, TJS</b>			
050	MAJOR EQUIPMENT, TJS .....	8,329	8,329
051	MAJOR EQUIPMENT—TJS CYBER .....	1,247	1,247
<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>			
031	THAAD .....	495,396	601,396
	THAAD battery #8 .....		[106,000]
034	AEGIS BMD .....	356,195	356,195
035	AEGIS BMD AP .....	44,901	44,901
037	SM-3 ILLAS .....	218,322	333,322
	Increase SM-3 Block IIA quantities .....		[115,000]
038	ARROW 3 UPPER TIER SYSTEMS .....	77,000	77,000
039	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD) .....	50,000	50,000
040	AEGIS ASHORE PHASE III .....	39,114	39,114
041	IRON DOME .....	73,000	73,000
042	AEGIS BMD HARDWARE AND SOFTWARE .....	104,241	104,241
<b>MAJOR EQUIPMENT, DHRA</b>			
005	PERSONNEL ADMINISTRATION .....	4,213	4,213
<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>			
028	VEHICLES .....	215	215
029	OTHER MAJOR EQUIPMENT .....	9,994	9,994
<b>MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY</b>			
027	REGIONAL CENTER PROCUREMENT .....	1,598	1,598
<b>MAJOR EQUIPMENT, DODEA</b>			
025	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	1,319	1,319
<b>MAJOR EQUIPMENT, DCMA</b>			
002	MAJOR EQUIPMENT .....	1,398	1,398
<b>MAJOR EQUIPMENT, DMACT</b>			
024	MAJOR EQUIPMENT .....	7,993	7,993
<b>CLASSIFIED PROGRAMS</b>			
54A	CLASSIFIED PROGRAMS .....	554,264	554,264
<b>AVIATION PROGRAMS</b>			
055	ARMED OVERWATCH/TARGETING .....	101,000	53,000
	Program decrease .....		[-80,000]
	U.S. Special Operations Command Armed Overwatch program .....		[32,000]
059	ROTARY WING UPGRADES AND SUSTAINMENT .....	211,041	211,041
060	UNMANNED ISR .....	25,488	20,488
	Program decrease .....		[-5,000]
061	NON-STANDARD AVIATION .....	61,874	56,874
	Program decrease .....		[-5,000]
062	U-28 .....	3,825	3,825
063	MH-47 CHINOOK .....	135,482	135,482
064	CV-22 MODIFICATION .....	14,829	14,829
065	MQ-9 UNMANNED AERIAL VEHICLE .....	6,746	6,746
066	PRECISION STRIKE PACKAGE .....	243,111	238,111
	Program decrease .....		[-5,000]
067	AC/MC-130J .....	163,914	163,914
068	C-130 MODIFICATIONS .....	20,414	20,414
<b>SHIPBUILDING</b>			
069	UNDERWATER SYSTEMS .....	20,556	20,556
<b>AMMUNITION PROGRAMS</b>			
070	ORDNANCE ITEMS <\$5M .....	186,197	186,197
<b>OTHER PROCUREMENT PROGRAMS</b>			
071	INTELLIGENCE SYSTEMS .....	94,982	94,982
072	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	11,645	11,645
073	OTHER ITEMS <\$5M .....	96,333	96,333
074	COMBATANT CRAFT SYSTEMS .....	17,278	17,278
075	SPECIAL PROGRAMS .....	78,865	71,365
	Program decrease .....		[-7,500]
076	TACTICAL VEHICLES .....	30,158	30,158
077	WARRIOR SYSTEMS <\$5M .....	260,733	260,733
078	COMBAT MISSION REQUIREMENTS .....	19,848	19,848

**SEC. 4101. PROCUREMENT**  
*(In Thousands of Dollars)*

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
079	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	2,401	2,401
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	13,861	8,861
	Program decrease .....		[-5,000]
081	OPERATIONAL ENHANCEMENTS .....	247,038	242,038
	Program decrease .....		[-5,000]
	<b>CBDP</b>		
082	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS .....	147,150	147,150
083	CB PROTECTION & HAZARD MITIGATION .....	149,944	149,944
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE .....</b>	<b>5,324,487</b>	<b>5,384,987</b>
	<b>TOTAL PROCUREMENT .....</b>	<b>130,684,160</b>	<b>132,844,847</b>

**1 SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY**  
**2 OPERATIONS.**

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
*(In Thousands of Dollars)*

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
	<b>AIRCRAFT PROCUREMENT, ARMY</b>		
	<b>ROTARY</b>		
009	AH-64 APACHE BLOCK IIIB NEW BUILD .....	69,154	64,354
	Unjustified costs .....		[-4,800]
014	CH-47 HELICOPTER .....	50,472	50,472
	<b>MODIFICATION OF AIRCRAFT</b>		
017	MQ-1 PAYLOAD (MIP) .....	5,968	5,968
020	MULTI SENSOR AEN RECON (MIP) .....	122,520	122,520
025	EMARSS SEMA MODS (MIP) .....	26,460	26,460
030	DEGRADED VISUAL ENVIRONMENT .....	1,916	1,916
	<b>GROUND SUPPORT AVIONICS</b>		
037	CMWS .....	149,162	149,162
038	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	32,400	32,400
	<b>OTHER SUPPORT</b>		
041	AIRCREW INTEGRATED SYSTEMS .....	3,028	3,028
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY .....</b>	<b>461,080</b>	<b>456,280</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>SURFACE-TO-AIR MISSILE SYSTEM</b>		
002	M-SHORAD—PROCUREMENT .....	158,300	158,300
003	MSE MISSILE .....	176,585	176,585
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
006	HELLFIRE SYS SUMMARY .....	236,265	236,265
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
011	GUIDED MLRS ROCKET (GMLRS) .....	127,015	127,015
015	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) .....	84,993	84,993
	<b>MODIFICATIONS</b>		
017	ATACMS MODS .....	78,434	78,434
022	MLRS MODS .....	20,000	20,000
	<b>TOTAL MISSILE PROCUREMENT, ARMY .....</b>	<b>881,592</b>	<b>881,592</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPONS .....	4,765	4,765
018	MORTAR SYSTEMS .....	10,460	10,460
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY .....</b>	<b>15,225</b>	<b>15,225</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
001	CTG, 5.56MM, ALL TYPES .....	567	567
002	CTG, 7.62MM, ALL TYPES .....	40	40
004	CTG, HANDGUN, ALL TYPES .....	17	17
005	CTG, .50 CAL, ALL TYPES .....	189	189
008	CTG, 30MM, ALL TYPES .....	24,900	24,900
	<b>ARTILLERY AMMUNITION</b>		
016	PROJ 155MM EXTENDED RANGE M982 .....	29,213	29,213
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	21,675	21,675
	<b>ROCKETS</b>		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	176	176
021	ROCKET, HYDRA 70, ALL TYPES .....	33,880	33,880
	<b>MISCELLANEOUS</b>		
029	ITEMS LESS THAN \$5 MILLION (AMMO) .....	11	11
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY .....</b>	<b>110,668</b>	<b>110,668</b>

**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>OTHER PROCUREMENT, ARMY</b>			
<b>TACTICAL VEHICLES</b>			
013	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	6,500	6,500
014	PLS ESP .....	15,163	15,163
017	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	27,066	27,066
<b>COMM—SATELLITE COMMUNICATIONS</b>			
030	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	2,700	2,700
032	ASSURED POSITIONING, NAVIGATION AND TIMING .....	12,566	12,566
033	SMART-T (SPACE) .....	289	289
034	GLOBAL BRDCST SVC—GBS .....	319	319
<b>COMM—COMBAT COMMUNICATIONS</b>			
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	1,257	1,257
<b>COMM—INTELLIGENCE COMM</b>			
048	CI AUTOMATION ARCHITECTURE (MIP) .....	1,230	1,230
<b>INFORMATION SECURITY</b>			
052	COMMUNICATIONS SECURITY (COMSEC) .....	128	128
<b>COMM—BASE COMMUNICATIONS</b>			
058	INFORMATION SYSTEMS .....	15,277	15,277
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	74,004	74,004
<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>			
068	DCGS-A (MIP) .....	47,709	47,709
070	TROJAN (MIP) .....	1,766	1,766
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	61,450	61,450
073	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP) .....	12,337	12,337
<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>			
080	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP) .....	44,293	44,293
081	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	49,100	49,100
<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>			
083	SENTINEL MODS .....	33,496	33,496
084	NIGHT VISION DEVICES .....	643	643
087	RADIATION MONITORING SYSTEMS .....	11	11
088	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	37,000	37,000
094	COMPUTER BALLISTICS: LHMCB XM32 .....	280	280
095	MORTAR FIRE CONTROL SYSTEM .....	13,672	13,672
<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>			
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	15,143	15,143
<b>ELECT EQUIP—AUTOMATION</b>			
109	ARMY TRAINING MODERNIZATION .....	4,688	4,688
110	AUTOMATED DATA PROCESSING EQUIP .....	16,552	16,552
<b>CHEMICAL DEFENSIVE EQUIPMENT</b>			
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
<b>BRIDGING EQUIPMENT</b>			
125	TACTICAL BRIDGING .....	50,400	50,400
<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>			
137	RENDER SAFE SETS KITS OUTFITS .....	84,000	84,000
<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>			
140	HEATERS AND ECU'S .....	370	370
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	3,721	3,721
145	FORCE PROVIDER .....	56,400	56,400
146	FIELD FEEDING EQUIPMENT .....	2,279	2,279
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	2,040	2,040
<b>PETROLEUM EQUIPMENT</b>			
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	4,374	4,374
<b>MEDICAL EQUIPMENT</b>			
151	COMBAT SUPPORT MEDICAL .....	6,390	6,390
<b>MAINTENANCE EQUIPMENT</b>			
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	7,769	7,769
153	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	184	184
<b>CONSTRUCTION EQUIPMENT</b>			
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
<b>GENERATORS</b>			
167	GENERATORS AND ASSOCIATED EQUIP .....	106	106
<b>MATERIAL HANDLING EQUIPMENT</b>			
169	FAMILY OF FORKLIFTS .....	1,885	1,885
<b>OTHER SUPPORT EQUIPMENT</b>			
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
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>924,077</b>	<b>924,077</b>
<b>AIRCRAFT PROCUREMENT, NAVY</b>			
<b>OTHER AIRCRAFT</b>			

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024	STUASLo UAV .....	7,921	7,921
	<b>MODIFICATION OF AIRCRAFT</b>		
053	COMMON ECM EQUIPMENT .....	3,474	3,474
055	COMMON DEFENSIVE WEAPON SYSTEM .....	3,339	3,339
064	QRC .....	18,507	18,507
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>33,241</b>	<b>33,241</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>TACTICAL MISSILES</b>		
012	HELLFIRE .....	5,572	5,572
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>5,572</b>	<b>5,572</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....	8,068	8,068
002	JDAM .....	15,529	15,529
003	AIRBORNE ROCKETS, ALL TYPES .....	23,000	23,000
004	MACHINE GUN AMMUNITION .....	22,600	22,600
006	CARTRIDGES & CART ACTUATED DEVICES .....	3,927	3,927
007	AIR EXPENDABLE COUNTERMEASURES .....	15,978	15,978
008	JATOS .....	2,100	2,100
011	OTHER SHIP GUN AMMUNITION .....	2,611	2,611
012	SMALL ARMS & LANDING PARTY AMMO .....	1,624	1,624
013	PYROTECHNIC AND DEMOLITION .....	505	505
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>95,942</b>	<b>95,942</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>SMALL BOATS</b>		
028	STANDARD BOATS .....	19,104	19,104
	<b>OTHER SHIP SUPPORT</b>		
035	SMALL & MEDIUM UUV .....	2,946	2,946
	<b>ASW ELECTRONIC EQUIPMENT</b>		
043	FIXED SURVEILLANCE SYSTEM .....	213,000	213,000
	<b>SONOBUOYS</b>		
092	SONOBUOYS—ALL TYPES .....	26,196	26,196
	<b>AIRCRAFT SUPPORT EQUIPMENT</b>		
095	AIRCRAFT SUPPORT EQUIPMENT .....	60,217	60,217
	<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	2,124	2,124
	<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>		
115	PASSENGER CARRYING VEHICLES .....	177	177
116	GENERAL PURPOSE TRUCKS .....	416	416
118	FIRE FIGHTING EQUIPMENT .....	801	801
	<b>SUPPLY SUPPORT EQUIPMENT</b>		
125	FIRST DESTINATION TRANSPORTATION .....	520	520
	<b>TRAINING DEVICES</b>		
128	TRAINING AND EDUCATION EQUIPMENT .....	11,500	11,500
	<b>COMMAND SUPPORT EQUIPMENT</b>		
130	MEDICAL SUPPORT EQUIPMENT .....	3,525	3,525
136	PHYSICAL SECURITY EQUIPMENT .....	3,000	3,000
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>343,526</b>	<b>343,526</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>GUIDED MISSILES</b>		
012	GUIDED MLRS ROCKET (GMLRS) .....	17,456	17,456
	<b>OTHER SUPPORT (TEL)</b>		
015	MODIFICATION KITS .....	4,200	4,200
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
022	INTELLIGENCE SUPPORT EQUIPMENT .....	10,124	10,124
	<b>TACTICAL VEHICLES</b>		
038	MOTOR TRANSPORT MODIFICATIONS .....	16,183	16,183
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>47,963</b>	<b>47,963</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>HELICOPTERS</b>		
013	COMBAT RESCUE HELICOPTER .....	174,000	174,000
	<b>OTHER AIRCRAFT</b>		
020	MQ-9 .....	142,490	142,490
021	RQ-20B PUMA .....	13,770	13,770
	<b>STRATEGIC AIRCRAFT</b>		
026	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	57,521	57,521
	<b>OTHER AIRCRAFT</b>		
046	U-2 MODS .....	9,600	9,600
055	COMPASS CALL .....	12,800	12,800
066	HC/MC-130 MODIFICATIONS .....	58,020	58,020
069	MQ-9 UAS PAYLOADS .....	46,100	63,500
	WAMI combat loss replacement .....		[17,400]
070	CV-22 MODS .....	6,290	6,290



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<b>AIRCRAFT SPARES AND REPAIR PARTS</b>			
071	INITIAL SPARES/REPAIR PARTS .....	10,700	10,700
072	MQ-9 .....	12,250	12,250
<b>COMMON SUPPORT EQUIPMENT</b>			
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	25,614	25,614
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE .....</b>	<b>569,155</b>	<b>586,555</b>
<b>MISSILE PROCUREMENT, AIR FORCE</b>			
<b>TACTICAL</b>			
004	JOINT AIR-SURFACE STANDOFF MISSILE .....	30,000	30,000
008	PREDATOR HELLFIRE MISSILE .....	143,420	143,420
009	SMALL DIAMETER BOMB .....	50,352	50,352
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE .....</b>	<b>223,772</b>	<b>223,772</b>
<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>			
<b>ROCKETS</b>			
001	ROCKETS .....	19,489	19,489
<b>CARTRIDGES</b>			
002	CARTRIDGES .....	40,434	40,434
<b>BOMBS</b>			
004	GENERAL PURPOSE BOMBS .....	369,566	369,566
006	JOINT DIRECT ATTACK MUNITION .....	237,723	237,723
<b>FLARES</b>			
015	FLARES .....	21,171	21,171
<b>FUZES</b>			
016	FUZES .....	107,855	107,855
<b>SMALL ARMS</b>			
017	SMALL ARMS .....	6,217	6,217
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE .....</b>	<b>802,455</b>	<b>802,455</b>
<b>OTHER PROCUREMENT, AIR FORCE</b>			
<b>PASSENGER CARRYING VEHICLES</b>			
001	PASSENGER CARRYING VEHICLES .....	1,302	1,302
<b>CARGO AND UTILITY VEHICLES</b>			
002	MEDIUM TACTICAL VEHICLE .....	3,400	3,400
004	CARGO AND UTILITY VEHICLES .....	12,475	12,475
<b>SPECIAL PURPOSE VEHICLES</b>			
005	JOINT LIGHT TACTICAL VEHICLE .....	26,150	26,150
007	SPECIAL PURPOSE VEHICLES .....	51,254	51,254
<b>FIRE FIGHTING EQUIPMENT</b>			
008	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	24,903	24,903
<b>MATERIALS HANDLING EQUIPMENT</b>			
009	MATERIALS HANDLING VEHICLES .....	14,167	14,167
<b>BASE MAINTENANCE SUPPORT</b>			
010	RUNWAY SNOW REMOV AND CLEANING EQU .....	5,759	5,759
011	BASE MAINTENANCE SUPPORT VEHICLES .....	20,653	20,653
<b>SPCL COMM-ELECTRONICS PROJECTS</b>			
026	GENERAL INFORMATION TECHNOLOGY .....	5,100	5,100
030	AIR FORCE PHYSICAL SECURITY SYSTEM .....	56,496	56,496
<b>ORGANIZATION AND BASE</b>			
049	BASE COMM INFRASTRUCTURE .....	30,717	30,717
<b>BASE SUPPORT EQUIPMENT</b>			
055	ENGINEERING AND EOD EQUIPMENT .....	13,172	13,172
056	MOBILITY EQUIPMENT .....	33,694	33,694
057	FUELS SUPPORT EQUIPMENT (FSE) .....	1,777	1,777
058	BASE MAINTENANCE AND SUPPORT EQUIPMENT .....	31,620	31,620
<b>SPECIAL SUPPORT PROJECTS</b>			
061	DCGS-AF .....	18,700	18,700
<b>SPARES AND REPAIR PARTS</b>			
065	SPARES AND REPAIR PARTS .....	4,000	4,000
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE .....</b>	<b>355,339</b>	<b>355,339</b>
<b>PROCUREMENT, DEFENSE-WIDE</b>			
<b>MAJOR EQUIPMENT, DISA</b>			
016	DEFENSE INFORMATION SYSTEM NETWORK .....	6,120	6,120
<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>			
030	COUNTER IMPROVISED THREAT TECHNOLOGIES .....	2,540	2,540
<b>CLASSIFIED PROGRAMS</b>			
54A	CLASSIFIED PROGRAMS .....	3,500	3,500
<b>AVIATION PROGRAMS</b>			
056	MANNED ISR .....	5,000	45,100
	Combat loss replacement—DHC-8 .....		[40,100]
057	MC-12 .....	5,000	5,000
060	UNMANNED ISR .....	8,207	8,207
<b>AMMUNITION PROGRAMS</b>			
070	ORDNANCE ITEMS <\$5M .....	105,355	105,355
<b>OTHER PROCUREMENT PROGRAMS</b>			
071	INTELLIGENCE SYSTEMS .....	16,234	16,234

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073	OTHER ITEMS <\$5M .....	984	984
076	TACTICAL VEHICLES .....	2,990	2,990
077	WARRIOR SYSTEMS <\$5M .....	32,573	37,573
	<i>Development of autonomous, multi-sensor eUAS capabilities with kinetic effects ....</i>		[5,000]
078	COMBAT MISSION REQUIREMENTS .....	10,000	10,000
080	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	6,724	6,724
081	OPERATIONAL ENHANCEMENTS .....	53,264	53,264
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE .....</b>	<b>258,491</b>	<b>303,591</b>
<b>NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT</b>			
<b>UNDISTRIBUTED</b>			
007	UNDISTRIBUTED .....		150,000
	<i>Program increase .....</i>		[150,000]
	<b>TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT AC-</b>		<b>150,000</b>
	<b>    COUNT</b>		
	<b>TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT .....</b>		<b>150,000</b>
	<b>TOTAL PROCUREMENT .....</b>	<b>5,128,098</b>	<b>5,485,798</b>

1 **TITLE XLII—RESEARCH, DEVEL-**  
2 **OPMENT, TEST, AND EVALUA-**  
3 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
5 **TION.**

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>				
<b>BASIC RESEARCH</b>				
002	0601102A	DEFENSE RESEARCH SCIENCES .....	303,257	308,257
		<i>Counter-UAS Army research lab .....</i>		[5,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	67,148	67,148
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	87,877	96,877
		<i>Automotive research center modeling and simulation .....</i>		[5,000]
		<i>Biotechnology advancements .....</i>		[4,000]
005	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE .....	5,077	5,077
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>463,359</b>	<b>477,359</b>
<b>APPLIED RESEARCH</b>				
007	0602115A	BIOMEDICAL TECHNOLOGY .....	11,835	11,835
011	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES .....	2,000	2,000
012	0602141A	LETHALITY TECHNOLOGY .....	42,425	47,425
		<i>Next generation additive manufacturing and 3-D printed electronics .....</i>		[5,000]
013	0602142A	ARMY APPLIED RESEARCH .....	30,757	30,757
014	0602143A	SOLDIER LETHALITY TECHNOLOGY .....	125,435	132,435
		<i>HEROES program increase .....</i>		[5,000]
		<i>Syn-bio enabled functional materials for the soldier .....</i>		[2,000]
015	0602144A	GROUND TECHNOLOGY .....	28,047	45,047
		<i>Cold weather military research .....</i>		[2,000]
		<i>Materials recovery technologies for defense supply resiliency .....</i>		[10,000]
		<i>Polymeric composites via cold spray additive manufacturing .....</i>		[5,000]
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY .....	217,565	217,565
017	0602146A	NETWORK C3I TECHNOLOGY .....	114,404	129,404
		<i>Alternative positioning navigation and timing .....</i>		[5,000]
		<i>Multi-drone/multi-sensor intelligence, surveillance, and reconnaissance capabilities.</i>		[2,000]
		<i>Program increase .....</i>		[5,000]
		<i>Sensor and electronic network initiatives .....</i>		[3,000]
018	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY .....	60,553	60,553
019	0602148A	FUTURE VERTICAL LIFT TECHNOLOGY .....	96,484	101,484
		<i>High density eVOTL power source research .....</i>		[5,000]
020	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY .....	56,298	76,298
		<i>Advanced tracking and targeting capability .....</i>		[5,000]
		<i>High energy laser technology .....</i>		[5,000]

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		Radar research .....		[5,000]
		UAS threat detection .....		[5,000]
022	0602213A	C3I APPLIED CYBER .....	18,816	18,816
040	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	20,766	20,766
042	0602787A	MEDICAL TECHNOLOGY .....	95,496	95,496
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>920,881</b>	<b>989,881</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
044	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	38,896	38,896
049	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY .....	11,659	11,659
052	0603115A	MEDICAL DEVELOPMENT .....	27,723	27,723
053	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT .....	62,663	62,663
054	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY .....	109,608	118,608
		Advanced AI/AA analytics for modernization and readiness .....		[5,000]
		Anthropomorphic study for body armor modernization .....		[4,000]
055	0603119A	GROUND ADVANCED TECHNOLOGY .....	14,795	23,295
		Rapid entry and sustainment for the arctic .....		[5,000]
		Survivability and energy reduction of hard shelters .....		[3,500]
059	0603134A	COUNTER IMPROVISED-THREAT SIMULATION .....	25,000	25,000
063	0603457A	C3I CYBER ADVANCED DEVELOPMENT .....	23,357	23,357
064	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....	188,024	188,024
065	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY .....	199,358	216,358
		Cyber security support for vehicle development .....		[2,000]
		Fuel cell powered vehicle development .....		[15,000]
066	0603463A	NETWORK C3I ADVANCED TECHNOLOGY .....	158,608	163,608
		Tactical geospatial information development .....		[5,000]
067	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY .....	121,060	131,060
		Hypervelocity projectile .....		[10,000]
068	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY .....	156,194	156,194
069	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY .....	58,130	63,130
		Program acceleration .....		[5,000]
077	0603920A	HUMANITARIAN DEMINING .....	8,515	8,515
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT .....</b>	<b>1,203,590</b>	<b>1,258,090</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
078	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	11,062	21,062
		Accelerated test and integration .....		[10,000]
079	0603308A	ARMY SPACE SYSTEMS INTEGRATION .....	26,230	26,230
080	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....	26,482	26,482
081	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	64,092	66,092
		MICLIC replacement development .....		[2,000]
083	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	92,753	92,753
084	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV .....	151,478	163,978
		Fuel cell powered vehicle development .....		[15,000]
		Modeling and simulation support for vehicle development .....		[12,500]
		Program decrease .....		[-15,000]
085	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	5,841	5,841
086	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV .....	194,775	194,775
087	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	24,316	24,316
088	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	13,387	13,387
089	0603790A	NATO RESEARCH AND DEVELOPMENT .....	4,762	4,762
090	0603801A	AVIATION—ADV DEV .....	647,937	647,937
091	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	4,761	4,761
092	0603807A	MEDICAL SYSTEMS—ADV DEV .....	28,520	28,520
093	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	26,138	23,138
		IHPS program delays .....		[-3,000]
094	0604017A	ROBOTICS DEVELOPMENT .....	121,207	115,407
		Program reduction .....		[-5,800]
096	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP) .....	22,840	22,840
097	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY .....	22,678	22,678
098	0604100A	ANALYSIS OF ALTERNATIVES .....	10,082	10,082
099	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	156,834
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	811,417
		Program increase .....		[10,000]
111	0604403A	FUTURE INTERCEPTOR .....	7,992	7,992

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112	0604541A	UNIFIED NETWORK TRANSPORT .....	40,677	40,677
115	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	50,525	50,525
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>3,421,608</b>	<b>3,447,308</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
118	0604201A	AIRCRAFT AVIONICS .....	2,764	2,764
119	0604270A	ELECTRONIC WARFARE DEVELOPMENT .....	62,426	62,426
121	0604601A	INFANTRY SUPPORT WEAPONS .....	91,574	98,574
		Advanced gunner protection kit development .....		[2,000]
		Soldier Enhancement Program .....		[5,000]
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	0604770A	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	39,651
		Army identified funds excess to need .....		[-4,000]
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	265,811
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	152,513
		Command post integrated infrastructure contract delay .....		[-10,000]
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	16,808
		Prior year carry-over .....		[-3,200]
147	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	6,534	6,534
148	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD .....	82,459	109,380
		Prior year carry-over .....		[-5,079]
		Program increase for vehicle protection systems .....		[32,000]
149	0604854A	ARTILLERY SYSTEMS—EMD .....	11,611	11,611
150	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT .....	142,678	137,678
		Reprioritization .....		[-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	76,594
		Army identified funds excess to need .....		[-20,000]
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	28,321
		AI virtual training environments .....		[5,000]
161	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	4,846	4,846
162	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT .....	28,544	28,544
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 funds excess to need .....		[-47,800]
168	0605053A	GROUND ROBOTICS .....	13,710	13,710
169	0605054A	EMERGING TECHNOLOGY INITIATIVES .....	294,739	284,739
		Program decrease .....		[-10,000]
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 (AIAMD) .....	193,929	193,929
176	0605625A	MANNED GROUND VEHICLE .....	327,732	244,732
		Army identified funds excess to need .....		[-83,000]
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

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179	0605830A	AVIATION GROUND SUPPORT EQUIPMENT .....	1,467	4,467
		Aircraft cleaning and deicing system development .....		[3,000]
180	0303032A	TROJAN—RH12 .....	3,451	3,451
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT .....	55,855	55,855
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>3,199,798</b>	<b>3,058,719</b>
		<b>MANAGEMENT SUPPORT</b>		
185	0604256A	THREAT SIMULATOR DEVELOPMENT .....	14,515	14,515
186	0604258A	TARGET SYSTEMS DEVELOPMENT .....	10,668	10,668
187	0604759A	MAJOR T&E INVESTMENT .....	106,270	111,270
		Program increase .....		[5,000]
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	350,359
193	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....	48,475	62,975
		Aviation component testing .....		[5,000]
		Testing additive manufacturing technology .....		[9,500]
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	50,133
		Development of polymer-cased ammunition .....		[5,000]
		Program acceleration .....		[5,000]
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
		<b>SUBTOTAL MANAGEMENT SUPPORT</b>	<b>1,333,123</b>	<b>1,362,623</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
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	56,633
		Program reduction .....		[-66,100]
221	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM .....	11,236	16,236
		Thermoplastic drive shafts .....		[5,000]
222	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM .....	46,091	51,091
		Carbon composite materials for wheels and brakes .....		[5,000]
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	263,252
		CROWS-J program delay .....		[-5,667]
234	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS .....	427,254	290,963
		Prior year carry-over .....		[-6,291]
		Program decrease .....		[-130,000]
235	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS .....	11,688	7,688
		Early to need .....		[-4,000]
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	19,424
		Program decrease .....		[-60,000]
243	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV. .....	259	259
244	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM .....	166	166

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245	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) .....	75,575	75,575
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	67,012
		6.5mm projectile development .....		[4,000]
		Lightweight film armor development .....		[2,000]
266A	9999999999	CLASSIFIED PROGRAMS .....	3,983	3,983
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>1,998,539</b>	<b>1,742,481</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
267	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT ....	46,445	46,445
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>46,445</b>	<b>46,445</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>12,587,343</b>	<b>12,382,906</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>BASIC RESEARCH</b>		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	116,816	121,816
		Navy Defense University Research Instrumentation program increase .....		[5,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	19,113	19,113
003	0601153N	DEFENSE RESEARCH SCIENCES .....	467,158	467,158
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>603,087</b>	<b>608,087</b>
		<b>APPLIED RESEARCH</b>		
004	0602114N	POWER PROJECTION APPLIED RESEARCH .....	17,792	17,792
005	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	122,281	147,281
		Additive manufacturing of unmanned maritime systems .....		[5,000]
		Cyber physical security and resiliency research .....		[5,000]
		Expeditionary unmanned systems launch and recovery .....		[5,000]
		Talent and technology for power and energy systems .....		[5,000]
		Unmanned logistics technology .....		[5,000]
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	50,623	50,623
007	0602235N	COMMON PICTURE APPLIED RESEARCH .....	48,001	48,001
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	67,765	77,765
		High mobility ground robots .....		[5,000]
		Robotics in complex unstructured environments .....		[5,000]
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	84,994	84,994
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....	63,392	73,392
		Extreme weather events research .....		[5,000]
		Program increase .....		[5,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	6,343	6,343
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	56,397	91,397
		Academic partnerships for undersea vehicle research .....		[10,000]
		Autonomous undersea robotics .....		[10,000]
		Cross-domain autonomy for persistent maritime operations .....		[10,000]
		Expandable structures for operational effectiveness research .....		[5,000]
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	167,590	167,590
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....	30,715	30,715
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH .....	160,537	160,537
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACTIVITIES.	76,745	76,745
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>953,175</b>	<b>1,033,175</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	24,410	29,410
		Additive manufacturing .....		[5,000]
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY .....	8,008	8,008
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .....	219,045	249,045
		Expeditionary autonomous logistics .....		[5,000]
		Heavy payload solar powered UAS .....		[20,000]
		Modular Advanced Armed Robotic System .....		[5,000]
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT .....	13,301	13,301
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT.	246,054	246,054
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM .....	60,122	60,122
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY .....	4,851	4,851
024	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS .....	40,709	40,709
025	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY.	1,948	1,948

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026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	141,948	161,948
		<i>Accelerated railgun technology maturation .....</i>		[20,000]
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>760,396</b>	<b>815,396</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
027	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS) ...	464,042	270,442
		<i>EPF conversion to LUSV prototype .....</i>		[45,000]
		<i>Two additional Overlord vessels excess to need .....</i>		[-238,600]
028	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	35,386	35,386
029	0603216N	AVIATION SURVIVABILITY .....	13,428	13,428
030	0603239N	ISO NAVAL CONSTRUCTION FORCES .....	2,350	2,350
031	0603251N	AIRCRAFT SYSTEMS .....	418	418
032	0603254N	ASW SYSTEMS DEVELOPMENT .....	15,719	15,719
033	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	3,411	3,411
034	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	70,218	70,218
035	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES .....	52,358	52,358
036	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	12,816	12,816
037	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	7,559	7,559
038	0603525N	PILOT FISH .....	358,757	278,557
		<i>Excess cost growth .....</i>		[-25,000]
		<i>Program adjustment .....</i>		[-55,200]
039	0603527N	RETRACT LARCH .....	12,562	12,562
040	0603536N	RETRACT JUNIPER .....	148,000	148,000
041	0603542N	RADIOLOGICAL CONTROL .....	778	778
042	0603553N	SURFACE ASW .....	1,161	1,161
043	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	185,356	90,356
		<i>Excessive accelerated development .....</i>		[-28,200]
		<i>Project 1 insufficient budget justification .....</i>		[-66,800]
044	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	10,528	10,528
045	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	126,396	136,396
		<i>Expeditionary sustainment and repair-related technologies .....</i>		[5,000]
		<i>Polymorphic build farm for open source technologies .....</i>		[5,000]
046	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	70,270	70,270
047	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	149,188	149,188
048	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	38,449	38,449
049	0603576N	CHALK EAGLE .....	71,181	71,181
050	0603581N	LITTORAL COMBAT SHIP (LCS) .....	32,178	32,178
051	0603582N	COMBAT SYSTEM INTEGRATION .....	17,843	17,843
052	0603595N	OHIO REPLACEMENT .....	317,196	317,196
053	0603596N	LCS MISSION MODULES .....	67,875	67,875
054	0603597N	AUTOMATED TEST AND ANALYSIS .....	4,797	4,797
055	0603599N	FRIGATE DEVELOPMENT .....	82,309	82,309
056	0603609N	CONVENTIONAL MUNITIONS .....	9,922	9,922
057	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	189,603	182,603
		<i>Program delay .....</i>		[-7,000]
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	43,084	43,084
059	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	6,346	6,346
060	0603721N	ENVIRONMENTAL PROTECTION .....	20,601	20,601
061	0603724N	NAVY ENERGY PROGRAM .....	23,422	23,422
062	0603725N	FACILITIES IMPROVEMENT .....	4,664	4,664
063	0603734N	CHALK CORAL .....	545,763	520,763
		<i>Excess cost growth .....</i>		[-25,000]
064	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	3,884	3,884
065	0603746N	RETRACT MAPLE .....	353,226	353,226
066	0603748N	LINK PLUMERIA .....	544,388	519,388
		<i>Excess cost growth .....</i>		[-25,000]
067	0603751N	RETRACT ELM .....	86,730	86,730
068	0603764M	LINK EVERGREEN .....	236,234	236,234
070	0603790N	NATO RESEARCH AND DEVELOPMENT .....	6,880	6,880
071	0603795N	LAND ATTACK TECHNOLOGY .....	10,578	10,578
072	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	28,435	28,435
073	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL.	33,612	33,612
074	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS .....	128,845	216,845
		<i>One additional system .....</i>		[88,000]
075	0604014N	F/A -18 INFRARED SEARCH AND TRACK (IRST) .....	84,190	84,190
076	0604027N	DIGITAL WARFARE OFFICE .....	54,699	54,699
077	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES .....	53,942	53,942
078	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES .....	40,060	40,060
079	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	12,100	12,100
080	0604031N	LARGE UNMANNED UNDERSEA VEHICLES .....	78,122	42,122
		<i>Early to need, phase 1 results needed first .....</i>		[-36,000]
081	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80).	107,895	107,895
082	0604126N	LITTORAL AIRBORNE MCM .....	17,366	17,366

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083	0604127N	SURFACE MINE COUNTERMEASURES .....	18,754	18,754
084	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....	59,776	59,776
086	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE) .....	5,097	5,097
087	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE .....	3,664	3,664
088	0604454N	LX (R) .....	10,203	10,203
089	0604536N	ADVANCED UNDERSEA PROTOTYPING .....	115,858	105,858
		XLUV late test and evaluation award .....		[-10,000]
090	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS) .....	14,259	14,259
091	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....	1,102,387	1,087,387
		Transition to DDG-1000—initial integration .....		[-15,000]
092	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/EN- GINEERING SUPPORT .....	7,657	7,657
093	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT .....	35,750	35,750
094	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	9,151	9,151
095	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM .....	22,589	6,989
		K-MAX .....		[7,000]
		MUX uncertain acquisition strategy .....		[-22,600]
097	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	809	809
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>6,503,074</b>	<b>6,098,674</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
098	0603208N	TRAINING SYSTEM AIRCRAFT .....	4,332	4,332
099	0604212N	OTHER HELO DEVELOPMENT .....	18,133	18,133
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-32A .....	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	487,680
		High band risk reduction .....		[10,000]
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	359,225
		SM-6 excessive cost growth; program accountability .....		[-27,000]
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	111,097
		Submarine electronic warfare capability improvement .....		[18,000]
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	282,943
		Accelerate design .....		[23,500]
133	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	63,878	63,878
134	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....	51,853	66,453
		Advanced Degaussing System .....		[14,600]
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	3,853	3,853
136	0604601N	MINE DEVELOPMENT .....	92,607	65,107
		Forward funded in FY20 .....		[-27,500]
137	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	146,012	146,012
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



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*(In Thousands of Dollars)*

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
146	0604771N	MEDICAL DEVELOPMENT .....	2,120	22,120
		Autonomous aerial distributed logistics .....		[10,000]
		ETEC disease research .....		[10,000]
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	351,173
		Unjustified growth .....		[-5,000]
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
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	223,448
		Transfer from CPS—initial integration .....		[15,000]
169	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS .....	111,434	111,434
170	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	26,173	26,173
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>6,263,883</b>	<b>6,305,483</b>
		<b>MANAGEMENT SUPPORT</b>		
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
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>991,222</b>	<b>991,222</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
199	0604227N	HARPOON MODIFICATIONS .....	697	697
200	0604840M	F-35 C2D2 .....	379,549	341,649
		Block IV/TR3 upgrade delays .....		[-37,900]
201	0604840N	F-35 C2D2 .....	413,875	372,475
		Block IV/TR3 upgrade delays .....		[-41,400]
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	74,190
		Next-generation countermeasure acoustic device .....		[5,000]
207	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	42,277	42,277
208	0204136N	F/A-18 SQUADRONS .....	171,030	175,030
		Jet noise reduction .....		[4,000]
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	102,975
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS .....	10,873	10,873
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT).	1,713	1,713
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (GATOR) .....	22,205	22,205
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

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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
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	46,978
		<i>Interference mitigation technology, test and verification .....</i>		[5,000]
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
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 (STUASLo) .....	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	34,967
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
257A	999999999	CLASSIFIED PROGRAMS .....	1,795,032	1,795,032
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>5,327,043</b>	<b>5,261,743</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
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
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>25,168</b>	<b>25,168</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>	<b>21,427,048</b>	<b>21,138,948</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>		
		<b>BASIC RESEARCH</b>		
001	0601102F	DEFENSE RESEARCH SCIENCES .....	315,348	315,348
002	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	161,861	166,861
		<i>Solar block research .....</i>		[5,000]
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES .....	15,085	15,085
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>492,294</b>	<b>497,294</b>
		<b>APPLIED RESEARCH</b>		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH .....	100,000	100,000
005	0602102F	MATERIALS .....	140,781	165,781
		<i>Advanced materials manufacturing flexible biosensors .....</i>		[5,000]
		<i>Metals affordability research .....</i>		[15,000]
		<i>Thermal protection systems .....</i>		[5,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	349,225	374,225
		<i>Advanced batteries for directed energy .....</i>		[5,000]
		<i>High speed expendable turbine development .....</i>		[5,000]
		<i>On-orbit propulsion technologies .....</i>		[5,000]
		<i>Secure unmanned aerial vehicles .....</i>		[10,000]
007	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	115,222	115,222
009	0602204F	AEROSPACE SENSORS .....	211,301	211,301
011	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEAD-QUARTERS ACTIVITIES.	8,926	8,926
012	0602602F	CONVENTIONAL MUNITIONS .....	132,425	132,425
013	0602605F	DIRECTED ENERGY TECHNOLOGY .....	128,113	128,113
014	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	178,668	208,668
		<i>Counter UAS platform integration testbed .....</i>		[5,000]
		<i>Quantum Innovation Center .....</i>		[5,000]

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Line	Program Element	Item	FY 2021 Request	House Authorized
		Quantum network testbed .....		[10,000]
		Trusted UAS traffic management and C-UAS testbed .....		[10,000]
015	0602890F	HIGH ENERGY LASER RESEARCH .....	45,088	45,088
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>1,409,749</b>	<b>1,489,749</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
017	0603030F	AF FOUNDATIONAL DEVELOPMENT/DEMOS .....	103,280	110,280
		Agile composite manufacturing initiatives .....		[5,000]
		Foam engine wash .....		[2,000]
018	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS .....	157,619	127,619
		Inappropriate use of S&T funds for Golden Horde demonstration & validation.		[-30,000]
019	0603033F	NEXT GEN PLATFORM DEV/DEMO .....	199,556	199,556
020	0603034F	PERSISTENT KNOWLEDGE, AWARENESS, & C2 TECH .....	102,276	102,276
021	0603035F	NEXT GEN EFFECTS DEV/DEMOS .....	215,817	215,817
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>778,548</b>	<b>755,548</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
038	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	4,320	4,320
039	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	26,396	26,396
040	0603790F	NATO RESEARCH AND DEVELOPMENT .....	3,647	3,647
041	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	32,959	32,959
043	0604002F	AIR FORCE WEATHER SERVICES RESEARCH .....	869	869
044	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS) .....	302,323	216,823
		Unjustified costs .....		[-85,500]
045	0604004F	ADVANCED ENGINE DEVELOPMENT .....	636,495	636,495
046	0604015F	LONG RANGE STRIKE—BOMBER .....	2,848,410	2,828,410
		Transfer to APA line 025A .....		[-20,000]
047	0604032F	DIRECTED ENERGY PROTOTYPING .....	20,964	20,964
048	0604033F	HYPERSONICS PROTOTYPING .....	381,862	381,862
050	0604257F	ADVANCED TECHNOLOGY AND SENSORS .....	24,747	24,747
051	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP .....	76,417	76,417
052	0604317F	TECHNOLOGY TRANSFER .....	3,011	3,011
053	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	52,921	52,921
054	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS .....	69,783	69,783
055	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D .....	25,835	25,835
056	0604858F	TECH TRANSITION PROGRAM .....	219,252	249,252
		Program increase—LCAAT prototyping .....		[30,000]
057	0605230F	GROUND BASED STRATEGIC DETERRENT .....	1,524,759	1,524,759
059	0207110F	NEXT GENERATION AIR DOMINANCE .....	1,044,089	1,044,089
060	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....	19,356	19,356
061	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS) .....	8,737	8,737
062	0208099F	UNIFIED PLATFORM (UP) .....	5,990	5,990
063	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA) .....	39,293	39,293
065	0305601F	MISSION PARTNER ENVIRONMENTS .....	11,430	11,430
066	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	259,823	259,823
067	0306415F	ENABLED CYBER ACTIVITIES .....	10,560	10,560
068	0401310F	C-32 EXECUTIVE TRANSPORT RECAPITALIZATION .....	9,908	9,908
069	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM .....	8,662	8,662
074	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT) .....	8,787	8,787
077	1206730F	SPACE SECURITY AND DEFENSE PROGRAM .....	56,311	56,311
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>	<b>7,737,916</b>	<b>7,662,416</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
082	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS .....	25,161	25,161
083	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS .....	38,564	38,564
084	0604222F	NUCLEAR WEAPONS SUPPORT .....	35,033	35,033
085	0604270F	ELECTRONIC WARFARE DEVELOPMENT .....	2,098	2,098
086	0604281F	TACTICAL DATA NETWORKS ENTERPRISE .....	131,909	131,909
087	0604287F	PHYSICAL SECURITY EQUIPMENT .....	6,752	6,752
088	0604329F	SMALL DIAMETER BOMB (SDB)—EMD .....	17,280	17,280
090	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT .....	23,076	23,076
091	0604604F	SUBUNITIONS .....	3,091	3,091
092	0604617F	AGILE COMBAT SUPPORT .....	20,609	20,609
093	0604618F	JOINT DIRECT ATTACK MUNITION .....	7,926	7,926
094	0604706F	LIFE SUPPORT SYSTEMS .....	23,660	23,660
095	0604735F	COMBAT TRAINING RANGES .....	8,898	8,898
096	0604800F	F-35—EMD .....	5,423	423
		Excess SDD funding .....		[-5,000]
097	0604932F	LONG RANGE STANDOFF WEAPON .....	474,430	474,430
098	0604933F	ICBM FUZE MODERNIZATION .....	167,099	167,099
100	0605056F	OPEN ARCHITECTURE MANAGEMENT .....	30,547	30,547
102	0605223F	ADVANCED PILOT TRAINING .....	248,669	248,669
103	0605229F	COMBAT RESCUE HELICOPTER .....	63,169	63,169
105	0101125F	NUCLEAR WEAPONS MODERNIZATION .....	9,683	9,683

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Line	Program Element	Item	FY 2021 Request	House Authorized
106	0207171F	F-15 EPAWSS .....	170,679	155,979
		Cost growth .....		[-14,700]
107	0207328F	STAND IN ATTACK WEAPON .....	160,438	142,738
		Unjustified cost increase .....		[-17,700]
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	86,262
		Slow execution .....		[-20,000]
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
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>2,615,359</b>	<b>2,557,959</b>
		<b>MANAGEMENT SUPPORT</b>		
131	0604256F	THREAT SIMULATOR DEVELOPMENT .....	57,725	57,725
132	0604759F	MAJOR T&E INVESTMENT .....	208,680	208,680
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	754,606
		Program decrease .....		[-10,000]
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	ENTEPRISE INFORMATION SERVICES (EIS) .....	9,883	9,883
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
		<b>SUBTOTAL MANAGEMENT SUPPORT</b>	<b>2,891,280</b>	<b>2,881,280</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
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	706,836
		Block IV/TR3 upgrade delays .....		[-78,500]
166	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) .....	27,035	27,035
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	338,523
		GPS-IU contract delays .....		[-10,000]
		No acquisition strategy for AEHF .....		[-2,500]
		Radar modernization program contract delays .....		[-40,000]
		Virtual prototype contract delay .....		[-125,000]
		VLF/LF contract delays .....		[-4,000]
173	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	1,433	1,433
174	0101126F	B-1B SQUADRONS .....	15,766	15,766
175	0101127F	B-2 SQUADRONS .....	187,399	187,399
		Airspace compliance contract delays .....		[-2,000]
		JASSM-ER Milestone B delay .....		[-5,000]
		Virtual training .....		[7,000]
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	648,938
		Software delays .....		[-16,100]
191	0207142F	F-35 SQUADRONS .....	132,229	129,629
		Unjustified USAF ALIS unique funding .....		[-2,600]

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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
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
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	120,110
		Program decrease .....		[-8,000]
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	30,640
		Commercial weather pilot .....		[7,000]
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALs) .....	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	139,512
		Gorgon Stare Wide Area Motion Imagery program increase .....		[10,000]
		Sensor Open Systems Architecture .....		[8,000]
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	13,635
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	9,991
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

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290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM .....	24,513	24,513
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	35,225	35,225
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 ACNTNG AND MGT SYS (DEAMS) .....	45,638	45,638
301	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....	1,889	0
		<i>Transfer to Space Force</i> .....		[-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—TWAA SYSTEM .....	6,990	6,990
322A	9999999999	CLASSIFIED PROGRAMS .....	15,777,856	15,777,856
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>21,466,680</b>	<b>21,203,091</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>37,391,826</b>	<b>37,047,337</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, SPACE FORCE</b>		
		<b>APPLIED RESEARCH</b>		
001	12066018F	SPACE TECHNOLOGY .....	130,874	164,874
		<i>Ground based optical GEO surveillance</i> .....		[5,000]
		<i>Rapid development of low-cost, small satellite technology</i> .....		[20,000]
		<i>Small satellite mission operations center</i> .....		[9,000]
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>130,874</b>	<b>164,874</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
002	12031648F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	390,704	390,704
003	12037108F	EO/IR WEATHER SYSTEMS .....	131,000	106,000
		<i>Program reduction for phase 2 risk reduction Spec OT2</i> .....		[-25,000]
004	12064228F	WEATHER SYSTEM FOLLOW-ON .....	83,384	83,384
005	12064258F	SPACE SITUATION AWARENESS SYSTEMS .....	33,359	33,359
006	12064278F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT) .....	142,808	142,808
007	12064388F	SPACE CONTROL TECHNOLOGY .....	35,575	35,575
008	12067608F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES) .....	114,390	109,390
		<i>Unjustified growth</i> .....		[-5,000]
009	12067618F	PROTECTED TACTICAL SERVICE (PTS) .....	205,178	200,178
		<i>Unjustified growth</i> .....		[-5,000]
010	12068558F	EVOLVED STRATEGIC SATCOM (ESS) .....	71,395	71,395
011	12068578F	SPACE RAPID CAPABILITIES OFFICE .....	103,518	103,518
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>1,311,311</b>	<b>1,276,311</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
012	12032698F	GPS III FOLLOW-ON (GPS IIIF) .....	263,496	253,496
		<i>Execution lagging</i> .....		[-10,000]
013	12039408F	SPACE SITUATION AWARENESS OPERATIONS .....	41,897	41,897
014	12064218F	COUNTERSPACE SYSTEMS .....	54,689	54,689
015	12064228F	WEATHER SYSTEM FOLLOW-ON .....	2,526	2,526
016	12064258F	SPACE SITUATION AWARENESS SYSTEMS .....	173,074	173,074
017	12064318F	ADVANCED EHF MILSATCOM (SPACE) .....	138,257	138,257
018	12064328F	POLAR MILSATCOM (SPACE) .....	190,235	190,235
019	12064428F	NEXT GENERATION OPIR .....	2,318,864	2,269,864
		<i>Block 0 GEO unjustified cost growth</i> .....		[-20,000]
		<i>Program decrease</i> .....		[-29,000]
020	12068538F	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD .....	560,978	710,978
		<i>Program increase</i> .....		[150,000]
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>3,744,016</b>	<b>3,835,016</b>
		<b>MANAGEMENT SUPPORT</b>		
021	12061168F	SPACE TEST AND TRAINING RANGE DEVELOPMENT .....	20,281	20,281
022	12063928F	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS .....	183,930	183,930
023	12063988F	SPACE & MISSILE SYSTEMS CENTER—MHA .....	9,765	9,765
024	12068608F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	17,993	27,993
		<i>Tactically Responsive Launch Operations</i> .....		[10,000]
025	12068648F	SPACE TEST PROGRAM (STP) .....	26,541	26,541
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>258,510</b>	<b>268,510</b>

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<b>OPERATIONAL SYSTEM DEVELOPMENT</b>				
026	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....	3,708	5,597
		<i>Transfer from Air Force .....</i>		[1,889]
027	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....	247,229	237,229
		<i>Program decrease .....</i>		[-10,000]
028	1203110SF	SATELLITE CONTROL NETWORK (SPACE) .....	75,480	60,480
		<i>Program decrease .....</i>		[-15,000]
029	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS).	1,984	1,984
030	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER .....	4,397	4,397
031	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	44,746	39,746
		<i>Underexecution .....</i>		[-5,000]
032	1203182SF	SPACELIFT RANGE SYSTEM (SPACE) .....	11,020	16,020
		<i>Space launch range services and capabilities .....</i>		[5,000]
033	1203265SF	GPS III SPACE SEGMENT .....	10,777	10,777
034	1203873SF	BALLISTIC MISSILE DEFENSE RADARS .....	28,179	28,179
035	1203913SF	NUDET DETECTION SYSTEM (SPACE) .....	29,157	29,157
036	1203940SF	SPACE SITUATION AWARENESS OPERATIONS .....	44,809	39,809
		<i>Underexecution .....</i>		[-5,000]
037	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	481,999	471,999
		<i>Program decrease .....</i>		[-5,000]
		<i>Unjustified growth .....</i>		[-5,000]
041	1206770SF	ENTERPRISE GROUND SERVICES .....	116,791	116,791
041A	9999999999	CLASSIFIED PROGRAMS .....	3,632,866	3,632,866
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT ....</b>	<b>4,733,142</b>	<b>4,695,031</b>
<b>SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PROGRAMS</b>				
042	1203614SF	JSPOC MISSION SYSTEM .....	149,742	129,742
		<i>Unjustified increase; transfer to commercial Space Domain Awareness Services and Data.</i>		[-20,000]
42A	9999999999	COMMERCIAL SATCOM .....		45,000
		<i>Commercial polar space-based proliferated LEO broadband services and demonstrations.</i>		[25,000]
		<i>Increase for commercial space domain awareness services and data ....</i>		[20,000]
		<b>SUBTOTAL SOFTWARE &amp; DIGITAL TECHNOLOGY PILOT PROGRAMS</b>	<b>149,742</b>	<b>174,742</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, SPACE FORCE.</b>	<b>10,327,595</b>	<b>10,414,484</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>				
<b>BASIC RESEARCH</b>				
001	0601000BR	DTRA BASIC RESEARCH .....	14,617	14,617
002	0601101E	DEFENSE RESEARCH SCIENCES .....	479,958	479,958
003	0601110DSZ	BASIC RESEARCH INITIATIVES .....	35,565	57,565
		<i>Restore Minerva research initiative .....</i>		[17,000]
		<i>START research consortium of excellence for irregular warfare and advanced analytics.</i>		[5,000]
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....	53,730	53,730
005	0601120DSZ	NATIONAL DEFENSE EDUCATION PROGRAM .....	100,241	105,241
		<i>Civics education pilot .....</i>		[5,000]
006	0601228DSZ	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,975	50,975
		<i>PIPELINE program .....</i>		[3,000]
		<i>Program increase .....</i>		[17,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	45,300	45,300
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>760,386</b>	<b>807,386</b>
<b>APPLIED RESEARCH</b>				
008	0602000DSZ	JOINT MUNITIONS TECHNOLOGY .....	19,409	24,409
		<i>New energetic materials design .....</i>		[5,000]
009	0602115E	BIOMEDICAL TECHNOLOGY .....	107,568	107,568
011	0602230DSZ	DEFENSE TECHNOLOGY INNOVATION .....	35,000	35,000
012	0602234DSZ	LINCOLN LABORATORY RESEARCH PROGRAM .....	41,080	41,080
013	0602251DSZ	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	60,722	60,722
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY .....	435,920	403,920
		<i>Program decrease .....</i>		[-32,000]
015	0602383E	BIOLOGICAL WARFARE DEFENSE .....	26,950	26,950
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	201,807	206,807
		<i>Treatment testing technology for nuclear, chemical, and biological exposure.</i>		[5,000]
017	0602668DSZ	CYBER SECURITY RESEARCH .....	15,255	15,255
018	0602702E	TACTICAL TECHNOLOGY .....	233,271	233,271
019	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY .....	250,107	250,107

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020	0602716E	ELECTRONICS TECHNOLOGY .....	322,693	322,693
021	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH .....	174,571	174,571
022	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH .....	9,573	9,573
023	1160401BB	SOF TECHNOLOGY DEVELOPMENT .....	42,464	47,464
		<i>Sustained Human Performance and Resilience</i> .....		[5,000]
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>1,976,390</b>	<b>1,959,390</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
024	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	22,920	22,920
025	0603121D8Z	SO LIC ADVANCED DEVELOPMENT .....	4,914	4,914
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	51,089	51,089
027	0603133D8Z	FOREIGN COMPARATIVE TESTING .....	25,183	25,183
029	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT .....	366,659	366,659
030	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT .....	14,910	64,910
		<i>Restore low power laser demonstrator</i> .....		[50,000]
032	0603180C	ADVANCED RESEARCH .....	18,687	28,687
		<i>Program increase</i> .....		[10,000]
033	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT .....	18,873	18,873
034	0603286E	ADVANCED AEROSPACE SYSTEMS .....	230,978	230,978
035	0603287E	SPACE PROGRAMS AND TECHNOLOGY .....	158,439	158,439
036	0603288D8Z	ANALYTIC ASSESSMENTS .....	23,775	23,775
037	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS .....	36,524	36,524
038	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA .....	14,703	14,703
039	0603294C	COMMON KILL VEHICLE TECHNOLOGY .....	11,058	11,058
040	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING .....	133,375	133,375
042	0603342D8Z	DEFENSE INNOVATION UNIT (DIU) .....	26,141	26,141
043	0603375D8Z	TECHNOLOGY INNOVATION .....	27,709	27,709
044	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT .....	188,001	188,001
045	0603527D8Z	RETRACT LARCH .....	130,283	130,283
046	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY .....	15,164	15,164
047	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....	85,452	85,452
048	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	5,882	5,882
049	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM .....	93,817	143,817
		<i>Accelerating rapid prototyping by integrating high performance computing and advanced manufacturing.</i> .....		[5,000]
		<i>Additive manufacturing training</i> .....		[5,000]
		<i>Advanced structural manufacturing technologies</i> .....		[30,000]
		<i>Flexible hybrid electronics</i> .....		[5,000]
		<i>Hypersonic thermal management research</i> .....		[5,000]
050	0603680S	MANUFACTURING TECHNOLOGY PROGRAM .....	40,025	40,025
052	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS .....	10,235	10,235
053	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	53,862	158,862
		<i>AFFF replacement</i> .....		[50,000]
		<i>PFAS Innovation Award Fund</i> .....		[5,000]
		<i>PFAS remediation and disposal technology</i> .....		[50,000]
054	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT .....	124,049	124,049
055	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	3,871	3,871
056	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	95,864	95,864
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....	221,724	221,724
058	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	661,158	661,158
059	0603767E	SENSOR TECHNOLOGY .....	200,220	200,220
060	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT .....	6,765	6,765
061	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	12,598	12,598
064	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM .....	105,410	105,410
065	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	187,065	187,065
		<b>Directed energy test workloads</b>		
066	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK .....		40,000
		<i>Restore program</i> .....		[40,000]
067	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....		65,000
		<i>Program increase</i> .....		[65,000]
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT .....	89,072	94,072
		<i>SOF 3-D printing technologies</i> .....		[5,000]
071	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT .....	72,422	72,422
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....	<b>3,588,876</b>	<b>3,913,876</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
072	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P .....	32,636	32,636
073	0603600D8Z	WALKOFF .....	106,529	106,529



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075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM. PFAS remediation and disposal technology .....	61,345	113,345 [50,000]
		Program increase .....		[2,000]
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT .. Insufficient justification—homeland defense underlay .....	412,627	312,627 [-100,000]
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT Unjustified growth—RKV cancellation .....	1,004,305	919,305 [-85,000]
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .... Decontamination technologies for civilian pandemic preparedness .....	76,167	81,167 [5,000]
079	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	281,957	281,957
080	0603890C	BMD ENABLING PROGRAMS .....	599,380	599,380
081	0603891C	SPECIAL PROGRAMS—MDA .....	420,216	420,216
082	0603892C	AEGIS BMD .....	814,936	804,936
		Program decrease .....		[-10,000]
083	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI. .....	593,353	593,353
084	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ...	49,560	49,560
085	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC). .....	55,356	55,356
086	0603906C	REGARDING TRENCH .....	11,863	11,863
087	0603907C	SEA BASED X-BAND RADAR (SBX) .....	118,318	118,318
088	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	300,000	300,000
089	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	378,302	378,302
090	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	536,133	536,133
092	0603923D8Z	COALITION WARFARE .....	10,129	10,129
093	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G). Program decrease for Restoring S&T .....	449,000	400,000 [-49,000]
094	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,325	3,325
095	0604115C	TECHNOLOGY MATURATION INITIATIVES .....	67,389	67,389
098	0604181C	HYPERSONIC DEFENSE .....	206,832	206,832
099	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES .....	730,508	729,508
		Micro nuclear reactors .....		[50,000]
		Program decrease for Restoring S&T .....		[-51,000]
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS .....	489,076	489,076
101	0604331D8Z	RAPID PROTOTYPING PROGRAM .....	102,023	82,023
		Program decrease for Restoring S&T .....		[-20,000]
102	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING .....	13,255	16,255
		Talent optimization pilot program .....		[3,000]
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT. .....	2,787	2,787
105	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H) .....		130,000
		Continue radar development and siting efforts .....		[130,000]
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	414,138
		Delayed NGI contract award .....		[-250,000]
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST. .....	7,768	7,768
113	0604878C	AEGIS BMD TEST .....	170,880	95,880
		Unjustified cost growth .....		[-75,000]
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST .....	76,456	76,456
115	0604880C	LAND-BASED SM-3 (LBSM3) .....	56,628	56,628
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	155,994
		HBTSS—transfer to 1206895C .....		[-20,000]
		Unjustified growth .....		[-40,000]
122	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM .....	34,144	34,144
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....	32,068	152,068
		HBTSS—transfer from 1206410SDA .....		[20,000]
		HBTSS sensor payload development .....		[100,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>9,416,712</b>	<b>9,076,712</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
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	319,976
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

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130	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	7,287	7,287
131	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	12,928	12,928
132	0605027D8Z	OSD(C) 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 ANNUITY 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
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>603,808</b>	<b>603,808</b>
		<b>MANAGEMENT SUPPORT</b>		
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	435,451
		<i>Gulf Test range and training enhancements .....</i>		[13,000]
149	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	18,379	18,379
150	0605001E	MISSION SUPPORT .....	74,334	74,334
151	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) .....	79,046	79,046
153	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	50,255	50,255
155	0605142D8Z	SYSTEMS ENGINEERING .....	49,376	49,376
156	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	5,777	5,777
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	16,069
		<i>Program decrease .....</i>		[-43,300]
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
197	0903235K	JOINT SERVICE PROVIDER (JSP) .....	3,138	3,138
198A	999999999	CLASSIFIED PROGRAMS .....	41,583	41,583
		<b>SUBTOTAL MANAGEMENT SUPPORT</b> .....	<b>1,297,392</b>	<b>1,267,092</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
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 PARTNERSHIP 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	79,151
		<i>Autotune filter manufacturing scale-up for advanced offboard electronic warfare.</i>		[10,000]

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		Domestic organic light emitting diode microdisplay manufacturing ....		[5,000]
		Domestic rare earth magnet capability .....		[5,000]
		Domestic tungsten .....		[5,000]
		Program increase .....		[15,000]
		Radar supplier resiliency plan .....		[5,000]
		Submarine workforce development and training .....		[20,000]
		Ultra-hard armor .....		[5,000]
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	46,577
217	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	356,713	336,713
		GenCyber .....		[20,000]
		Program decrease .....		[-40,000]
218	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM .....	8,922	8,922
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	0
		Program decrease .....		[-9,728]
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	151,041
		Machine learning and AI technologies to enable operational maneuver		[10,000]
		Modular expeditionary compact high-energy lasers .....		[5,000]
261	1160431BB	WARRIOR SYSTEMS .....	59,511	94,511
		Increased research for cUAS in austere locations abroad .....		[35,000]
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
268A	9999999999	CLASSIFIED PROGRAMS .....	4,746,466	4,746,466
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>6,161,946</b>	<b>6,252,218</b>
		<b>SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS</b>		
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	76,750
		Program decrease .....		[-10,000]
272	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM.	250,107	200,107
		Program decrease .....		[-50,000]
		<b>SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.</b>	<b>475,381</b>	<b>415,381</b>
		<b>UNDISTRIBUTED</b>		
273A	9999999999	PANDEMIC PREPAREDNESS AND RESILIENCE NATIONAL SECURITY FUND.		1,000,000
		Program increase .....		[1,000,000]
		<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>1,000,000</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>	<b>24,280,891</b>	<b>25,295,863</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE MANAGEMENT SUPPORT</b>		

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
001	0605118OTE	OPERATIONAL TEST AND EVALUATION .....	100,021	100,021
002	0605131OTE	LIVE FIRE TEST AND EVALUATION .....	70,933	70,933
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	39,136	39,136
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>210,090</b>	<b>210,090</b>
		<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE .....</b>	<b>210,090</b>	<b>210,090</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>106,224,793</b>	<b>106,489,628</b>

**1 SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
**2 TION FOR OVERSEAS CONTINGENCY OPER-**  
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**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OP-**  
**ERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>		
		<b>APPLIED RESEARCH</b>		
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY .....	2,000	2,000
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>2,000</b>	<b>2,000</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTO-</b>		
		<b>TYPES</b>		
080	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING .....	500	500
114	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4) .....	2,020	2,020
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp;</b>	<b>2,520</b>	<b>2,520</b>
		<b>PROTOTYPES.</b>		
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
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
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>97,825</b>	<b>97,825</b>
		<b>MANAGEMENT SUPPORT</b>		
198	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	1,000	1,000
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION .....	4,137	4,137
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>5,137</b>	<b>5,137</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
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
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>75,342</b>	<b>75,342</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL,</b>	<b>182,824</b>	<b>182,824</b>
		<b>ARMY.</b>		
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTO-</b>		
		<b>TYPES</b>		
039	0603527N	RETRACT LARCH .....	36,500	36,500
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	14,461	14,461
063	0603734N	CHALK CORAL .....	3,000	3,000
071	0603795N	LAND ATTACK TECHNOLOGY .....	1,457	1,457
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp;</b>	<b>55,418</b>	<b>55,418</b>
		<b>PROTOTYPES.</b>		
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	1,144	1,144
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>1,144</b>	<b>1,144</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) .....	3,000	3,000

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>3,000</b>	<b>3,000</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>	<b>59,562</b>	<b>59,562</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF OPERATIONAL SYSTEMS DEVELOPMENT</b>		
185	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE .....	4,080	4,080
228	0208288F	INTEL DATA APPLICATIONS .....	1,224	1,224
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>5,304</b>	<b>5,304</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>5,304</b>	<b>5,304</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW APPLIED RESEARCH</b>		
010	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES .....	3,699	3,699
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>3,699</b>	<b>3,699</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	19,288	19,288
028	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION .....	3,861	3,861
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT ...</b>	<b>23,149</b>	<b>23,149</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
097	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	19,931	19,931
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>19,931</b>	<b>19,931</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
260	1160408BB	OPERATIONAL ENHANCEMENTS .....	1,186	1,186
261	1160431BB	WARRIOR SYSTEMS .....	5,796	5,796
263	1160434BB	UNMANNED ISR .....	5,000	5,000
268A	9999999999	CLASSIFIED PROGRAMS .....	24,057	24,057
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>36,039</b>	<b>36,039</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>	<b>82,818</b>	<b>82,818</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>330,508</b>	<b>330,508</b>

1 **TITLE XLIII—OPERATION AND**  
 2 **MAINTENANCE**  
 3 **SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY OPERATING FORCES</b>		
020	MODULAR SUPPORT BRIGADES .....	159,834	143,834
	Unjustified funding for Dynamic Force Employment .....		[-16,000]
030	ECHELONS ABOVE BRIGADE .....	663,751	660,951
	Unjustified funding for Dynamic Force Employment .....		[-2,800]
040	THEATER LEVEL ASSETS .....	956,477	956,477
050	LAND FORCES OPERATIONS SUPPORT .....	1,157,635	1,167,984
	Establishment of Joint CUAS Office .....		[10,349]
060	AVIATION ASSETS .....	1,453,024	1,403,024
	Unjustified funding for Dynamic Force Employment .....		[-50,000]
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	1,513,359
	Program increase for depot maintenance activities .....		[100,000]
100	BASE OPERATIONS SUPPORT .....	8,220,093	8,320,093
	Child Youth Services program increase .....		[100,000]

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	3,581,071	3,647,387
	Program increase for additional facility requirements .....		[66,316]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	411,844	411,844
160	US AFRICA COMMAND .....	239,387	239,387
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	430,109
210	CYBERSPACE ACTIVITIES—CYBERSECURITY .....	464,117	464,117
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>24,692,261</b>	<b>24,900,126</b>
	<b>MOBILIZATION</b>		
220	STRATEGIC MOBILITY .....	402,236	402,236
230	ARMY PREPOSITIONED STOCKS .....	324,306	324,306
240	INDUSTRIAL PREPAREDNESS .....	3,653	3,653
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>730,195</b>	<b>730,195</b>
	<b>TRAINING AND RECRUITING</b>		
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	672,612
	Program decrease .....		[-50,000]
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>5,299,957</b>	<b>5,249,957</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
390	SERVICEWIDE TRANSPORTATION .....	491,926	491,926
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	433,048
	Program decrease .....		[-5,000]
440	SERVICEWIDE COMMUNICATIONS .....	1,638,872	1,628,872
	Reprioritization .....		[-10,000]
450	MANPOWER MANAGEMENT .....	300,046	300,046
460	OTHER PERSONNEL SUPPORT .....	701,103	701,103
470	OTHER SERVICE SUPPORT .....	1,887,133	1,852,493
	Servicewoman's Commemorative Partnership .....		[3,000]
	Transfer to DAWDF—reversal of DWR transfers .....		[-37,640]
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
565	CLASSIFIED PROGRAMS .....	1,069,915	1,069,915
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>9,590,555</b>	<b>9,540,915</b>
	<b>UNDISTRIBUTED</b>		
570	UNDISTRIBUTED .....		-231,457
	Foreign Currency adjustments .....		[-137,300]
	Historical unobligated balances .....		[-94,157]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-231,457</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY ..</b>	<b>40,312,968</b>	<b>40,189,736</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</b>		
010	MODULAR SUPPORT BRIGADES .....	10,784	10,784
020	ECHELONS ABOVE BRIGADE .....	530,425	530,425
030	THEATER LEVEL ASSETS .....	123,737	123,737

**SEC. 4301. OPERATION AND MAINTENANCE**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
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	333,239
	Program increase for additional facility requirements .....		[6,059]
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,825,366</b>	<b>2,831,425</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>109,351</b>	<b>109,351</b>
	<b>UNDISTRIBUTED</b>		
210	UNDISTRIBUTED .....		-10,100
	Historical unobligated balances .....		[-10,100]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-10,100</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>2,934,717</b>	<b>2,930,676</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG OPERATING FORCES</b>		
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	892,254
	Program increase for additional facility requirements .....		[16,222]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	1,050,257	1,050,257
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS .....	7,998	7,998
140	CYBERSPACE ACTIVITIES—CYBERSECURITY .....	7,756	7,756
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>7,008,170</b>	<b>7,024,392</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>411,844</b>	<b>411,844</b>
	<b>UNDISTRIBUTED</b>		
220	UNDISTRIBUTED .....		-19,900
	Historical unobligated balances .....		[-19,900]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-19,900</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG ..</b>	<b>7,420,014</b>	<b>7,416,336</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	5,738,746	5,359,952
	Transfer to OCO .....		[-378,794]

**SEC. 4301. OPERATION AND MAINTENANCE**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
020	FLEET AIR TRAINING .....	2,213,673	2,161,673
	Restoration of Congressional mark .....		[-52,000]
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	834,067
	Restoration of Congressional mark .....		[-4,700]
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	1,234,430
	Restoration of Congressional mark .....		[-30,235]
090	MISSION AND OTHER SHIP OPERATIONS .....		-178,060
	Insufficient justification .....		[-195,000]
	Preservation of LCS 3 and LCS 4 .....		[16,940]
100	SHIP OPERATIONS SUPPORT & TRAINING .....	1,117,067	1,110,267
	Restoration of Congressional mark .....		[-6,800]
110	SHIP DEPOT MAINTENANCE .....	7,859,104	8,530,664
	Preservation of LCS 3 and LCS 4 .....		[21,560]
	Realignment from Procurement for Ship Depot Maintenance Pilot .....		[650,000]
120	SHIP DEPOT OPERATIONS SUPPORT .....	2,262,196	2,261,796
	Preservation of LCS 3 and LCS 4 .....		[12,600]
	Restoration of Congressional mark .....		[-13,000]
125	SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN .....		90,000
	Realignment from Sustainment, Readiness, and Modernization .....		[90,000]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE ...	1,521,360	1,502,360
	Restoration of Congressional mark .....		[-19,000]
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	936,273
	Restoration of Congressional mark .....		[-60,000]
	Transfer to OCO .....		[-550,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	177,951	177,951
190	COMBATANT COMMANDERS CORE OPERATIONS .....	61,484	61,484
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	102,330	124,130
	Indo-Pacific Counter-Terrorism Information Facility .....		[2,000]
	Indo-Pacific Special Operations Joint Task Force .....		[6,300]
	INDOPACOM Mission Command and Control (MPE-C2) .....		[13,500]
210	MILITARY INFORMATION SUPPORT OPERATIONS .....	8,810	8,810
220	CYBERSPACE ACTIVITIES .....	567,496	567,496
230	FLEET BALLISTIC MISSILE .....	1,428,102	1,428,102
240	WEAPONS MAINTENANCE .....	995,762	950,762
	Restoration of Congressional mark .....		[-45,000]
250	OTHER WEAPON SYSTEMS SUPPORT .....	524,008	524,008
260	ENTERPRISE INFORMATION .....	1,229,056	1,184,056
	Program decrease .....		[-25,000]
	Restoration of Congressional mark .....		[-20,000]
270	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	3,453,099	3,427,045
	Program increase for additional facility requirements .....		[63,946]
	Realignment to Shipyard Infrastructure Optimization Plan .....		[-90,000]
280	BASE OPERATING SUPPORT .....	4,627,966	4,603,966
	Restoration of Congressional mark .....		[-24,000]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>40,701,322</b>	<b>40,064,639</b>
	<b>MOBILIZATION</b>		
290	SHIP PREPOSITIONING AND SURGE .....	849,993	657,900
	Realignment to National Defense Sealift Fund .....		[-314,193]
	Restoration of Congressional mark .....		[-20,000]
	Strategic sealift (MSC surge) annual operating result loss .....		[57,000]
	Surge sealift readiness .....		[85,100]
300	READY RESERVE FORCE .....	436,029	376,029
	Acquisition and conversion of additional used vessels .....		[60,000]
	Realignment to National Defense Sealift Fund .....		[-120,000]
310	SHIP ACTIVATIONS/INACTIVATIONS .....	286,416	258,416
	Restoration of Congressional mark .....		[-28,000]
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	99,402	42,190
	Realignment to National Defense Sealift Fund .....		[-57,212]
330	COAST GUARD SUPPORT .....	25,235	25,235
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,697,075</b>	<b>1,359,770</b>



**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>TRAINING AND RECRUITING</b>			
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	930,641
	Restoration of Congressional mark .....		[-17,200]
380	PROFESSIONAL DEVELOPMENT EDUCATION .....	367,647	369,147
	Sea Cadets .....		[1,500]
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>2,365,862</b>	<b>2,350,162</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
440	ADMINISTRATION .....	1,249,410	1,186,410
	Program decrease .....		[-30,000]
	Restoration of Congressional mark .....		[-33,000]
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
480	SERVICEWIDE TRANSPORTATION .....	165,708	160,614
	Unjustified funding for Dynamic Force Employment .....		[-5,094]
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT .....	519,716	519,716
510	ACQUISITION, LOGISTICS, AND OVERSIGHT .....	751,184	690,564
	Transfer to DAWDF—reversal of DWR transfers .....		[-60,620]
520	INVESTIGATIVE AND SECURITY SERVICES .....	747,519	736,519
	Restoration of Congressional mark .....		[-11,000]
625	CLASSIFIED PROGRAMS .....	608,670	608,670
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,928,483</b>	<b>4,788,769</b>
<b>UNDISTRIBUTED</b>			
770	UNDISTRIBUTED .....		-71,900
	Foreign Currency adjustments .....		[-48,500]
	Historical unobligated balances .....		[-23,400]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-71,900</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY ..</b>	<b>49,692,742</b>	<b>48,491,440</b>
<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>			
<b>OPERATING FORCES</b>			
010	OPERATIONAL FORCES .....	941,143	527,743
	Transfer to OCO .....		[-400,000]
	Unjustified funding for Dynamic Force Employment .....		[-13,400]
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	955,434
	Program increase for additional facility requirements .....		[17,371]
070	BASE OPERATING SUPPORT .....	2,264,680	2,360,680
	Program increase .....		[96,000]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>5,948,179</b>	<b>5,648,150</b>
<b>TRAINING AND RECRUITING</b>			
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>889,182</b>	<b>889,182</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
160	SERVICEWIDE TRANSPORTATION .....	32,005	32,005
170	ADMINISTRATION .....	399,363	399,363

**SEC. 4301. OPERATION AND MAINTENANCE**  
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<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
215	CLASSIFIED PROGRAMS .....	59,878	59,878
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>491,246</b>	<b>491,246</b>
	<b>UNDISTRIBUTED</b>		
230	UNDISTRIBUTED .....		-19,700
	Foreign Currency adjustments .....		[-13,400]
	Historical unobligated balances .....		[-6,300]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-19,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MA- RINE CORPS .....</b>	<b>7,328,607</b>	<b>7,008,878</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
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	49,665
	Program increase for additional facility requirements .....		[903]
120	BASE OPERATING SUPPORT .....	103,580	103,580
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>1,106,177</b>	<b>1,107,080</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>20,869</b>	<b>20,869</b>
	<b>UNDISTRIBUTED</b>		
190	UNDISTRIBUTED .....		-3,800
	Historical unobligated balances .....		[-3,800]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-3,800</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES .....</b>	<b>1,127,046</b>	<b>1,124,149</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES .....	104,616	104,616
020	DEPOT MAINTENANCE .....	17,053	17,053
030	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	41,412	42,179
	Program increase for additional facility requirements .....		[767]
040	BASE OPERATING SUPPORT .....	107,773	107,773
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>270,854</b>	<b>271,621</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	ADMINISTRATION .....	13,802	13,802
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>13,802</b>	<b>13,802</b>
	<b>UNDISTRIBUTED</b>		
70	UNDISTRIBUTED .....		-700
	Historical unobligated balances .....		[-700]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RE- SERVE .....</b>	<b>284,656</b>	<b>284,723</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	731,511	733,181
	A-10 retention .....		[1,670]
020	COMBAT ENHANCEMENT FORCES .....	1,275,485	1,275,485
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	1,437,095	1,449,525
	A-10 retention .....		[12,430]

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....		154,260
	A-10 retention .....		[81,460]
	KC-135 and KC-10 aircraft retention .....		[72,800]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	3,241,216	3,301,238
	Program increase for additional facility requirements .....		[60,022]
060	CYBERSPACE SUSTAINMENT .....	235,816	235,816
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	1,508,342	1,508,342
080	FLYING HOUR PROGRAM .....	4,458,457	4,511,317
	A-10 retention .....		[52,860]
090	BASE SUPPORT .....	7,497,288	7,487,088
	Unjustified funding for Dynamic Force Employment .....		[-10,200]
100	GLOBAL C3I AND EARLY WARNING .....	849,842	849,842
110	OTHER COMBAT OPS SPT PROGRAMS .....	1,067,055	820,725
	Realignment from Base to OCO .....		[-246,330]
120	CYBERSPACE ACTIVITIES .....	698,579	693,579
	Program decrease .....		[-5,000]
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	314,524
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
235	CLASSIFIED PROGRAMS .....	1,289,339	1,289,339
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>25,815,885</b>	<b>25,835,597</b>
<b>MOBILIZATION</b>			
240	AIRLIFT OPERATIONS .....	1,350,031	1,110,031
	Realignment from Base to OCO .....		[-240,000]
250	MOBILIZATION PREPAREDNESS .....	647,168	647,168
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,997,199</b>	<b>1,757,199</b>
<b>TRAINING AND RECRUITING</b>			
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	155,065
340	EXAMINING .....	4,474	4,474
350	OFF-DUTY AND VOLUNTARY EDUCATION .....	219,349	219,349
360	CIVILIAN EDUCATION AND TRAINING .....	361,570	371,570
	Sustainment Workforce Development Program increase .....		[10,000]
370	JUNIOR ROTC .....	72,126	72,126
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>2,526,154</b>	<b>2,536,154</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
380	LOGISTICS OPERATIONS .....	672,426	672,426
390	TECHNICAL SUPPORT ACTIVITIES .....	145,130	103,070
	Transfer to DAWDF—reversal of DWR transfers .....		[-42,060]
400	ADMINISTRATION .....	851,251	851,251
410	SERVICEWIDE COMMUNICATIONS .....	28,554	28,554
420	OTHER SERVICEWIDE ACTIVITIES .....	1,188,414	1,183,814
	Program Decrease .....		[-4,600]
430	CIVIL AIR PATROL .....	28,772	43,215
	Program increase .....		[14,443]
450	INTERNATIONAL SUPPORT .....	158,803	158,803
455	CLASSIFIED PROGRAMS .....	1,338,009	1,338,009
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,411,359</b>	<b>4,379,142</b>
<b>UNDISTRIBUTED</b>			
550	UNDISTRIBUTED .....		-72,700
	Foreign Currency adjustments .....		[-39,400]
	Historical unobligated balances .....		[-33,300]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-72,700</b>

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b> .....			
		<b>34,750,597</b>	<b>34,435,392</b>
<b>OPERATION &amp; MAINTENANCE, SPACE FORCE OPERATING FORCES</b>			
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	1,060,969
	Program decrease .....		[-3,000]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>2,398,771</b>	<b>2,395,771</b>
<b>ADMINISTRATION AND SERVICE WIDE ACTIVITIES</b>			
090	ADMINISTRATION .....	132,523	132,523
	<b>SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES</b> .....	<b>132,523</b>	<b>132,523</b>
<b>UNDISTRIBUTED</b>			
110	UNDISTRIBUTED .....		-2,400
	Historical unobligated balances .....		[-2,400]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-2,400</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, SPACE FORCE</b> .....			
		<b>2,531,294</b>	<b>2,525,894</b>
<b>OPERATION &amp; MAINTENANCE, AF RESERVE OPERATING FORCES</b>			
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	476,096
	KC-135 and KC-10 aircraft retention .....		[22,200]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	103,414	105,329
	Program increase for additional facility requirements .....		[1,915]
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
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>3,234,239</b>	<b>3,258,354</b>
<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>			
080	ADMINISTRATION .....	74,258	74,258
090	RECRUITING AND ADVERTISING .....	23,121	23,121
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
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b> .....	<b>116,045</b>	<b>116,045</b>
<b>UNDISTRIBUTED</b>			
130	UNDISTRIBUTED .....		-9,100
	Historical unobligated balances .....		[-9,100]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-9,100</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b> .....			
		<b>3,350,284</b>	<b>3,365,299</b>
<b>OPERATION &amp; MAINTENANCE, ANG OPERATING FORCES</b>			
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	1,153,919
	KC-135 aircraft retention .....		[15,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	323,605	359,598
	Installation recovery .....		[30,000]
	Program increase for additional facility requirements .....		[5,993]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	1,100,828	1,100,828

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<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
060	BASE SUPPORT .....	962,438	962,438
070	CYBERSPACE SUSTAINMENT .....	27,028	27,028
080	CYBERSPACE ACTIVITIES .....	16,380	16,380
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,656,728</b>	<b>6,707,721</b>
	<b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>		
090	ADMINISTRATION .....	48,218	48,218
100	RECRUITING AND ADVERTISING .....	48,696	48,696
	<b>SUBTOTAL ADMINISTRATION AND SERVICE- WIDE ACTIVITIES .....</b>	<b>96,914</b>	<b>96,914</b>
	<b>UNDISTRIBUTED</b>		
110	UNDISTRIBUTED .....		-13,300
	Historical unobligated balances .....		[-13,300]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-13,300</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG ....</b>	<b>6,753,642</b>	<b>6,791,335</b>
	<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>		
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	1,069,971
050	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVI- TIES .....	9,800	9,800
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE .....	561,907	556,907
	Unjustified growth .....		[-5,000]
070	SPECIAL OPERATIONS COMMAND MAINTENANCE .....	685,097	680,097
	Program decrease .....		[-5,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPER- ATIONAL 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	2,598,385
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>7,146,446</b>	<b>7,136,446</b>
	<b>TRAINING AND RECRUITING</b>		
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>291,948</b>	<b>291,948</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
160	CIVIL MILITARY PROGRAMS .....	147,993	167,993
	Program increase—STARBASE .....		[20,000]
180	DEFENSE CONTRACT AUDIT AGENCY .....	604,835	636,565
	Restoration of DWR reductions .....		[31,730]
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER .....	3,282	3,282
210	DEFENSE CONTRACT MANAGEMENT AGENCY .....	1,370,681	1,445,781
	Restoration of DWR reductions .....		[75,100]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER .....	22,532	22,532
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGEN- CY .....	949,008	949,008
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGEN- CY—CYBER .....	9,577	9,577
260	DEFENSE HUMAN RESOURCES ACTIVITY .....	799,952	813,356
	Defense Flagship Language and Project Global Officer program increase .....		[13,404]
270	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER .....	20,806	20,806
280	DEFENSE INFORMATION SYSTEMS AGENCY .....	1,883,190	1,871,590
	JRSS program decrease .....		[-11,600]
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER .....	582,639	582,639
330	DEFENSE LEGAL SERVICES AGENCY .....	37,637	37,637
340	DEFENSE LOGISTICS AGENCY .....	382,084	412,084
	Maternity Uniform Pilot Program .....		[10,000]
	Program increase—PTAP .....		[20,000]
350	DEFENSE MEDIA ACTIVITY .....	196,997	205,997
	Stars and Stripes .....		[9,000]
360	DEFENSE PERSONNEL ACCOUNTING AGENCY .....	129,225	129,225

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<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
370	DEFENSE SECURITY COOPERATION AGENCY .....	598,559	598,559
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	2,991,429
	Impact Aid .....		[40,000]
	Impact Aid for children with disabilities .....		[10,000]
450	MISSILE DEFENSE AGENCY .....	505,858	505,858
480	OFFICE OF ECONOMIC ADJUSTMENT .....	40,272	129,272
	Defense Community Infrastructure Program .....		[50,000]
	Guam Public Health Laboratory .....		[19,000]
	Restoration of DWR reduction .....		[20,000]
490	OFFICE OF THE SECRETARY OF DEFENSE .....	1,540,446	1,619,446
	Additional FTEs, Office of the Deputy Assistant Secretary for Environment .....		[2,000]
	Additional FTEs, Office of the Deputy Assistant Secretary for Facilities Management .....		[2,000]
	Basic needs allowance .....		[50,000]
	JASON scientific advisory group .....		[3,000]
	National Security Commission on Artificial Intelligence (NSCAI) .....		[2,500]
	Program decrease .....		[-15,500]
	Program increase—Readiness and Environmental Protection Initiative .....		[25,000]
	Undersecretary of Defense for Intelligence and Security, medical intelligence improvements .....		[10,000]
500	OFFICE OF THE SECRETARY OF DEFENSE—CYBER .....	51,630	51,630
510	SPACE DEVELOPMENT AGENCY .....	48,166	36,166
	Reduction for studies .....		[-7,000]
	Unjustified growth .....		[-5,000]
530	WASHINGTON HEADQUARTERS SERVICES .....	340,291	340,291
535	CLASSIFIED PROGRAMS .....	17,348,749	17,348,749
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>31,210,685</b>	<b>31,584,319</b>
	<b>UNDISTRIBUTED</b>		
600	UNDISTRIBUTED .....		-88,000
	Foreign Currency adjustments .....		[-18,700]
	Historical unobligated balances .....		[-69,300]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-88,000</b>
	<b>TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE</b> .....	<b>38,649,079</b>	<b>38,924,713</b>
	<b>US COURT OF APPEALS FOR ARMED FORCES, DEF ADMINISTRATION AND ASSOCIATED ACTIVITIES</b>		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DE- FENSE .....	15,211	15,211
	<b>SUBTOTAL ADMINISTRATION AND ASSOCI- ATED ACTIVITIES</b> .....	<b>15,211</b>	<b>15,211</b>
	<b>TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF</b> .....	<b>15,211</b>	<b>15,211</b>
	<b>DOD ACQUISITION WORKFORCE DEVELOPMENT FUND</b>		
	<b>ACQUISITION WORKFORCE DEVELOPMENT</b>		
010	ACQ WORKFORCE DEV FD .....	58,181	198,501
	Transfer from services—reversal of DWR transfers .....		[140,320]
	<b>SUBTOTAL ACQUISITION WORKFORCE DEVEL- OPMENT</b> .....	<b>58,181</b>	<b>198,501</b>
	<b>TOTAL DOD ACQUISITION WORKFORCE DE- VELOPMENT FUND</b> .....	<b>58,181</b>	<b>198,501</b>
	<b>OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID</b>		
	<b>HUMANITARIAN ASSISTANCE</b>		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....	109,900	109,900
	<b>SUBTOTAL HUMANITARIAN ASSISTANCE</b> .....	<b>109,900</b>	<b>109,900</b>

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
	<b>TOTAL OVERSEAS HUMANITARIAN, DIS- ASTER, AND CIVIC AID .....</b>	<b>109,900</b>	<b>109,900</b>
	<b>COOPERATIVE THREAT REDUCTION ACCOUNT</b>		
	<b>COOPERATIVE THREAT REDUCTION</b>		
010	COOPERATIVE THREAT REDUCTION .....	238,490	373,690
	Restoration of funding .....		[135,200]
	<b>SUBTOTAL COOPERATIVE THREAT REDUC- TION .....</b>	<b>238,490</b>	<b>373,690</b>
	<b>TOTAL COOPERATIVE THREAT REDUCTION ACCOUNT .....</b>	<b>238,490</b>	<b>373,690</b>
	<b>ENVIRONMENTAL RESTORATION</b>		
	<b>DEPARTMENT OF THE ARMY</b>		
050	ENVIRONMENTAL RESTORATION, ARMY .....	207,518	207,518
	<b>SUBTOTAL DEPARTMENT OF THE ARMY .....</b>	<b>207,518</b>	<b>207,518</b>
	<b>DEPARTMENT OF THE NAVY</b>		
060	ENVIRONMENTAL RESTORATION, NAVY .....	335,932	335,932
	<b>SUBTOTAL DEPARTMENT OF THE NAVY .....</b>	<b>335,932</b>	<b>335,932</b>
	<b>DEPARTMENT OF THE AIR FORCE</b>		
070	ENVIRONMENTAL RESTORATION, AIR FORCE .....	303,926	303,926
	<b>SUBTOTAL DEPARTMENT OF THE AIR FORCE ...</b>	<b>303,926</b>	<b>303,926</b>
	<b>DEFENSE-WIDE</b>		
080	ENVIRONMENTAL RESTORATION, DEFENSE .....	9,105	9,105
	<b>SUBTOTAL DEFENSE-WIDE .....</b>	<b>9,105</b>	<b>9,105</b>
	<b>DEFENSE-WIDE</b>		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES ..	216,587	266,587
	Military Munitions Response Program .....		[50,000]
	<b>SUBTOTAL DEFENSE-WIDE .....</b>	<b>216,587</b>	<b>266,587</b>
	<b>TOTAL ENVIRONMENTAL RESTORATION .....</b>	<b>1,073,068</b>	<b>1,123,068</b>
	<b>UNDISTRIBUTED</b>		
010	UNDISTRIBUTED .....		-1,455,870
	Excessive standard price for fuel .....		[-1,455,870]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-1,455,870</b>
	<b>TOTAL UNDISTRIBUTED .....</b>		<b>-1,455,870</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>196,630,496</b>	<b>193,853,071</b>

**1 SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS**

**2 CONTINGENCY OPERATIONS.**

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	4,114,001	3,789,001
	Drawdown from Operation Freedom's Sentinel .....		[-75,000]
	Unjustified funding for Dynamic Force Employment .....		[-250,000]
030	ECHELONS ABOVE BRIGADE .....	32,811	32,811
040	THEATER LEVEL ASSETS .....	2,542,760	2,102,760
	Drawdown from Operation Freedom's Sentinel .....		[-440,000]
050	LAND FORCES OPERATIONS SUPPORT .....	162,557	122,557
	Drawdown from Operation Freedom's Sentinel .....		[-40,000]
060	AVIATION ASSETS .....	204,396	179,572
	Drawdown from Operation Freedom's Sentinel .....		[-24,824]
070	FORCE READINESS OPERATIONS SUPPORT .....	5,716,734	4,716,734

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
	<i>Drawdown from Operation Freedom's Sentinel</i> .....		[-1,000,000]
080	LAND FORCES SYSTEMS READINESS .....	180,048	140,048
	<i>Drawdown from Operation Freedom's Sentinel</i> .....		[-40,000]
090	LAND FORCES DEPOT MAINTENANCE .....	81,125	81,125
100	BASE OPERATIONS SUPPORT .....	219,029	219,029
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...	301,017	301,017
130	ADDITIONAL ACTIVITIES .....	966,649	782,649
	<i>Drawdown from Operation Freedom's Sentinel</i> .....		[-184,000]
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM .....	2,500	2,500
150	RESET .....	403,796	803,796
	<i>Retrograde from Operation Freedom's Sentinel</i> .....		[400,000]
160	US AFRICA COMMAND .....	100,422	100,422
170	US EUROPEAN COMMAND .....	120,043	120,043
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS .....	98,461	98,461
210	CYBERSPACE ACTIVITIES—CYBERSECURITY .....	21,256	21,256
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>15,267,605</b>	<b>13,613,781</b>
<b>MOBILIZATION</b>			
230	ARMY PREPOSITIONED STOCKS .....	103,052	103,052
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>103,052</b>	<b>103,052</b>
<b>TRAINING AND RECRUITING</b>			
290	SPECIALIZED SKILL TRAINING .....	89,943	89,943
320	TRAINING SUPPORT .....	2,550	2,550
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>92,493</b>	<b>92,493</b>
<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>			
390	SERVICEWIDE TRANSPORTATION .....	521,090	821,090
	<i>Retrograde from Operation Freedom's Sentinel</i> .....		[300,000]
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
565	CLASSIFIED PROGRAMS .....	895,964	895,964
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>1,674,604</b>	<b>1,974,604</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....	<b>17,137,754</b>	<b>15,783,930</b>
<b>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</b>			
020	ECHELONS ABOVE BRIGADE .....	17,193	17,193
060	FORCE READINESS OPERATIONS SUPPORT .....	440	440
090	BASE OPERATIONS SUPPORT .....	15,766	15,766
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>33,399</b>	<b>33,399</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES ...</b>	<b>33,399</b>	<b>33,399</b>
<b>OPERATION &amp; MAINTENANCE, ARNG OPERATING FORCES</b>			
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
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>79,746</b>	<b>79,746</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
170	SERVICEWIDE COMMUNICATIONS .....	46	46
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>46</b>	<b>46</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG</b> .....	<b>79,792</b>	<b>79,792</b>
<b>AFGHANISTAN SECURITY FORCES FUND AFGHAN NATIONAL ARMY</b>			
010	SUSTAINMENT .....	1,065,932	1,065,932



**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
020	INFRASTRUCTURE .....	64,501	64,501
030	EQUIPMENT AND TRANSPORTATION .....	47,854	47,854
040	TRAINING AND OPERATIONS .....	56,780	56,780
	<b>SUBTOTAL AFGHAN NATIONAL ARMY .....</b>	<b>1,235,067</b>	<b>1,235,067</b>
	<b>AFGHAN NATIONAL POLICE</b>		
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
	<b>SUBTOTAL AFGHAN NATIONAL POLICE .....</b>	<b>602,172</b>	<b>602,172</b>
	<b>AFGHAN AIR FORCE</b>		
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
	<b>SUBTOTAL AFGHAN AIR FORCE .....</b>	<b>835,924</b>	<b>835,924</b>
	<b>AFGHAN SPECIAL SECURITY FORCES UNDISTRIBUTED</b>		
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
	<b>SUBTOTAL AFGHAN SPECIAL SECURITY FORCES .....</b>	<b>1,342,449</b>	<b>1,342,449</b>
170	UNDISTRIBUTED .....		-500,000
	Insufficient justification .....		[-500,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-500,000</b>
	<b>TOTAL AFGHANISTAN SECURITY FORCES FUND ....</b>	<b>4,015,612</b>	<b>3,515,612</b>
	<b>COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b>		
	<b>COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)</b>		
010	IRAQ .....	645,000	500,000
	Program decrease .....		[-145,000]
020	SYRIA .....	200,000	200,000
	<b>SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF) .....</b>	<b>845,000</b>	<b>700,000</b>
	<b>TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF) .....</b>	<b>845,000</b>	<b>700,000</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	382,062	760,856
	Transfer from base .....		[378,794]
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	1,322,441
	Transfer from base .....		[550,000]
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT .....	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

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>10,521,682</b>	<b>11,450,476</b>
	<b>MOBILIZATION</b>		
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	22,589	22,589
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>22,589</b>	<b>22,589</b>
	<b>TRAINING AND RECRUITING</b>		
370	SPECIALIZED SKILL TRAINING .....	53,204	53,204
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>53,204</b>	<b>53,204</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>102,830</b>	<b>102,830</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b> .....	<b>10,700,305</b>	<b>11,629,099</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	727,989	1,127,989
	Transfer from base .....		[400,000]
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
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>1,012,742</b>	<b>1,412,742</b>
	<b>TRAINING AND RECRUITING</b>		
120	TRAINING SUPPORT .....	28,458	28,458
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>28,458</b>	<b>28,458</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
160	SERVICEWIDE TRANSPORTATION .....	61,400	61,400
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>61,400</b>	<b>61,400</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS</b> .....	<b>1,102,600</b>	<b>1,502,600</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
020	INTERMEDIATE MAINTENANCE .....	522	522
030	AIRCRAFT DEPOT MAINTENANCE .....	11,861	11,861
080	COMBAT SUPPORT FORCES .....	9,109	9,109
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>21,492</b>	<b>21,492</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b> ...	<b>21,492</b>	<b>21,492</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES .....	7,627	7,627
040	BASE OPERATING SUPPORT .....	1,080	1,080
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>8,707</b>	<b>8,707</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RE- SERVE</b> .....	<b>8,707</b>	<b>8,707</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	125,551	125,551
020	COMBAT ENHANCEMENT FORCES .....	916,538	978,538
	MQ-9 government owned-contractor operated combat line operations in U.S. Central Command .....		[62,000]
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 & MODERNIZATION ...	147,264	147,264
060	CYBERSPACE SUSTAINMENT .....	10,842	10,842
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT .....	7,187,100	7,187,100

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
080	FLYING HOUR PROGRAM .....	2,031,548	2,031,548
090	BASE SUPPORT .....	1,540,444	1,478,444
	Program decrease .....		[-62,000]
100	GLOBAL C3I AND EARLY WARNING .....	13,709	13,709
110	OTHER COMBAT OPS SPT PROGRAMS .....	345,800	592,130
	Realignment from Base to OCO .....		[246,330]
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
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>16,160,805</b>	<b>16,407,135</b>
	<b>MOBILIZATION</b>		
240	AIRLIFT OPERATIONS .....	1,271,439	1,511,439
	Realignment from Base to OCO .....		[240,000]
250	MOBILIZATION PREPAREDNESS .....	120,866	120,866
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,392,305</b>	<b>1,632,305</b>
	<b>TRAINING AND RECRUITING</b>		
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
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>30,925</b>	<b>30,925</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
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	100,831
450	INTERNATIONAL SUPPORT .....	29,928	29,928
455	CLASSIFIED PROGRAMS .....	34,502	34,502
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>345,985</b>	<b>345,985</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b>	<b>17,930,020</b>	<b>18,416,350</b>
	<b>OPERATION &amp; MAINTENANCE, SPACE FORCE</b>		
	<b>OPERATING FORCES</b>		
020	GLOBAL C3I & EARLY WARNING .....	227	227
030	SPACE LAUNCH OPERATIONS .....	321	321
040	SPACE OPERATIONS .....	15,135	15,135
070	DEPOT MAINTENANCE .....	18,268	18,268
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT .....	43,164	43,164
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>77,115</b>	<b>77,115</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, SPACE FORCE</b>	<b>77,115</b>	<b>77,115</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>		
	<b>OPERATING FORCES</b>		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE .....	24,408	24,408
060	BASE SUPPORT .....	5,682	5,682
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>30,090</b>	<b>30,090</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b>	<b>30,090</b>	<b>30,090</b>
	<b>OPERATION &amp; MAINTENANCE, ANG</b>		
	<b>OPERATING FORCES</b>		
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

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>175,642</b>	<b>175,642</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b> .....	<b>175,642</b>	<b>175,642</b>
	<b>OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>		
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 AC- TIVITIES .....	898,024	893,024
	<i>Maritime Support Vessel</i> .....		[-5,000]
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE .....	1,244,553	1,214,553
	<i>Program decrease</i> .....		[-30,000]
070	SPECIAL OPERATIONS COMMAND MAINTENANCE .....	354,951	354,951
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT .....	104,535	104,535
100	SPECIAL OPERATIONS COMMAND THEATER FORCES .....	757,744	732,744
	<i>Unjustified growth</i> .....		[-25,000]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>3,370,240</b>	<b>3,310,240</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
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	9,555
	<i>Stars and Stripes</i> .....		[6,000]
370	DEFENSE SECURITY COOPERATION AGENCY .....	1,557,763	1,337,763
	<i>Program increase—security cooperation</i> .....		[30,000]
	<i>Transfer to Ukraine Security Assistance</i> .....		[-250,000]
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
535	CLASSIFIED PROGRAMS .....	535,106	535,106
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>2,652,014</b>	<b>2,438,014</b>
	<b>TOTAL OPERATION AND MAINTENANCE, DE- FENSE-WIDE</b> .....	<b>6,022,254</b>	<b>5,748,254</b>
	<b>UKRAINE SECURITY ASSISTANCE</b>		
	<b>UKRAINE SECURITY ASSISTANCE</b>		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE .....		250,000
	<i>Transfer from Defense Security Cooperation Agency</i> .....		[250,000]
	<b>SUBTOTAL UKRAINE SECURITY ASSISTANCE</b> .....		<b>250,000</b>
	<b>TOTAL UKRAINE SECURITY ASSISTANCE</b> .....		<b>250,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>58,179,782</b>	<b>57,972,082</b>

1 **TITLE XLIV—MILITARY**  
2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

**SEC. 4401. MILITARY PERSONNEL**  
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
<b>Military Personnel Appropriations</b> .....	<b>150,524,104</b>	<b>149,384,304</b>
<b>Historical unobligated balances</b> .....		<b>-924,000</b>
<b>Foreign Currency adjustments</b> .....		<b>-169,800</b>
<b>Standardization of payment of hazardous duty in- centive pay</b> .....		<b>50,000</b>

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**SEC. 4401. MILITARY PERSONNEL**  
*(In Thousands of Dollars)*


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<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
<i>Program decrease—Marine Corps .....</i>		<b>-96,000</b>
<i>Medicare-Eligible Retiree Health Fund Contributions .....</i>	<b>8,372,741</b>	<b>8,372,741</b>

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1 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**  
2 **GENCY OPERATIONS.**

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**SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS**  
*(In Thousands of Dollars)*


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<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
<i>Military Personnel Appropriations .....</i>	<b>4,602,593</b>	<b>4,602,593</b>

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3 **TITLE XLV—OTHER**  
4 **AUTHORIZATIONS**

5 **SEC. 4501. OTHER AUTHORIZATIONS.**

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**SEC. 4501. OTHER AUTHORIZATIONS**  
*(In Thousands of Dollars)*


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<i>Item</i>	<i>FY 2021 Request</i>	<i>House Authorized</i>
<b>WORKING CAPITAL FUND, ARMY</b>		
<i>ARMY ARSENALS INITIATIVE .....</i>	32,551	32,551
<i>ARMY SUPPLY MANAGEMENT .....</i>	24,166	24,166
<b>TOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>56,717</b>	<b>56,717</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
<b>WORKING CAPITAL FUND</b>		
<i>WORKING CAPITAL FUND .....</i>	95,712	95,712
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE ..</b>	<b>95,712</b>	<b>95,712</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
<b>WORKING CAPITAL FUND SUPPORT</b>		
<i>WORKING CAPITAL FUND SUPPORT .....</i>	49,821	49,821
<b>TOTAL WORKING CAPITAL FUND, DEFENSE- WIDE .....</b>	<b>49,821</b>	<b>49,821</b>
<b>WORKING CAPITAL FUND, DECA</b>		
<i>WORKING CAPITAL FUND SUPPORT .....</i>	1,146,660	1,146,660
<b>TOTAL WORKING CAPITAL FUND, DECA .....</b>	<b>1,146,660</b>	<b>1,146,660</b>
<b>NATIONAL DEFENSE SEALIFT FUND</b>		
<i>SEALIFT RECAPITALIZATION .....</i>		170,000
<i>Accelerate design of a commercial-based sealift ship .....</i>		[50,000]
<i>Transfer from OMN-300 for acquisition of four used sea- lift vessels .....</i>		[120,000]
<i>SHIP PREPOSITIONING AND SURGE .....</i>		314,193
<i>Transfer from OMN-290 .....</i>		[314,193]
<i>EXPEDITIONARY HEALTH SERVICES .....</i>		57,212
<i>Transfer from OMN-320 .....</i>		[57,212]
<b>TOTAL NATIONAL DEFENSE SEALIFT FUND .....</b>		<b>541,405</b>
<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		

**SEC. 4501. OTHER AUTHORIZATIONS**  
(In Thousands of Dollars)

<i>Item</i>	<b>FY 2021 Request</b>	<b>House Authorized</b>
CHEM DEMILITARIZATION—O&M .....	106,691	101,691
Program decrease .....		[-5,000]
CHEM DEMILITARIZATION—RDT&E .....	782,193	774,193
Program decrease .....		[-8,000]
CHEM DEMILITARIZATION—PROC .....	616	616
<b>TOTAL CHEM AGENTS &amp; MUNITIONS DE-     STRUCTION</b> .....	<b>889,500</b>	<b>876,500</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
COUNTER-NARCOTICS SUPPORT .....	546,203	546,203
DRUG DEMAND REDUCTION PROGRAM .....	123,704	123,704
NATIONAL GUARD COUNTER-DRUG PROGRAM .....	94,211	94,211
NATIONAL GUARD COUNTER-DRUG SCHOOLS .....	5,511	5,511
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG AC-     TIVITIES, DEF</b> .....	<b>769,629</b>	<b>769,629</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OFFICE OF THE INSPECTOR GENERAL .....	368,279	384,536
Additional oversight of coronavirus relief .....		[16,257]
<b>OFFICE OF THE INSPECTOR GENERAL—CYBER</b>		
OFFICE OF THE INSPECTOR GENERAL—CYBER .....	1,204	1,204
OFFICE OF THE INSPECTOR GENERAL—RDTE .....	1,098	1,098
OFFICE OF THE INSPECTOR GENERAL—PROCUREMENT .....	858	858
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b> .....	<b>371,439</b>	<b>387,696</b>
<b>DEFENSE HEALTH PROGRAM</b>		
IN-HOUSE CARE .....	9,560,564	9,565,564
Program decrease .....		[-31,000]
Reverse DWR savings from downsizing MTFs .....		[36,000]
PRIVATE SECTOR CARE .....	15,841,887	15,841,887
CONSOLIDATED HEALTH SUPPORT .....	1,338,269	1,348,269
Global Emerging Infectious Surveillance Program .....		[10,000]
INFORMATION MANAGEMENT .....	2,039,910	2,039,910
MANAGEMENT ACTIVITIES .....	330,627	330,627
EDUCATION AND TRAINING .....	315,691	341,691
Health Professions Scholarship Program .....		[10,000]
Restoring funding for Tri-Service Nursing Research Pro- gram within USUHS .....		[6,000]
Reverse DWR cuts to USUHS .....		[10,000]
BASE OPERATIONS/COMMUNICATIONS .....	1,922,605	1,927,605
Medical Surge Partnership Pilot .....		[5,000]
R&D RESEARCH .....	8,913	8,913
R&D EXPLORATORY DEVELOPMENT .....	73,984	73,984
R&D ADVANCED DEVELOPMENT .....	225,602	225,602
R&D DEMONSTRATION/VALIDATION .....	132,331	132,331
R&D ENGINEERING DEVELOPMENT .....	55,748	70,748
Freeze-dried platelets .....		[15,000]
R&D MANAGEMENT AND SUPPORT .....	48,672	48,672
R&D CAPABILITIES ENHANCEMENT .....	17,215	17,215
PROC INITIAL OUTFITTING .....	22,932	22,932
PROC REPLACEMENT & MODERNIZATION .....	215,618	215,618
PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER .....	70,872	70,872
PROC DOD HEALTHCARE MANAGEMENT SYSTEM MOD- ERNIZATION .....	308,504	308,504
SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS .....	160,428	160,428
UNDISTRIBUTED .....		-9,800
Foreign Currency adjustments .....		[-9,800]
<b>TOTAL DEFENSE HEALTH PROGRAM</b> .....	<b>32,690,372</b>	<b>32,741,572</b>
<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>36,069,850</b>	<b>36,665,712</b>

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**  
 2 **TINGENCY OPERATIONS.**

<b>SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS</b> (In Thousands of Dollars)		
<i>Item</i>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>WORKING CAPITAL FUND, ARMY</b>		
<b>ARMY ARSENALS INITIATIVE</b>		
ARMY SUPPLY MANAGEMENT .....	20,090	20,090
<b>TOTAL WORKING CAPITAL FUND, ARMY .....</b>	<b>20,090</b>	<b>20,090</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OFFICE OF THE INSPECTOR GENERAL .....	24,069	24,069
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL .....</b>	<b>24,069</b>	<b>24,069</b>
<b>DEFENSE HEALTH PROGRAM</b>		
IN-HOUSE CARE .....	65,072	65,072
PRIVATE SECTOR CARE .....	296,828	296,828
CONSOLIDATED HEALTH SUPPORT .....	3,198	3,198
<b>TOTAL DEFENSE HEALTH PROGRAM .....</b>	<b>365,098</b>	<b>365,098</b>
<b>TOTAL OTHER AUTHORIZATIONS .....</b>	<b>409,257</b>	<b>409,257</b>

3 **TITLE XLVI—MILITARY**  
 4 **CONSTRUCTION**

5 **SEC. 4601. MILITARY CONSTRUCTION.**

<b>SEC. 4601. MILITARY CONSTRUCTION</b> (In Thousands of Dollars)				
<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
	<i>Alaska</i>			
Army	Fort Wainwright	Child Development Center .....	0	32,500
Army	Fort Wainwright	Unaccompanied Enlisted Personnel Housing .....	0	59,000
	<i>Arizona</i>			
Army	Yuma Proving Ground	Ready Building .....	14,000	14,000
	<i>Colorado</i>			
Army	Fort Carson, Colorado	Physical Fitness Facility .....	28,000	28,000
	<i>Georgia</i>			
Army	Fort Gillem	Forensic Laboratory .....	71,000	71,000
Army	Fort Gordon	Adv Individual Training Barracks Cplc, Ph3 .....	80,000	80,000
	<i>Hawaii</i>			
Army	Fort Shafter	Child Development Center—School Age .....	0	26,000
Army	Schofield Barracks	Child Development Center .....	0	39,000
Army	Wheeler Army Air Field	Aircraft Maintenance Hangar .....	89,000	89,000
	<i>Louisiana</i>			
Army	Fort Polk, Louisiana	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, Incr2 .....	38,000	0
	<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	Host Nation Support .....	39,000	39,000
Army	Unspecified Worldwide Locations	Planning and Design .....	129,436	69,436
Army	Unspecified Worldwide Locations	Unspecified Minor Construction .....	50,900	50,900
	<i>Military Construction, Army Total .....</i>		<b>650,336</b>	<b>715,836</b>

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
	Arizona			
Navy	Yuma	Bachelor Enlisted Quarters Replacement .....	0	59,600
	Bahrain Island			
Navy	SW Asia	Ship to Shore Utility Services .....	68,340	68,340
	California			
Navy	Camp Pendleton, California	1st MARDIV Operations Complex .....	68,530	68,530
Navy	Camp Pendleton, California	I MEF Consolidated Information Center (Inc) .....	37,000	37,000
Navy	Lemoore	F-35C Hangar 6 Phase 2 (Mod 3/4) .....	128,070	98,070
Navy	Lemoore	F-35C Simulator Facility & Electrical Upgrade .....	59,150	59,150
Navy	San Diego	Pier 6 Replacement .....	128,500	98,500
Navy	Twentynine Palms, California	Wastewater Treatment Plant .....	76,500	76,500
	Greece			
Navy	Souda Bay	Communication Center .....	50,180	50,180
	Guam			
Navy	Andersen AFB	Ordnance Operations Admin .....	21,280	21,280
Navy	Joint Region Marianas	Bachelor Enlisted Quarters H (Inc) .....	80,000	0
Navy	Joint Region Marianas	Base Warehouse .....	55,410	55,410
Navy	Joint Region Marianas	Central Fuel Station .....	35,950	35,950
Navy	Joint Region Marianas	Central Issue Facility .....	45,290	45,290
Navy	Joint Region Marianas	Combined EOD Facility .....	37,600	37,600
Navy	Joint Region Marianas	DAR Bridge Improvements .....	40,180	40,180
Navy	Joint Region Marianas	DAR Road Strengthening .....	70,760	70,760
Navy	Joint Region Marianas	Distribution Warehouse .....	77,930	77,930
Navy	Joint Region Marianas	Individual Combat Skills Training .....	17,430	17,430
Navy	Joint Region Marianas	Joint Communication Upgrade .....	166,000	22,000
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improve, Wharves S1,S11-13,S20-21 .....	48,990	48,990
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improvements Wharves S8-S10 .....	65,910	65,910
	Japan			
Navy	Yokosuka	Pier 5 (Berths 2 and 3) (Inc) .....	74,692	0
	Maine			
Navy	Kittery	Multi-Mission Drydock #1 Exten., Ph 1 (Inc) .....	160,000	160,000
	Nevada			
Navy	Fallon	Range Training Complex, Phase 1 .....	29,040	29,040
	North Carolina			
Navy	Camp Lejeune, North Carolina	II MEF Operations Center Replacement (Inc) .....	20,000	20,000
	Spain			
Navy	Rota	MH-60r Squadron Support Facilities .....	60,110	60,110
	Virginia			
Navy	Norfolk	E-2D Training Facility .....	30,400	30,400
Navy	Norfolk	MH60 & CMV-22B Corrosion Control & Paint Fac ..	17,671	17,671
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design .....	165,710	160,710
Navy	Unspecified Worldwide Locations	Planning & Design—Indo-Pacific Command Posture Initiatives.	0	5,000
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction .....	38,983	38,983
	<b>Military Construction, Navy Total</b> .....		<b>1,975,606</b>	<b>1,676,514</b>
	California			
AF	Edwards AFB	Flight Test Engineering Laboratory Complex .....	0	40,000
	Colorado			
AF	Schriever AFB	Consolidated Space Operations Facility, Inc 2 .....	88,000	88,000
	Florida			
AF	Eglin	Advanced Munitions Technology Complex .....	0	35,000
	Guam			
AF	Joint Region Marianas	Stand Off Weapons Complex, MSA 2 .....	56,000	56,000
	Illinois			
AF	Scott	Add/Alter Consolidated Communications Facility .....	0	3,000
	Mariana Islands			
AF	Tinian	Airfield Development Phase 1, Inc 2 .....	20,000	0
AF	Tinian	Fuel Tanks With Pipeline & Hydrant Sys, Inc 2 .....	7,000	0
AF	Tinian	Parking Apron, Inc 2 .....	15,000	0
	Maryland			
AF	Joint Base Andrews	Consolidated Communications Center .....	0	13,000
	Montana			
AF	Malmstrom AFB	Weapons Storage & Maintenance Facility, Inc 2 .....	25,000	0
	New Jersey			
AF	Joint Base McGuire-Dix-Lakehurst	Munitions Storage Area .....	22,000	22,000



**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
	<i>Qatar</i>			
AF	Al Udeid, Qatar	Cargo Marshalling Yard .....	26,000	26,000
	<i>Texas</i>			
AF	Joint Base San Antonio	BMT Recruit Dormitory 8, Inc 2 .....	36,000	36,000
AF	Joint Base San Antonio	T-X ADAL Ground Based Trng Sys Sim .....	19,500	19,500
	<i>Utah</i>			
AF	Hill AFB	GBSD Mission Integration Facility, Inc 2 .....	68,000	68,000
	<i>Virginia</i>			
AF	Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq .....	19,500	19,500
	<i>Worldwide Unspecified</i>			
AF	Unspecified Worldwide Locations	Planning & Design .....	296,532	149,649
AF	Unspecified Worldwide Locations	Planning & Design—Indo-Pacific Command Posture Initiatives.	0	5,000
AF	Unspecified Worldwide Locations	Unspecified Minor Construction .....	68,600	68,600
	<i>Wyoming</i>			
AF	FE Warren	Weapons Storage Facility .....	0	12,000
	<i>Military Construction, Air Force Total</i>		767,132	661,249
	<i>Alabama</i>			
Def-Wide	Anniston Army Depot	Demilitarization Facility .....	18,000	18,000
Def-Wide	Fort Rucker	Construct 10mw Generation & Microgrid .....	0	24,000
	<i>Alaska</i>			
Def-Wide	Fort Greely	Communications Center .....	48,000	48,000
	<i>Arizona</i>			
Def-Wide	Fort Huachuca	Laboratory Building .....	33,728	33,728
Def-Wide	Yuma	SOF Hangar .....	49,500	49,500
	<i>Arkansas</i>			
Def-Wide	Fort Smith ANG	PV Arrays and Battery Storage .....	0	2,600
	<i>California</i>			
Def-Wide	Beale AFB	Bulk Fuel Tank .....	22,800	22,800
Def-Wide	Marine Corps Air Combat Center / Twenty Nine Palms	Install 10 Mw Battery Energy Storage for Various Buildings.	11,646	11,646
Def-Wide	Military Ocean Terminal	Military Ocean Terminal Concord Microgrid .....	29,000	29,000
Def-Wide	NAWS China Lake	Solar Energy Storage System .....	0	8,950
Def-Wide	NSA Monterey	Cogeneration Plant at B236 .....	10,540	10,540
	<i>Colorado</i>			
Def-Wide	Fort Carson, Colorado	SOF Tactical Equipment Maintenance Facility .....	15,600	15,600
	<i>Conus Unspecified</i>			
Def-Wide	Conus Unspecified	Training Target Structure .....	14,400	14,400
	<i>District of Columbia</i>			
Def-Wide	Joint Base Anacostia Bolling	Industrial Controls System Modernization .....	0	8,749
Def-Wide	Joint Base Anacostia Bolling	Industrial Controls System Modernization .....	10,343	10,343
Def-Wide	Joint Base Anacostia Bolling	PV Carports .....	0	25,221
	<i>Florida</i>			
Def-Wide	Hurlburt Field	SOF Combat Aircraft Parking Apron-North .....	38,310	38,310
Def-Wide	Hurlburt Field	SOF Special Tactics Ops Facility (23 STS) .....	44,810	44,810
	<i>Georgia</i>			
Def-Wide	Fort Benning	Construct 4.8mw Generation & Microgrid .....	0	17,000
	<i>Germany</i>			
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Inc 9 .....	200,000	200,000
	<i>Italy</i>			
Def-Wide	NSA Naples	Smart Grid—NSA Naples .....	3,490	3,490
	<i>Japan</i>			
Def-Wide	Def Fuel Support Point Tsurumi	Fuel Wharf .....	49,500	49,500
Def-Wide	Yokosuka	Kinnick High School Inc .....	30,000	0
	<i>Kentucky</i>			
Def-Wide	Fort Knox	Van Voorhis Elementary School .....	69,310	69,310
	<i>Maryland</i>			
Def-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration Incr 4 .....	180,000	100,000
Def-Wide	Fort Meade	NSAW Recapitalize Building #3 Inc .....	250,000	250,000
Def-Wide	NSA Bethesda	Nsab-16 Replace Chillers 3 Through 9 .....	0	13,840
Def-Wide	NSA South Potomac	CBIRF/IHEODTD/Housing Potable Water .....	18,460	18,460
	<i>Missouri</i>			
Def-Wide	Fort Leonard Wood	Hospital Replacement Inc 3 .....	40,000	40,000
Def-Wide	St Louis	Next NGA West (N2W) Complex Phase 2 Inc .....	119,000	119,000
Def-Wide	Whiteman AFB	Install 10 Mw Combined Heat and Power Plant .....	17,310	17,310

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
	<i>Nevada</i>			
Def-Wide	Creech AFB	Central Standby Generators .....	32,000	32,000
	<i>New Mexico</i>			
Def-Wide	Kirtland AFB	Administrative Building .....	46,600	46,600
	<i>North Carolina</i>			
Def-Wide	Fort Bragg	SOF Group Headquarters .....	53,100	53,100
Def-Wide	Fort Bragg	SOF Military Working Dog Facility .....	17,700	17,700
Def-Wide	Fort Bragg	SOF Operations Facility .....	43,000	43,000
Def-Wide	Fort Bragg	SOTF Chilled Water Upgrade .....	0	6,100
	<i>Ohio</i>			
Def-Wide	Wright-Patterson AFB	Construct Intelligence Facility Central Utility Plant	0	35,000
Def-Wide	Wright-Patterson AFB	Hydrant Fuel System .....	23,500	23,500
	<i>Tennessee</i>			
Def-Wide	Memphis ANG	PV Arrays and Battery Storage .....	0	4,780
	<i>Texas</i>			
Def-Wide	Fort Hood, Texas	Fuel Facilities .....	32,700	32,700
	<i>Virginia</i>			
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Des Operations Fac. and Command Center .....	54,500	54,500
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF NSWG-2 Nswtg Csq Facilities .....	58,000	58,000
Def-Wide	Nmc Portsmouth / Portsmouth	Retrofit Air Handling Units From Constant Volume Reheat to Variable Air Volume.	611	611
Def-Wide	Wallaps Island	Wallaps Generation and Distribution Resiliency Improvements.	9,100	9,100
	<i>Washington</i>			
Def-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis Main) .....	10,900	10,900
Def-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis North) .....	10,900	10,900
Def-Wide	Manchester	Bulk Fuel Storage Tanks Phase 1 .....	82,000	82,000
	<i>Worldwide Unspecified</i>			
Def-Wide	Unspecified Worldwide Locations	ERCIP Design .....	14,250	24,250
Def-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction .....	5,840	5,840
Def-Wide	Unspecified Worldwide Locations	Planning and Design .....	48,696	48,696
Def-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction .....	53,620	53,620
Def-Wide	Various Worldwide Locations	Planning and Design .....	97,030	97,030
Def-Wide	Various Worldwide Locations	Unspecified Minor Construction .....	9,726	9,726
	<i>Military Construction, Defense-Wide Total .....</i>		<i>2,027,520</i>	<i>2,073,760</i>
	<i>Worldwide Unspecified</i>			
NATO	NATO Security Investment Program	NATO Security Investment Program .....	173,030	173,030
	<i>NATO Security Investment Program Total .....</i>		<i>173,030</i>	<i>173,030</i>
	<i>Arizona</i>			
Army NG	Tucson	National Guard Readiness Center .....	18,100	18,100
	<i>Colorado</i>			
Army NG	Peterson AFB	National Guard Readiness Center .....	15,000	15,000
	<i>Indiana</i>			
Army NG	Shelbyville	National Guard/Reserve Center Building Add/Al .....	12,000	12,000
	<i>Kentucky</i>			
Army NG	Frankfort	National Guard/Reserve Center Building .....	15,000	15,000
	<i>Mississippi</i>			
Army NG	Brandon	National Guard Vehicle Maintenance Shop .....	10,400	10,400
	<i>Nebraska</i>			
Army NG	North Platte	National Guard Vehicle Maintenance Shop .....	9,300	9,300
	<i>New Jersey</i>			
Army NG	Joint Base McGuire-Dix-Lakehurst	National Guard Readiness Center .....	15,000	15,000
	<i>Ohio</i>			
Army NG	Columbus	National Guard Readiness Center .....	15,000	15,000
	<i>Oregon</i>			
Army NG	Hermiston	Enlisted Barracks, Transient Training .....	9,300	25,035
	<i>Puerto Rico</i>			
Army NG	Fort Allen	National Guard Readiness Center .....	37,000	37,000
	<i>South Carolina</i>			
Army NG	Joint Base Charleston	National Guard Readiness Center .....	15,000	15,000

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
	<i>Tennessee</i>			
Army NG	Mcminville	National Guard Readiness Center .....	11,200	11,200
	<i>Texas</i>			
Army NG	Fort Worth	Aircraft Maintenance Hangar Addition/Alt .....	6,000	6,000
Army NG	Fort Worth	National Guard Vehicle Maintenance Shop .....	7,800	7,800
	<i>Utah</i>			
Army NG	Nephi	National Guard Readiness Center .....	12,000	12,000
	<i>Virgin Islands</i>			
Army NG	St. Croix	Army Aviation Support Facility (Aasf) .....	28,000	28,000
Army NG	St. Croix	CST Ready Building .....	11,400	11,400
	<i>Wisconsin</i>			
Army NG	Appleton	National Guard Readiness Center Add/Alt .....	11,600	11,600
	<i>Worldwide Unspecified</i>			
Army NG	Unspecified Worldwide Locations	Planning and Design .....	29,593	29,593
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	32,744	32,744
	<i>Military Construction, Army National Guard Total</i>		<i>321,437</i>	<i>337,172</i>
	<i>Florida</i>			
Army Res	Gainesville	ECS TEMF/Warehouse .....	36,000	36,000
	<i>Massachusetts</i>			
Army Res	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range .....	8,700	8,700
	<i>North Carolina</i>			
Army Res	Asheville	Army Reserve Center/Land .....	24,000	24,000
	<i>Wisconsin</i>			
Army Res	Fort McCoy	Scout Reconnaissance Range .....	14,600	14,600
Army Res	Fort McCoy	Transient Trainee Barracks .....	0	2,500
	<i>Worldwide Unspecified</i>			
Army Res	Unspecified Worldwide Locations	Planning and Design .....	1,218	1,218
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction .....	3,819	3,819
	<i>Military Construction, Army Reserve Total</i>		<i>88,337</i>	<i>90,837</i>
	<i>Maryland</i>			
N/MC Res	Reisterstown	Reserve Training Center, Camp Fretterd, MD .....	39,500	39,500
	<i>Utah</i>			
N/MC Res	Hill AFB	Naval Operational Support Center .....	25,010	25,010
	<i>Worldwide Unspecified</i>			
N/MC Res	Unspecified Worldwide Locations	MCNR Minor Construction .....	3,000	3,000
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design .....	3,485	3,485
	<i>Military Construction, Naval Reserve Total</i>		<i>70,995</i>	<i>70,995</i>
	<i>Alabama</i>			
Air NG	Montgomery Regional Airport (ANG) Base	F-35 Simulator Facility .....	11,600	11,600
	<i>Guam</i>			
Air NG	Joint Region Marianas	Space Control Facility #5 .....	20,000	20,000
	<i>Maryland</i>			
Air NG	Joint Base Andrews	F-16 Mission Training Center .....	9,400	9,400
	<i>Texas</i>			
Air NG	Joint Base San Antonio	F-16 Mission Training Center .....	10,800	10,800
	<i>Worldwide Unspecified</i>			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	9,000	9,000
Air NG	Various Worldwide Locations	Planning and Design .....	3,414	3,414
	<i>Military Construction, Air National Guard Total</i>		<i>64,214</i>	<i>64,214</i>
	<i>Texas</i>			
AF Res	Fort Worth	F-35A Simulator Facility .....	14,200	14,200
	<i>Worldwide Unspecified</i>			
AF Res	Unspecified Worldwide Locations	Planning & Design .....	3,270	3,270
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction .....	5,647	5,647
	<i>Military Construction, Air Force Reserve Total</i>		<i>23,117</i>	<i>23,117</i>
	<i>Italy</i>			

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
<i>FH Con Army</i>	<i>Vicenza</i>	<i>Family Housing New Construction .....</i>	<i>84,100</i>	<i>84,100</i>
<i>FH Con Army</i>	<i>Kwajalein</i>	<i>Family Housing Replacement Construction .....</i>	<i>32,000</i>	<i>32,000</i>
<i>FH Con Army</i>	<i>Worldwide Unspecified</i>	<i>Family Housing P &amp; D .....</i>	<i>3,300</i>	<i>3,300</i>
	<i>Unspecified Worldwide Locations</i>			
	<i>Family Housing Construction, Army Total .....</i>		<i>119,400</i>	<i>119,400</i>
	<i>Worldwide Unspecified</i>			
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	<i>18,004</i>	<i>18,004</i>
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization Support .....</i>	<i>37,948</i>	<i>62,948</i>
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing .....</i>	<i>123,841</i>	<i>123,841</i>
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance .....</i>	<i>97,789</i>	<i>97,789</i>
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Management .....</i>	<i>39,716</i>	<i>39,716</i>
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous .....</i>	<i>526</i>	<i>526</i>
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Services .....</i>	<i>8,135</i>	<i>8,135</i>
<i>FH Ops Army</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities .....</i>	<i>41,183</i>	<i>41,183</i>
	<i>Family Housing Operation And Maintenance, Army Total .....</i>		<i>367,142</i>	<i>392,142</i>
	<i>Worldwide Unspecified</i>			
<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Construction Improvements .....</i>	<i>37,043</i>	<i>37,043</i>
<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning &amp; Design .....</i>	<i>3,128</i>	<i>3,128</i>
<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>USMC DPRJ/Guam Planning and Design .....</i>	<i>2,726</i>	<i>2,726</i>
	<i>Family Housing Construction, Navy And Marine Corps Total .....</i>		<i>42,897</i>	<i>42,897</i>
	<i>Worldwide Unspecified</i>			
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	<i>17,977</i>	<i>17,977</i>
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization Support .....</i>	<i>53,700</i>	<i>78,700</i>
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing .....</i>	<i>62,658</i>	<i>62,658</i>
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance .....</i>	<i>85,630</i>	<i>110,630</i>
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Management .....</i>	<i>51,006</i>	<i>51,006</i>
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous .....</i>	<i>350</i>	<i>350</i>
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Services .....</i>	<i>16,743</i>	<i>16,743</i>
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities .....</i>	<i>58,429</i>	<i>58,429</i>
	<i>Family Housing Operation And Maintenance, Navy And Marine Corps Total .....</i>		<i>346,493</i>	<i>396,493</i>
	<i>Worldwide Unspecified</i>			
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Construction Improvements .....</i>	<i>94,245</i>	<i>94,245</i>
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning &amp; Design .....</i>	<i>2,969</i>	<i>2,969</i>
	<i>Family Housing Construction, Air Force Total .....</i>		<i>97,214</i>	<i>97,214</i>
	<i>Worldwide Unspecified</i>			
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	<i>25,805</i>	<i>25,805</i>
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization .....</i>	<i>23,175</i>	<i>23,175</i>
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing .....</i>	<i>9,318</i>	<i>9,318</i>
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance .....</i>	<i>140,666</i>	<i>165,666</i>
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Management .....</i>	<i>64,732</i>	<i>99,732</i>

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous</i> .....	2,184	2,184
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Services</i> .....	7,968	7,968
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities</i> .....	43,173	43,173
<i>Family Housing Operation And Maintenance, Air Force Total</i> .....			317,021	377,021
<i>Worldwide Unspecified</i>				
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings</i> .....	727	727
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing</i> .....	49,856	49,856
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance</i> .....	32	32
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities</i> .....	4,113	4,113
<i>Family Housing Operation And Maintenance, Defense-Wide Total</i> .....			54,728	54,728
<i>Worldwide Unspecified</i>				
<i>FHIF</i>	<i>Unspecified Worldwide Locations</i>	<i>Administrative Expenses—FHIF</i> .....	5,897	5,897
<i>DOD Family Housing Improvement Fund Total</i> .....			5,897	5,897
<i>Worldwide Unspecified</i>				
<i>UHIF</i>	<i>Unspecified Worldwide Locations</i>	<i>Administrative Expenses—UHIF</i> .....	600	600
<i>Unaccompanied Housing Improvement Fund Total</i> .....			600	600
<i>Worldwide Unspecified</i>				
<i>BRAC—Air Force</i>	<i>Unspecified Worldwide Locations</i>	<i>DOD BRAC Activities—Air Force</i> .....	109,222	109,222
<i>BRAC—Army</i>	<i>Base Realignment &amp; Closure, Army</i>	<i>Base Realignment and Closure</i> .....	66,060	106,060
<i>BRAC—Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Base Realignment &amp; Closure</i> .....	125,165	225,165
<i>Base Realignment and Closure—Total</i> .....			300,447	440,447
<b>Total, Military Construction</b> .....			<b>7,813,563</b>	<b>7,813,563</b>

**1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CON-**  
**2 TINGENCY OPERATIONS.**

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2021 Request</b>	<b>House Agreement</b>
<i>Worldwide Unspecified</i>				
<i>Army</i>	<i>Unspecified Worldwide Locations</i>	<i>EDI: Minor Construction</i> .....	3,970	3,970
<i>Army</i>	<i>Unspecified Worldwide Locations</i>	<i>EDI: Planning and Design</i> .....	11,903	11,903
<i>Military Construction, Army Total</i> .....			15,873	15,873
<i>Spain</i>				
<i>Navy</i>	<i>Rota</i>	<i>EDI: EOD Boat Shop</i> .....	31,760	31,760
<i>Navy</i>	<i>Rota</i>	<i>EDI: Expeditionary Maintenance Facility</i> .....	27,470	27,470
<i>Worldwide Unspecified</i>				
<i>Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning &amp; Design</i> .....	10,790	10,790
<i>Military Construction, Navy Total</i> .....			70,020	70,020
<i>Germany</i>				
<i>AF</i>	<i>Ramstein</i>	<i>EDI: Rapid Airfield Damage Repair Storage</i> .....	36,345	36,345
<i>AF</i>	<i>Spangdahlem AB</i>	<i>EDI: Rapid Airfield Damage Repair Storage</i> .....	25,824	25,824

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	<i>Romania</i>			
AF	Campia Turzii	EDI: Dangerous Cargo Pad .....	11,000	11,000
AF	Campia Turzii	EDI: ECAOS DABS-FEV Storage Complex .....	68,000	68,000
AF	Campia Turzii	EDI: Parking Apron .....	19,500	19,500
AF	Campia Turzii	EDI: POL Increase Capacity .....	32,000	32,000
	<i>Worldwide Unspecified</i>			
AF	Unspecified Worldwide Locations	EDI: Unspecified Minor Military Construction .....	16,400	16,400
AF	Various Worldwide Locations	EDI: Planning & Design .....	54,800	54,800
	<i>Military Construction, Air Force Total .....</i>		263,869	263,869
	<b>Total, Military Construction .....</b>		<b>349,762</b>	<b>349,762</b>

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	House Authorized
<b>Discretionary Summary By Appropriation</b>		
<b>Energy And Water Development, And Related Agencies</b>		
<b>Appropriation Summary:</b>		
<b>Energy Programs</b>		
Nuclear Energy .....	137,800	137,800
<b>Atomic Energy Defense Activities</b>		
<b>National nuclear security administration:</b>		
Weapons activities .....	15,602,000	15,602,000
Defense nuclear nonproliferation .....	2,031,000	2,111,000
Naval reactors .....	1,684,000	1,684,000
Federal salaries and expenses .....	454,000	454,000
<b>Total, National nuclear security administration .....</b>	<b>19,771,000</b>	<b>19,851,000</b>
<b>Environmental and other defense activities:</b>		
Defense environmental cleanup .....	4,983,608	5,773,708
Other defense activities .....	1,054,727	899,289
<b>Total, Environmental &amp; other defense activities .....</b>	<b>6,038,335</b>	<b>6,672,997</b>
<b>Total, Atomic Energy Defense Activities .....</b>	<b>25,809,335</b>	<b>26,523,997</b>
<b>Total, Discretionary Funding .....</b>	<b>25,947,135</b>	<b>26,661,797</b>
<b>Nuclear Energy</b>		
Idaho site-wide safeguards and security .....	137,800	137,800
<b>Total, Nuclear Energy .....</b>	<b>137,800</b>	<b>137,800</b>
<b>Stockpile Management</b>		
<b>Stockpile Major Modernization</b>		
B61-12 Life extension program .....	815,710	815,710
W88 Alt 370 .....	256,922	256,922
W80-4 Life extension program .....	1,000,314	1,000,314
W87-1 Modification Program .....	541,000	541,000
W93 .....	53,000	53,000
<b>Total, Stockpile Major Modernization .....</b>	<b>2,666,946</b>	<b>2,666,946</b>
<b>Stockpile services</b>		
Production Operations .....	568,941	568,941

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<b>Program</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
Stockpile Sustainment .....	998,357	998,357
Weapons Dismantlement and Disposition .....	50,000	50,000
<b>Subtotal, Stockpile Services .....</b>	<b>1,617,298</b>	<b>1,617,298</b>
<b>Total, Stockpile Management .....</b>	<b>4,284,244</b>	<b>4,284,244</b>
<b>Weapons Activities</b>		
<b>Production Modernization</b>		
<b>Primary Capability Modernization</b>		
<b>Plutonium Modernization</b>		
<b>Los Alamos Plutonium Modernization</b>		
Los Alamos Plutonium Operations .....	610,599	610,599
21-D-512 Plutonium Pit Production Project, LANL .....	226,000	226,000
<b>Subtotal, Los Alamos Plutonium Modernization .....</b>	<b>836,599</b>	<b>836,599</b>
<b>Savannah River Plutonium Modernization</b>		
Savannah River Plutonium Operations .....	200,000	200,000
21-D-511 Savannah River Plutonium Processing Facility, SRS .....	241,896	241,896
<b>Subtotal, Savannah River Plutonium Modernization .....</b>	<b>441,896</b>	<b>441,896</b>
Enterprise Plutonium Support .....	90,782	90,782
<b>Total, Plutonium Modernization .....</b>	<b>1,369,277</b>	<b>1,369,277</b>
High Explosives and Energetics .....	67,370	67,370
<b>Total, Primary Capability Modernization .....</b>	<b>1,436,647</b>	<b>1,436,647</b>
Secondary Capability Modernization .....	457,004	457,004
Tritium and Domestic Uranium Enrichment .....	457,112	457,112
Non-Nuclear Capability Modernization .....	107,137	107,137
<b>Total, Production Modernization .....</b>	<b>2,457,900</b>	<b>2,457,900</b>
<b>Stockpile Research, Technology, and Engineering</b>		
Assessment Science .....	773,111	773,111
Engineering and Integrated Assessments .....	337,404	337,404
Inertial Confinement Fusion .....	554,725	554,725
Advanced Simulation and Computing .....	732,014	732,014
Weapon Technology and Manufacturing Maturation .....	297,965	297,965
Academic Programs .....	86,912	86,912
<b>Total, Stockpile Research, Technology, and Engineering .....</b>	<b>2,782,131</b>	<b>2,782,131</b>
<b>Infrastructure and Operations</b>		
Operations of facilities .....	1,014,000	1,014,000
Safety and environmental operations .....	165,354	165,354
Maintenance and repair of facilities .....	792,000	792,000
<b>Recapitalization:</b>		
Infrastructure and safety .....	670,000	670,000
Capability based investments .....	149,117	149,117
Planning for Programmatic Construction (Pre-CD-1) .....	84,787	84,787
<b>Total, Recapitalization .....</b>	<b>903,904</b>	<b>903,904</b>
<b>Construction:</b>		
21-D-510 HE Synthesis, Formulation, and Production, PX .....	31,000	31,000
19-D-670 138kV Power Transmission System Replacement, NNSS .....	59,000	59,000
18-D-690 Lithium Processing Facility, Y-12 .....	109,405	109,405
18-D-620 Exascale Computing Facility Modernization Project, LLNL .....	29,200	29,200
18-D-650 Tritium Finishing Facility, SRS .....	27,000	27,000
17-D-640, U1a Complex Enhancements Project, NNSS .....	160,600	160,600
15-D-612 Emergency Operations Center, LLNL .....	27,000	27,000
15-D-611 Emergency Operations Center, SNL .....	36,000	36,000
15-D-302, TA-55 Reinvestments 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, Oak Ridge, TN .....	750,000	750,000
04-D-125 Chemistry and Metallurgy Research Replacement Project, LANL .....	169,427	169,427
<b>Total, Construction .....</b>	<b>1,508,319</b>	<b>1,508,319</b>
<b>Total, Infrastructure and operations .....</b>	<b>4,383,577</b>	<b>4,383,577</b>
<b>Secure transportation asset</b>		
Operations and equipment .....	266,390	266,390
Program direction .....	123,684	123,684
<b>Total, Secure transportation asset .....</b>	<b>390,074</b>	<b>390,074</b>

**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

<b>Program</b>	<b>FY 2021 Request</b>	<b>House Authorized</b>
<b>Defense Nuclear Security</b>		
Operations and maintenance .....	815,895	815,895
<b>Construction:</b>		
17-D-710 West end protected area reduction project, Y-12 .....	11,000	11,000
<b>Total, Defense nuclear security</b> .....	<b>826,895</b>	<b>826,895</b>
Information technology and cybersecurity .....	375,511	375,511
Legacy contractor pensions .....	101,668	101,668
<b>Total, Weapons Activities</b> .....	<b>15,602,000</b>	<b>15,602,000</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Defense Nuclear Nonproliferation Programs</b>		
<b>Global material security</b>		
International nuclear security .....	66,391	66,391
Domestic radiological security .....	101,000	131,000
Container breach in Seattle, WA .....		[30,000]
International radiological security .....	73,340	73,340
Nuclear smuggling detection and deterrence .....	159,749	159,749
<b>Total, Global material security</b> .....	<b>400,480</b>	<b>430,480</b>
<b>Material management and minimization</b>		
HEU reactor conversion .....	170,000	170,000
Nuclear material removal .....	40,000	40,000
Material disposition .....	190,711	190,711
<b>Total, Material management &amp; minimization</b> .....	<b>400,711</b>	<b>400,711</b>
Nonproliferation and arms control .....	138,708	138,708
National Technical Nuclear Forensics R&D .....	40,000	40,000
<b>Defense nuclear nonproliferation R&amp;D</b>		
Proliferation Detection .....	235,220	265,220
Nuclear verification and detection, next-gen technologies .....		[30,000]
Nuclear Detonation Detection .....	236,531	236,531
Nonproliferation Stewardship Program .....	59,900	59,900
LEU Research and Development .....	0	20,000
LEU R&D for Naval Pressurized Water Reactors .....		[20,000]
<b>Total, Defense nuclear nonproliferation R&amp;D</b> .....	<b>531,651</b>	<b>581,651</b>
<b>Nonproliferation Construction:</b>		
18-D-150 Surplus Plutonium Disposition Project, SRS .....	148,589	148,589
<b>Total, Nonproliferation construction</b> .....	<b>148,589</b>	<b>148,589</b>
<b>Total, Defense Nuclear Nonproliferation Programs</b> .....	<b>1,660,139</b>	<b>1,740,139</b>
Legacy contractor pensions .....	14,348	14,348
Nuclear counterterrorism and incident response program .....	377,513	377,513
Use of Prior Year Balances .....	-21,000	-21,000
<b>Total, Defense Nuclear Nonproliferation</b> .....	<b>2,031,000</b>	<b>2,111,000</b>
<b>Naval Reactors</b>		
Naval reactors development .....	590,306	590,306
Columbia-Class reactor systems development .....	64,700	64,700
S5G Prototype refueling .....	135,000	135,000
Naval reactors operations and infrastructure .....	506,294	506,294
<b>Construction:</b>		
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
<b>Total, Construction</b> .....	<b>334,000</b>	<b>334,000</b>
Program direction .....	53,700	53,700
<b>Total, Naval Reactors</b> .....	<b>1,684,000</b>	<b>1,684,000</b>
<b>Federal Salaries And Expenses</b>		
Program direction .....	454,000	454,000
<b>Total, Office Of The Administrator</b> .....	<b>454,000</b>	<b>454,000</b>



**SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS**  
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
<b>Defense Environmental Cleanup</b>		
<b>Closure sites:</b>		
Closure sites administration .....	4,987	4,987
<b>Richland:</b>		
River corridor and other cleanup operations .....	54,949	235,949
Program restoration .....		[181,000]
Central plateau remediation .....	498,335	658,335
Program restoration .....		[160,000]
Richland community and regulatory support .....	2,500	10,100
Program restoration .....		[7,600]
<b>Total, Hanford site .....</b>	<b>555,784</b>	<b>904,384</b>
<b>Office of River Protection:</b>		
Waste Treatment Immobilization Plant Commissioning .....	50,000	50,000
Rad liquid tank waste stabilization and disposition .....	597,757	597,757
Tank farm activities .....	0	180,000
Program restoration .....		[180,000]
<b>Construction:</b>		
18-D-16 Waste treatment and immobilization plant—LBL/Direct feed LAW .....	609,924	779,924
Program restoration .....		[170,000]
<b>Total, Construction .....</b>	<b>609,924</b>	<b>779,924</b>
<b>Total, Office of River Protection .....</b>	<b>1,257,681</b>	<b>1,607,681</b>
<b>Idaho National Laboratory:</b>		
Idaho cleanup and waste disposition .....	257,554	257,554
Idaho community and regulatory support .....	2,400	2,400
<b>Total, Idaho National Laboratory .....</b>	<b>259,954</b>	<b>259,954</b>
<b>NNSA sites and Nevada off-sites</b>		
Lawrence Livermore National Laboratory .....	1,764	1,764
<b>Nuclear facility D &amp; D</b>		
Separations Process Research Unit .....	15,000	15,000
Nevada .....	60,737	60,737
Sandia National Laboratories .....	4,860	4,860
Los Alamos National Laboratory .....	120,000	165,000
Program increase .....		[45,000]
<b>Total, NNSA sites and Nevada off-sites .....</b>	<b>202,361</b>	<b>247,361</b>
<b>Oak Ridge Reservation:</b>		
OR Nuclear facility D & D .....	109,077	109,077
<b>Total, OR Nuclear facility D &amp; D .....</b>	<b>109,077</b>	<b>109,077</b>
U233 Disposition Program .....	45,000	45,000
OR cleanup and disposition .....	58,000	58,000
<b>Construction:</b>		
17-D-401 On-site waste disposal facility .....	22,380	22,380
14-D-403 Outfall 200 Mercury Treatment Facility .....	20,500	20,500
<b>Total, Construction .....</b>	<b>42,880</b>	<b>42,880</b>
<b>Total, OR cleanup and waste disposition .....</b>	<b>145,880</b>	<b>145,880</b>
OR community & regulatory support .....	4,930	4,930
OR technology development and deployment .....	3,000	3,000
<b>Total, Oak Ridge Reservation .....</b>	<b>262,887</b>	<b>262,887</b>
<b>Savannah River Sites:</b>		
<b>Savannah River risk management operations</b>		
Savannah River risk management operations .....	455,122	495,122
H-Canyon not placed into stand-by condition .....		[40,000]
<b>Total, risk management operations .....</b>	<b>455,122</b>	<b>495,122</b>
SR community and regulatory support .....	4,989	11,489
Secure payment in lieu of taxes funding .....		[6,500]
Radioactive liquid tank waste stabilization and disposition .....	970,332	970,332
<b>Construction:</b>		
20-D-402 Advanced Manufacturing Collaborative Facility (AMC) .....	25,000	25,000
18-D-403 Saltstone Disposal Unit #8/9 .....	65,500	65,500
17-D-402 Saltstone Disposal Unit #7 .....	10,716	10,716
<b>Total, Construction .....</b>	<b>101,216</b>	<b>101,216</b>

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS  
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
<b>Total, Savannah River site</b> .....	<b>1,531,659</b>	<b>1,578,159</b>
<b>Waste Isolation Pilot Plant</b>		
Waste Isolation Pilot Plant .....	323,260	323,260
<b>Construction:</b>		
15-D-412 Utility Shaft .....	50,000	50,000
21-D-401 Hoisting Capability Project .....	10,000	10,000
<b>Total, Construction</b> .....	<b>60,000</b>	<b>60,000</b>
<b>Total, Waste Isolation Pilot Plant</b> .....	<b>383,260</b>	<b>383,260</b>
Program direction .....	275,285	275,285
Program support .....	12,979	12,979
Technology development .....	25,000	25,000
<b>Safeguards and Security</b>		
Safeguards and Security .....	320,771	320,771
<b>Total, Safeguards and Security</b> .....	<b>320,771</b>	<b>320,771</b>
Prior year balances credited .....	-109,000	-109,000
<b>Total, Defense Environmental Cleanup</b> .....	<b>4,983,608</b>	<b>5,773,708</b>
<b>Other Defense Activities</b>		
<b>Environment, health, safety and security</b>		
Environment, health, safety and security .....	134,320	134,320
Program direction .....	75,368	75,368
<b>Total, Environment, Health, safety and security</b> .....	<b>209,688</b>	<b>209,688</b>
<b>Independent enterprise assessments</b>		
Independent enterprise assessments .....	26,949	26,949
Program direction .....	54,635	54,635
<b>Total, Independent enterprise assessments</b> .....	<b>81,584</b>	<b>81,584</b>
Specialized security activities .....	258,411	258,411
<b>Office of Legacy Management</b>		
Legacy management .....	293,873	138,435
Rejection of proposed transfer .....		[-155,438]
Program direction .....	23,120	23,120
<b>Total, Office of Legacy Management</b> .....	<b>316,993</b>	<b>161,555</b>
Defense related administrative support .....	183,789	183,789
Office of hearings and appeals .....	4,262	4,262
<b>Subtotal, Other defense activities</b> .....	<b>1,054,727</b>	<b>899,289</b>
<b>Total, Other Defense Activities</b> .....	<b>1,054,727</b>	<b>899,289</b>

1 **DIVISION E—NATIONAL ARTIFI-**  
2 **CIAL INTELLIGENCE INITIA-**  
3 **TIVE ACT OF 2020**

4 **SEC. 5001. SHORT TITLE.**

5       *This division may be cited as the “National Artificial*  
6 *Intelligence Initiative Act of 2020”.*

7 **SEC. 5002. FINDINGS.**

8       *Congress finds the following:*

1           (1) *Artificial intelligence is a tool that has the*  
2           *potential to change and possibly transform every sec-*  
3           *tor of the United States economy and society.*

4           (2) *The Federal Government should continue to*  
5           *play an important role advancing research, develop-*  
6           *ment, standards, and education activities in artificial*  
7           *intelligence through coordination and collaboration*  
8           *between government, academia, and the private sector*  
9           *to leverage the intellectual, physical, and digital re-*  
10          *sources of each stakeholder.*

11          (3) *The Federal Government lacks clear under-*  
12          *standing of the capabilities of artificial intelligence*  
13          *and its potential to affect various social and economic*  
14          *sectors, including ethical concerns, national security*  
15          *implications, and workforce impacts.*

16          (4) *Researchers from academia, Federal labora-*  
17          *tories, and much of the private sector have limited ac-*  
18          *cess to many high-quality datasets, computing re-*  
19          *sources, or real-world testing environments to design*  
20          *and deploy safe and trustworthy artificial intelligence*  
21          *systems.*

22          (5) *There is a lack of standards and*  
23          *benchmarking for artificial intelligence systems that*  
24          *academia and the public and private sectors can use*

1 *to evaluate the performance of these systems before*  
2 *and after deployment.*

3 *(6) Artificial intelligence is increasingly becom-*  
4 *ing a highly interdisciplinary field with expertise re-*  
5 *quired from a diverse range of scientific and other*  
6 *scholarly disciplines that traditionally work inde-*  
7 *pendently and continue to face cultural and institu-*  
8 *tional barriers to large scale collaboration.*

9 *(7) Current Federal investments and funding*  
10 *mechanisms are largely insufficient to incentivize and*  
11 *support the large-scale interdisciplinary and public-*  
12 *private collaborations that will be required to advance*  
13 *trustworthy artificial intelligence systems in the*  
14 *United States.*

15 *(8) The United States education pipeline for ar-*  
16 *tificial intelligence fields faces significant challenges.*  
17 *Not only does the artificial intelligence research field*  
18 *lack the gender and racial diversity of the American*  
19 *population as a whole, but it is failing to both retain*  
20 *researchers and adequately support educators to meet*  
21 *the demands of the next generation of students study-*  
22 *ing artificial intelligence.*

23 *(9) In order to help drive forward advances in*  
24 *trustworthy artificial intelligence across all sectors*  
25 *and to the benefit of all Americans, the Federal Gov-*

1        *ernment must provide sufficient resources and use its*  
2        *convening power to facilitate the growth of artificial*  
3        *intelligence human capital, research, and innovation*  
4        *capacity in academia and other nonprofit research*  
5        *organizations, companies of all sizes and across all*  
6        *sectors, and within the Federal Government.*

7        **SEC. 5003. DEFINITIONS.**

8        *In this division:*

9                (1) *ADVISORY COMMITTEE.*—*The term “Advisory*  
10        *Committee” means the National Artificial Intelligence*  
11        *Advisory Committee established under section*  
12        *5104(a).*

13                (2) *AGENCY HEAD.*—*The term “agency head”*  
14        *means the head of any Executive agency (as defined*  
15        *in section 105 of title 5, United States Code).*

16                (3) *ARTIFICIAL INTELLIGENCE.*—*The term “arti-*  
17        *ficial intelligence” means a machine-based system*  
18        *that can, for a given set of human-defined objectives,*  
19        *make predictions, recommendations or decisions influ-*  
20        *encing real or virtual environments. Artificial intel-*  
21        *ligence systems use machine and human-based inputs*  
22        *to—*

23                        (A) *perceive real and virtual environments;*

24                        (B) *abstract such perceptions into models*

25                        *through analysis in an automated manner; and*

1                   (C) use model inference to formulate options  
2                   for information or action.

3                   (4) *INITIATIVE*.—The term “Initiative” means  
4                   the National Artificial Intelligence Initiative estab-  
5                   lished under section 5101(a).

6                   (5) *INITIATIVE OFFICE*.—The term “Initiative  
7                   Office” means the National Artificial Intelligence Ini-  
8                   tiative Office established under section 5102(a).

9                   (6) *INSTITUTE*.—The term “Institute” means an  
10                  Artificial Intelligence Research Institute described in  
11                  section 201(b)(1).

12                  (7) *INTERAGENCY COMMITTEE*.—The term  
13                  “Interagency Committee” means the interagency com-  
14                  mittee established under section 5103(a).

15                  (8) *K-12 EDUCATION*.—The term “K-12 edu-  
16                  cation” means elementary school and secondary edu-  
17                  cation, as such terms are defined in section 8101 of  
18                  the *Elementary and Secondary Education Act of*  
19                  1965 (20 U.S.C. 7801).

20                  (9) *MACHINE LEARNING*.—The term “machine  
21                  learning” means an application of artificial intel-  
22                  ligence that is characterized by providing systems the  
23                  ability to automatically learn and improve on the  
24                  basis of data or experience, without being explicitly  
25                  programmed.

1 **TITLE I—NATIONAL ARTIFICIAL**  
2 **INTELLIGENCE INITIATIVE**

3 **SEC. 5101. NATIONAL ARTIFICIAL INTELLIGENCE INITIA-**  
4 **TIVE.**

5 (a) *ESTABLISHMENT; PURPOSES.*—*The President shall*  
6 *establish and implement an initiative to be known as the*  
7 *“National Artificial Intelligence Initiative”. The purposes*  
8 *of the Initiative shall be to—*

9 (1) *ensure continued United States leadership in*  
10 *artificial intelligence research and development;*

11 (2) *lead the world in the development and use of*  
12 *trustworthy artificial intelligence systems in the pub-*  
13 *lic and private sectors;*

14 (3) *maximize the benefits of artificial intelligence*  
15 *systems for all American people; and*

16 (4) *prepare the present and future United States*  
17 *workforce for the integration of artificial intelligence*  
18 *systems across all sectors of the economy and society.*

19 (b) *INITIATIVE ACTIVITIES.*—*In carrying out the Ini-*  
20 *tiative, the President, acting through the Initiative Office,*  
21 *the Interagency Committee, and agency heads as the Presi-*  
22 *dent considers appropriate, shall carry out activities that*  
23 *include the following:*

24 (1) *Sustained, consistent, and coordinated sup-*  
25 *port for artificial intelligence research and develop-*

1 *ment through grants, cooperative agreements, testbeds,*  
2 *and access to data and computing resources.*

3 *(2) Support for the development of voluntary*  
4 *standards, best practices, and benchmarks for the de-*  
5 *velopment and use of trustworthy artificial intel-*  
6 *ligence systems.*

7 *(3) Support for educational programs at all lev-*  
8 *els, in both formal and informal learning environ-*  
9 *ments, to prepare the American workforce and the*  
10 *general public to be able to use and interact with ar-*  
11 *tificial intelligence systems, as well as adapt to the*  
12 *potentially transformative impact of artificial intel-*  
13 *ligence on society and the economy.*

14 *(4) Support for interdisciplinary research, edu-*  
15 *cation, and training programs for students and re-*  
16 *searchers that promote learning in the methods and*  
17 *systems used in artificial intelligence and foster inter-*  
18 *disciplinary perspectives and collaborations among*  
19 *subject matter experts in relevant fields, including*  
20 *computer science, mathematics, statistics, engineering,*  
21 *social sciences, psychology, behavioral science, ethics,*  
22 *security, legal scholarship, and other disciplines that*  
23 *will be necessary to advance artificial intelligence re-*  
24 *search and development responsibly.*



1           (5) *Support for partnerships to leverage knowl-*  
2 *edge, computing resources, access to open datasets,*  
3 *and other resources from industry, government, non-*  
4 *profit organizations, Federal laboratories, State pro-*  
5 *grams, and institutions of higher education to ad-*  
6 *vance activities under the Initiative.*

7           (6) *Interagency planning and coordination of*  
8 *Federal artificial intelligence research, development,*  
9 *demonstration, standards engagement, and other ac-*  
10 *tivities under the Initiative.*

11           (7) *Establish the public sector infrastructure and*  
12 *artificial intelligence capabilities necessary to respond*  
13 *to pressing national challenges, including economic*  
14 *and public health emergencies such as pandemics.*

15           (8) *Outreach to diverse stakeholders, including*  
16 *citizen groups and industry, to ensure public input is*  
17 *taken into account in the activities of the Initiative.*

18           (9) *Leveraging existing Federal investments to*  
19 *advance objectives of the Initiative.*

20           (10) *Support for a network of interdisciplinary*  
21 *artificial intelligence research institutes, as described*  
22 *in section 5201(b)(7)(B).*

23           (11) *Support opportunities for international co-*  
24 *operation with strategic allies, as appropriate, on the*  
25 *research and development, assessment, and resources*

1       *for trustworthy artificial intelligence systems and the*  
2       *development of voluntary consensus standards for*  
3       *those systems.*

4       **SEC. 5102. NATIONAL ARTIFICIAL INTELLIGENCE INITIA-**  
5                                   **TIVE OFFICE.**

6           (a) *IN GENERAL.*—*The Director of the Office of Science*  
7       *and Technology Policy shall establish or designate, and ap-*  
8       *point a director of, an office to be known as the “National*  
9       *Artificial Intelligence Initiative Office” to carry out the re-*  
10       *sponsibilities described in subsection (b) with respect to the*  
11       *Initiative. The Initiative Office shall have sufficient staff*  
12       *to carry out such responsibilities, including staff detailed*  
13       *from the Federal departments and agencies described in sec-*  
14       *tion 5103(c).*

15           (b) *RESPONSIBILITIES.*—*The Director of the Initiative*  
16       *Office shall—*

17                   (1) *provide technical and administrative support*  
18       *to the Interagency Committee and the Advisory Com-*  
19       *mittee;*

20                   (2) *serve as the point of contact on Federal arti-*  
21       *ficial intelligence activities for Federal departments*  
22       *and agencies, industry, academia, nonprofit organiza-*  
23       *tions, professional societies, State governments, and*  
24       *such other persons as the Initiative Office considers*

1       *appropriate to exchange technical and programmatic*  
2       *information;*

3             (3) *conduct regular public outreach to diverse*  
4       *stakeholders, including through the convening of con-*  
5       *ferences and educational events, the publication of in-*  
6       *formation about significant Initiative activities on a*  
7       *publicly available website, and the dissemination of*  
8       *findings and recommendations of the Advisory Com-*  
9       *mittee, as appropriate; and*

10            (4) *promote access to and early adoption of the*  
11       *technologies, innovations, lessons learned, and exper-*  
12       *tise derived from Initiative activities to agency mis-*  
13       *sions and systems across the Federal Government,*  
14       *and to industry, including startup companies.*

15       (c) *FUNDING ESTIMATE.*—*The Director of the Office*  
16       *of Science and Technology Policy shall develop an estimate*  
17       *of the funds necessary to carry out the activities of the Ini-*  
18       *tiative Coordination Office, including an estimate of how*  
19       *much each participating Federal department and agency*  
20       *described in section 5103(c) will contribute to such funds,*  
21       *and submit such estimate to Congress not later than 90*  
22       *days after the enactment of this Act. The Director shall up-*  
23       *date this estimate each year based on participating agency*  
24       *investments in artificial intelligence.*

1 **SEC. 5103. COORDINATION BY INTERAGENCY COMMITTEE.**

2       (a) *INTERAGENCY COMMITTEE.*—*The Director of the*  
3 *Office of Science and Technology Policy, acting through the*  
4 *National Science and Technology Council, shall establish or*  
5 *designate an Interagency Committee to coordinate Federal*  
6 *programs and activities in support of the Initiative.*

7       (b) *CO-CHAIRS.*—*The Interagency Committee shall be*  
8 *co-chaired by the Director of the Office of Science and Tech-*  
9 *nology Policy and, on an annual rotating basis, a rep-*  
10 *resentative from the National Institute of Standards and*  
11 *Technology, the National Science Foundation, or the De-*  
12 *partment of Energy, as selected by the Director of the Office*  
13 *of Science and Technology Policy.*

14       (c) *AGENCY PARTICIPATION.*—*The Committee shall in-*  
15 *clude representatives from—*

16               (1) *the National Institute of Standards and*  
17 *Technology;*

18               (2) *the National Science Foundation;*

19               (3) *the Department of Energy;*

20               (4) *the National Aeronautics and Space Admin-*  
21 *istration;*

22               (5) *the Department of Defense;*

23               (6) *the Defense Advanced Research Projects*  
24 *Agency;*

25               (7) *the Department of Commerce;*

1           (8) *the Office of the Director of National Intel-*  
2 *ligence;*

3           (9) *the Office of Management and Budget;*

4           (10) *the Office of Science and Technology Policy;*

5           (11) *the Department of Health and Human*  
6 *Services;*

7           (12) *the Department of Education;*

8           (13) *the Department of Labor;*

9           (14) *the Department of the Treasury;*

10          (15) *the General Services Administration;*

11          (16) *the Department of Transportation;*

12          (17) *the Department of State;*

13          (18) *the Department of Veterans Affairs; and*

14          (19) *any other Federal agency as considered ap-*  
15 *propriate by the Director of the Office of Science and*  
16 *Technology Policy.*

17          (d) *RESPONSIBILITIES.—The Interagency Committee*  
18 *shall—*

19           (1) *provide for interagency coordination of Fed-*  
20 *eral artificial intelligence research, development, and*  
21 *demonstration activities, development of voluntary*  
22 *consensus standards and guidelines for research, de-*  
23 *velopment, testing, and adoption of ethically devel-*  
24 *oped, safe, and trustworthy artificial intelligence sys-*  
25 *tems, and education and training activities and pro-*

1 *grams of Federal departments and agencies under-*  
2 *taken pursuant to the Initiative;*

3 *(2) not later than 2 years after the date of the*  
4 *enactment of this Act, develop a strategic plan for ar-*  
5 *tificial intelligence (to be updated not less than every*  
6 *3 years) that—*

7 *(A) establishes goals, priorities, and metrics*  
8 *for guiding and evaluating the Initiative’s ac-*  
9 *tivities; and*

10 *(B) describes how the agencies carrying out*  
11 *the Initiative will—*

12 *(i) determine and prioritize areas of*  
13 *artificial intelligence research, development,*  
14 *and demonstration requiring Federal Gov-*  
15 *ernment leadership and investment;*

16 *(ii) support long-term funding for*  
17 *interdisciplinary artificial intelligence re-*  
18 *search, development, demonstration, edu-*  
19 *cation and public outreach activities;*

20 *(iii) support research and other activi-*  
21 *ties on ethical, legal, environmental, safety,*  
22 *security, and other appropriate societal*  
23 *issues related to artificial intelligence;*

24 *(iv) provide or facilitate the avail-*  
25 *ability of curated, standardized, secure, rep-*

1            *representative, and privacy-protected data sets*  
2            *for artificial intelligence research and devel-*  
3            *opment;*

4            *(v) provide or facilitate the necessary*  
5            *computing, networking, and data facilities*  
6            *for artificial intelligence research and devel-*  
7            *opment;*

8            *(vi) support and coordinate Federal*  
9            *education and workforce activities related to*  
10           *artificial intelligence;*

11           *(vii) reduce barriers to transferring ar-*  
12           *tificial intelligence systems from the labora-*  
13           *tory into application for the benefit of soci-*  
14           *ety and United States competitiveness;*

15           *(viii) support and coordinate the net-*  
16           *work of artificial intelligence research insti-*  
17           *tutes described in section 5201(b)(7)(B);*

18           *(ix) in consultation with the Council of*  
19           *Economic Advisers, measure and track the*  
20           *contributions of artificial intelligence to*  
21           *United States economic growth and other*  
22           *societal indicators; and*

23           *(x) leverage the resources of the Initia-*  
24           *tive to respond to pressing national chal-*

1                    *lenges, including economic and public*  
2                    *health emergencies such as pandemics;*

3                    *(3) propose an annually coordinated interagency*  
4                    *budget for the Initiative to the Office of Management*  
5                    *and Budget that is intended to ensure that the bal-*  
6                    *ance of funding across the Initiative is sufficient to*  
7                    *meet the goals and priorities established for the Ini-*  
8                    *tiative; and*

9                    *(4) in carrying out this section, take into consid-*  
10                    *eration the recommendations of the Advisory Com-*  
11                    *mittee, existing reports on related topics, and the*  
12                    *views of academic, State, industry, and other appro-*  
13                    *priate groups.*

14                    *(e) ANNUAL REPORT.—For each fiscal year beginning*  
15                    *with fiscal year 2022, not later than 90 days after submis-*  
16                    *sion of the President’s annual budget request for such fiscal*  
17                    *year, the Interagency Committee shall prepare and submit*  
18                    *to the Committee on Science, Space, and Technology of the*  
19                    *House of Representatives and the Committee on Commerce,*  
20                    *Science, and Transportation of the Senate a report that in-*  
21                    *cludes—*

22                    *(1) a summarized budget in support of the Ini-*  
23                    *tiative for such fiscal year and the preceding fiscal*  
24                    *year, including a disaggregation of spending for each*  
25                    *Federal agency participating in the Initiative and for*



1       *the development and acquisition of any research fa-*  
2       *cilities and instrumentation; and*

3               (2) *an assessment of how Federal agencies are*  
4       *implementing the plan described in subsection (d)(2),*  
5       *and a description of those efforts.*

6       **SEC. 5104. NATIONAL ARTIFICIAL INTELLIGENCE ADVISORY**  
7               **COMMITTEE.**

8               (a) *IN GENERAL.*—*The Secretary of Energy shall, in*  
9       *consultation with the Director of the Office of Science and*  
10       *Technology Policy, establish an advisory committee to be*  
11       *known as the “National Artificial Intelligence Advisory*  
12       *Committee”.*

13              (b) *QUALIFICATIONS.*—*The Advisory Committee shall*  
14       *consist of members, appointed by the Secretary of Energy,*  
15       *who are representing broad and interdisciplinary expertise*  
16       *and perspectives, including from academic institutions,*  
17       *companies across diverse sectors, nonprofit and civil society*  
18       *entities, and Federal laboratories, that are qualified to pro-*  
19       *vide advice and information on science and technology re-*  
20       *search, development, ethics, standards, education, tech-*  
21       *nology transfer, commercial application, security, and eco-*  
22       *nomics competitiveness related to artificial intelligence.*

23              (c) *MEMBERSHIP CONSIDERATION.*—*In selecting the*  
24       *members of the Advisory Committee, the Secretary of En-*  
25       *ergy may seek and give consideration to recommendations*

1 *from the Congress, industry, nonprofit organizations, the*  
2 *scientific community (including the National Academy of*  
3 *Sciences, scientific professional societies, and academic in-*  
4 *stitutions), the defense community, and other appropriate*  
5 *organizations.*

6 (d) *DUTIES.—The Advisory Committee shall advise the*  
7 *President and the Initiative Office on matters related to*  
8 *the Initiative, including recommendations related to—*

9 (1) *the current state of United States competi-*  
10 *tiveness and leadership in artificial intelligence, in-*  
11 *cluding the scope and scale of United States invest-*  
12 *ments in artificial intelligence research and develop-*  
13 *ment in the international context;*

14 (2) *the progress made in implementing the Ini-*  
15 *tiative, including a review of the degree to which the*  
16 *Initiative has achieved the goals under the metrics es-*  
17 *tablished by the Interagency Committee under section*  
18 *5103(d)(2);*

19 (3) *the state of the science around artificial in-*  
20 *telligence, including progress towards artificial gen-*  
21 *eral intelligence;*

22 (4) *the need to update the Initiative;*

23 (5) *the balance of activities and funding across*  
24 *the Initiative;*

1           (6) *whether the strategic plan developed or up-*  
2           *dated by the Interagency Committee established under*  
3           *section 5103(d)(2) is helping to maintain United*  
4           *States leadership in artificial intelligence;*

5           (7) *the management, coordination, and activities*  
6           *of the Initiative;*

7           (8) *whether ethical, legal, safety, security, and*  
8           *other appropriate societal issues are adequately ad-*  
9           *dressed by the Initiative; and*

10          (9) *opportunities for international cooperation*  
11          *with strategic allies on artificial intelligence research*  
12          *activities and standards development.*

13          (e) *REPORTS.*—*Not later than 1 year after the date*  
14          *of the enactment of this Act, and not less frequently than*  
15          *once every 3 years thereafter, the Advisory Committee shall*  
16          *submit to the President, the Committee on Science, Space,*  
17          *and Technology of the House of Representatives, and the*  
18          *Committee on Commerce, Science, and Transportation of*  
19          *the Senate, a report on the Advisory Committee’s findings*  
20          *and recommendations under subsection (d).*

21          (f) *TRAVEL EXPENSES OF NON-FEDERAL MEMBERS.*—  
22          *Non-Federal members of the Advisory Committee, while at-*  
23          *tending meetings of the Advisory Committee or while other-*  
24          *wise serving at the request of the head of the Advisory Com-*  
25          *mittee away from their homes or regular places of business,*

1 *may be allowed travel expenses, including per diem in lieu*  
2 *of subsistence, as authorized by section 5703 of title 5,*  
3 *United States Code, for individuals in the Government serv-*  
4 *ing without pay. Nothing in this subsection shall be con-*  
5 *strued to prohibit members of the Advisory Committee who*  
6 *are officers or employees of the United States from being*  
7 *allowed travel expenses, including per diem in lieu of sub-*  
8 *sistence, in accordance with existing law.*

9       (g) *FACA EXEMPTION.*—*The Secretary of Energy*  
10 *shall charter the Advisory Committee in accordance with*  
11 *the Federal Advisory Committee Act (5 U.S.C. App.), except*  
12 *that the Advisory Committee shall be exempt from section*  
13 *14 of such Act.*

14 **SEC. 5105. NATIONAL ACADEMIES ARTIFICIAL INTEL-**  
15 **LIGENCE IMPACT STUDY ON WORKFORCE.**

16       (a) *IN GENERAL.*—*Not later than 90 days after the*  
17 *date of the enactment of this Act, the National Science*  
18 *Foundation shall enter into a contract with the National*  
19 *Research Council of the National Academies of Sciences,*  
20 *Engineering, and Medicine to conduct a study of the cur-*  
21 *rent and future impact of artificial intelligence on the*  
22 *workforce of the United States across sectors.*

23       (b) *CONTENTS.*—*The study shall address—*

1           (1) *workforce impacts across sectors caused by*  
2           *the increased adoption of artificial intelligence, auto-*  
3           *mation, and other related trends;*

4           (2) *workforce needs and employment opportuni-*  
5           *ties generated by the increased adoption of artificial*  
6           *intelligence across sectors;*

7           (3) *research gaps and data needed to better un-*  
8           *derstand and track both workforce impacts and work-*  
9           *force needs and opportunities generated by adoption*  
10          *of artificial intelligence systems across sectors; and*

11          (4) *recommendations to address the challenges*  
12          *and opportunities described in paragraphs (1), (2),*  
13          *and (3).*

14          (c) *STAKEHOLDERS.—In conducting the study, the Na-*  
15          *tional Academies of Sciences, Engineering, and Medicine*  
16          *shall seek input from a wide range of stakeholders in the*  
17          *public and private sectors.*

18          (d) *REPORT TO CONGRESS.—The contract entered into*  
19          *under subsection (a) shall require the National Academies*  
20          *of Sciences, Engineering, and Medicine, not later than 2*  
21          *years after the date of the enactment of this Act, to—*

22                 (1) *submit to the Committee on Science, Space,*  
23                 *and Technology of the House of Representatives and*  
24                 *the Committee on Commerce, Science, and Transpor-*  
25                 *tation of the Senate a report containing the findings*

1       *and recommendations of the study conducted under*  
2       *subsection (a); and*

3               (2) *make a copy of such report available on a*  
4       *publicly accessible website.*

5       **SEC. 5106. GAO REPORT ON COMPUTATIONAL NEEDS.**

6       (a) *IN GENERAL.*—*Not later than 1 year after the date*  
7       *of the enactment of this Act, the Comptroller General of the*  
8       *United States shall conduct a study of artificial intelligence*  
9       *computer hardware and computing required in order to*  
10       *maintain U.S. leadership in artificial intelligence research*  
11       *and development. The Comptroller General shall—*

12               (1) *assess the composition of civilian computing*  
13       *resources supported by the Federal Government at*  
14       *universities and Federal Laboratories, including pro-*  
15       *grams with laboratory computing, high performance*  
16       *computing, cloud computing, quantum computing,*  
17       *edge computing, and other computing resources;*

18               (2) *evaluate projected needs for computing con-*  
19       *sumption and performance required by the public and*  
20       *private sector for the training, auditing, validation,*  
21       *testing, and use of artificial intelligence over the next*  
22       *five years; and*

23               (3) *offer recommendations to meet these projected*  
24       *needs.*

1 **SEC. 5107. NATIONAL AI RESEARCH RESOURCE TASK**  
2 **FORCE.**

3 (a) *ESTABLISHMENT OF TASK FORCE.*—

4 (1) *ESTABLISHMENT.*—

5 (A) *IN GENERAL.*—*The Director of the Na-*  
6 *tional Science Foundation, in coordination with*  
7 *the Office of Science and Technology Policy,*  
8 *shall establish a task force—*

9 (i) *to investigate the feasibility and*  
10 *advisability of establishing and sustaining*  
11 *a national artificial intelligence research re-*  
12 *source; and*

13 (ii) *to propose a roadmap detailing*  
14 *how such resource should be established and*  
15 *sustained.*

16 (B) *DESIGNATION.*—*The task force estab-*  
17 *lished by subparagraph (A) shall be known as*  
18 *the “National Artificial Intelligence Research*  
19 *Resource Task Force” (in this section referred to*  
20 *as the “Task Force”).*

21 (2) *MEMBERSHIP.*—

22 (A) *COMPOSITION.*—*The Task Force shall be*  
23 *composed of 12 members selected by the co-chair-*  
24 *persons of the Task Force from among technical*  
25 *experts in artificial intelligence or related sub-*  
26 *jects, of whom—*

1                   (i) 4 shall be representatives from the  
2                   Interagency Committee established in sec-  
3                   tion 5103, including the co-chairpersons of  
4                   the Task Force;

5                   (ii) 4 shall be representatives from in-  
6                   stitutions of higher education (as such term  
7                   is defined in section 101 of the Higher Edu-  
8                   cation Act of 1965 (20 U.S.C. 1001)); and

9                   (iii) 4 shall be representatives from  
10                  private organizations.

11                 (B) APPOINTMENT.—Not later than 120  
12                 days after enactment of this Act, the co-chair-  
13                 persons of the Task Force shall appoint members  
14                 to the Task Force pursuant to subparagraph (A).

15                 (C) TERM OF APPOINTMENT.—Members of  
16                 the Task Force shall be appointed for the life of  
17                 the Task Force.

18                 (D) VACANCY.—Any vacancy occurring in  
19                 the membership of the Task Force shall be filled  
20                 in the same manner in which the original ap-  
21                 pointment was made.

22                 (E) CO-CHAIRPERSONS.—The Director of  
23                 the Office of Science and Technology Policy and  
24                 the Director of the National Sciences Founda-  
25                 tion, or their designees, shall be the co-chair-



1           *persons of the Task Force. If the role of the Di-*  
2           *rector of the National Science Foundation is va-*  
3           *cant, the Chair of the National Science Board*  
4           *shall act as a co-chairperson of the Task Force.*

5           (F) *EXPENSES FOR NON-FEDERAL MEM-*  
6           *BERS.—Non-Federal Members of the Task Force*  
7           *shall be allowed travel expenses, including per*  
8           *diem in lieu of subsistence, at rates authorized*  
9           *for employees under subchapter I of chapter 57*  
10           *of title 5, United States Code, while away from*  
11           *their homes or regular places of business in the*  
12           *performance of services for the Task Force.*

13       (b) *ROADMAP AND IMPLEMENTATION PLAN.—*

14           (1) *IN GENERAL.—The Task Force shall develop*  
15           *a coordinated roadmap and implementation plan for*  
16           *creating and sustaining a National Artificial Intel-*  
17           *ligence Research Resource.*

18           (2) *CONTENTS.—The roadmap and plan re-*  
19           *quired by paragraph (1) shall include the following:*

20                   (A) *Goals for establishment and*  
21                   *sustainment of a national artificial intelligence*  
22                   *research resource and metrics for success.*

23                   (B) *A plan for ownership and administra-*  
24                   *tion of the National Artificial Intelligence Re-*  
25                   *search Resource, including—*

1                   (i) an appropriate agency or organiza-  
2                   tion responsible for the implementation, de-  
3                   ployment, and administration of the Re-  
4                   source; and

5                   (ii) a governance structure for the re-  
6                   source, including oversight and decision-  
7                   making authorities.

8                   (C) A model for governance and oversight to  
9                   establish strategic direction, make programmatic  
10                  decisions, and manage the allocation of re-  
11                  sources;

12                  (D) Capabilities required to create and  
13                  maintain a shared computing infrastructure to  
14                  facilitate access to computing resources for re-  
15                  searchers across the country, including  
16                  scalability, secured access control, resident data  
17                  engineering and curation expertise, provision of  
18                  curated, data sets, compute resources, edu-  
19                  cational tools and services, and a user interface  
20                  portal.

21                  (E) An assessment of, and recommend solu-  
22                  tions to, barriers to the dissemination and use of  
23                  high-quality government data sets as part of the  
24                  national artificial intelligence research resource.

1           (F) *An assessment of security requirements*  
2 *associated with the national artificial intel-*  
3 *ligence research resource and its research and*  
4 *recommend a framework for the management of*  
5 *access controls.*

6           (G) *An assessment of privacy and civil lib-*  
7 *erties requirements associated with the national*  
8 *artificial intelligence research resource and its*  
9 *research.*

10          (H) *A plan for sustaining the resources, in-*  
11 *cluding through Federal funding and partner-*  
12 *ships with the private sector.*

13          (I) *The parameters for the establishment*  
14 *and sustainment of the national artificial intel-*  
15 *ligence resource, including agency roles and re-*  
16 *sponsibilities and milestones to implement the*  
17 *resource.*

18          (c) *CONSULTATIONS.—In conducting its duties re-*  
19 *quired under subsection (b), the Task Force shall consult*  
20 *with the following:*

21           (1) *The National Science Foundation.*

22           (2) *The Office of Science and Technology Policy.*

23           (3) *The National Academies of Sciences, Engi-*  
24 *neering, and Medicine.*

1           (4) *The National Institute of Standards and*  
2           *Technology.*

3           (5) *The Defense Advanced Research Projects*  
4           *Agency.*

5           (6) *The Intelligence Advanced Research Projects*  
6           *Activity.*

7           (7) *The Department of Energy.*

8           (8) *The Department of Defense.*

9           (9) *The General Services Administration.*

10          (10) *Private industry.*

11          (11) *Institutions of higher education.*

12          (12) *Such other persons as the Task Force con-*  
13          *siders appropriate.*

14          (d) *STAFF.*—*Staff of the Task Force shall comprise*  
15          *detailees with expertise in artificial intelligence, or related*  
16          *fields from the Office of Science and Technology Policy, the*  
17          *National Science Foundation, or any other agency the co-*  
18          *chairs deem appropriate, with the consent of the head of*  
19          *the agency. The co-chairs shall also be authorized to hire*  
20          *staff from outside the Federal government for the duration*  
21          *of the task force.*

22          (e) *TASK FORCE REPORTS.*—

23                 (1) *INITIAL REPORT.*—*Not later than 12 months*  
24                 *after the date on which all of the appointments have*  
25                 *been made under subsection (a)(2)(B), the Task Force*

1       *shall submit to Congress and the President an interim*  
2       *report containing the findings, conclusions, and rec-*  
3       *ommendations of the Task Force. The report shall in-*  
4       *clude specific recommendations regarding steps the*  
5       *Task Force believes necessary for the establishment*  
6       *and sustainment of a national artificial intelligence*  
7       *research resource.*

8               (2) *FINAL REPORT.*—*Taking into account the*  
9       *findings of the Government Accountability Office re-*  
10       *port required in section 106 of this Act, not later than*  
11       *6 months after the submittal of the interim report*  
12       *under paragraph (1), the Task Force shall submit to*  
13       *Congress and the President a final report containing*  
14       *the findings, conclusions, and recommendations of the*  
15       *Task Force, including the specific recommendations*  
16       *required by subsection (b).*

17       (f) *TERMINATION.*—

18               (1) *IN GENERAL.*—*The Task Force shall termi-*  
19       *nate 90 days after the date on which it submits the*  
20       *final report under subsection (e)(2).*

21               (2) *RECORDS.*—*Upon termination of the Task*  
22       *Force, all of its records shall become the records of the*  
23       *National Archives and Records Administration.*

24       (g) *DEFINITIONS.*—*In this section:*

1           (1) *NATIONAL ARTIFICIAL INTELLIGENCE RE-*  
2           *SEARCH RESOURCE AND RESOURCE.—The terms “Na-*  
3           *tional Artificial Intelligence Research Resource” and*  
4           *“Resource” mean a system that provides researchers*  
5           *and students across scientific fields and disciplines*  
6           *with access to compute resources, co-located with pub-*  
7           *licly-available, artificial intelligence-ready govern-*  
8           *ment and non-government data sets and a research*  
9           *environment with appropriate educational tools and*  
10          *user support.*

11          (2) *OWNERSHIP.—The term “ownership” means*  
12          *responsibility and accountability for the implementa-*  
13          *tion, deployment, and ongoing development of the Na-*  
14          *tional Artificial Intelligence Research Resource, and*  
15          *for providing staff support to that effort.*

16 **SEC. 5108. SENSE OF CONGRESS.**

17          *It is the sense of Congress that—*

18               (1) *artificial intelligence systems have the poten-*  
19               *tial to transform every sector of the United States*  
20               *economy, boosting productivity, enhancing scientific*  
21               *research, and increasing U.S. competitiveness; and*

22               (2) *the United States Government should use this*  
23               *Initiative to enable the benefits of trustworthy artifi-*  
24               *cial intelligence while preventing the creation and use*

1       of artificial intelligence systems that behave in ways  
2       that cause harm, including—

3               (A) high-risk systems that lack sufficient  
4               robustness to prevent adversarial attacks;

5               (B) high-risk systems that harm the privacy  
6               or security of users or the general public; and

7               (C) artificial general intelligence systems  
8               that may become self-aware or uncontrollable.

9       **TITLE II—NATIONAL ARTIFICIAL**  
10       **INTELLIGENCE RESEARCH IN-**  
11       **STITUTES**

12       **SEC. 5201. NATIONAL ARTIFICIAL INTELLIGENCE RE-**  
13       **SEARCH INSTITUTES.**

14       (a) *IN GENERAL.*—As part of the Initiative, the Direc-  
15       tor of the National Science Foundation shall establish a  
16       program to award financial assistance for the planning, es-  
17       tablishment, and support of Institutes (as described in sub-  
18       section (b)(2)) in accordance with this section.

19       (b) *FINANCIAL ASSISTANCE TO ESTABLISH AND SUP-*  
20       *PORT NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH IN-*  
21       *STITUTES.*—

22               (1) *IN GENERAL.*—Under the Initiative, the Sec-  
23       retary of Energy, the Secretary of Commerce, the Di-  
24       rector of the National Science Foundation, and every  
25       other agency head may award financial assistance to

1 *an eligible entity, or consortia thereof, as determined*  
2 *by an agency head, to establish and support an Insti-*  
3 *tute.*

4 (2) *ARTIFICIAL INTELLIGENCE INSTITUTES.—An*  
5 *Institute described in this subsection is an artificial*  
6 *intelligence research institute that—*

7 (A) *is focused on—*

8 (i) *a particular economic or social sec-*  
9 *tor, including health, education, manufac-*  
10 *turing, agriculture, security, energy, and*  
11 *environment, and includes a component*  
12 *that addresses the ethical, societal, safety,*  
13 *and security implications relevant to the*  
14 *application of artificial intelligence in that*  
15 *sector; or*

16 (ii) *a cross-cutting challenge for artifi-*  
17 *cial intelligence systems, including trust-*  
18 *worthiness, or foundational science;*

19 (B) *requires partnership among public and*  
20 *private organizations, including, as appropriate,*  
21 *Federal agencies, research universities, commu-*  
22 *nity colleges, nonprofit research organizations,*  
23 *Federal laboratories, State, local, and tribal gov-*  
24 *ernments, and industry (or consortia thereof);*



1           (C) has the potential to create an innova-  
2           tion ecosystem, or enhance existing ecosystems, to  
3           translate Institute research into applications and  
4           products, as appropriate to the topic of each In-  
5           stitute;

6           (D) supports interdisciplinary research and  
7           development across multiple institutions and or-  
8           ganizations involved in artificial intelligence re-  
9           search and related disciplines, including physics,  
10          engineering, mathematical sciences, computer  
11          and information science, robotics, biological and  
12          cognitive sciences, material science, social and  
13          behavioral sciences, cybersecurity, and technology  
14          ethics;

15          (E) supports interdisciplinary education  
16          activities, including curriculum development, re-  
17          search experiences, and faculty professional de-  
18          velopment across two-year, undergraduates, mas-  
19          ters, and doctoral level programs; and

20          (F) supports workforce development in arti-  
21          ficial intelligence related disciplines in the  
22          United States, including broadening participa-  
23          tion of underrepresented communities.

1           (3) *USE OF FUNDS.*—*Financial assistance*  
2           *awarded under paragraph (1) may be used by an In-*  
3           *stitute for—*

4                   (A) *managing and making available to re-*  
5                   *searchers accessible, curated, standardized, se-*  
6                   *cure, and privacy protected data sets from the*  
7                   *public and private sectors for the purposes of*  
8                   *training and testing artificial intelligence sys-*  
9                   *tems and for research using artificial intelligence*  
10                  *systems, pursuant to section 5301(b) and*  
11                  *5301(c);*

12                  (B) *developing and managing testbeds for*  
13                  *artificial intelligence systems, including sector-*  
14                  *specific test beds, designed to enable users to*  
15                  *evaluate artificial intelligence systems prior to*  
16                  *deployment;*

17                  (C) *conducting research and education ac-*  
18                  *tivities involving artificial intelligence systems*  
19                  *to solve challenges with social, economic, health,*  
20                  *scientific, and national security implications;*

21                  (D) *providing or brokering access to com-*  
22                  *puting resources, networking, and data facilities*  
23                  *for artificial intelligence research and develop-*  
24                  *ment relevant to the Institute’s research goals;*

1           (E) providing technical assistance to users,  
2 including software engineering support, for arti-  
3 ficial intelligence research and development rel-  
4 evant to the Institute's research goals;

5           (F) engaging in outreach and engagement  
6 to broaden participation in artificial intelligence  
7 research and workforce; and

8           (G) such other activities that an agency  
9 head, whose agency's missions contribute to or  
10 are affected by artificial intelligence, considers  
11 consistent with the purposes described in section  
12 5101(a).

13 (4) DURATION.—

14           (A) INITIAL PERIODS.—An award of finan-  
15 cial assistance under paragraph (1) shall be  
16 awarded for an initial period of 5 years.

17           (B) EXTENSION.—An established Institute  
18 may apply for, and the agency head may grant,  
19 extended funding for periods of 5 years on a  
20 merit-reviewed basis using the merit review cri-  
21 teria of the sponsoring agency.

22 (5) APPLICATION FOR FINANCIAL ASSISTANCE.—

23           (A) IN GENERAL.—A person or group of  
24 persons seeking financial assistance under para-  
25 graph (1) shall submit to an agency head an ap-

1           *plication at such time, in such manner, and con-*  
2           *taining such information as the agency head*  
3           *may require.*

4           *(B) REQUIREMENTS.—An application sub-*  
5           *mitted under subparagraph (A) for an Institute*  
6           *shall, at a minimum, include the following:*

7                     *(i) A plan for the Institute to in-*  
8                     *clude—*

9                             *(I) the proposed goals and activi-*  
10                            *ties of the Institute;*

11                            *(II) how the Institute will form*  
12                            *partnerships with other research insti-*  
13                            *tutions, industry, and nonprofits to le-*  
14                            *verage expertise in artificial intel-*  
15                            *ligence and access to data, including*  
16                            *non-governmental data and computing*  
17                            *resources;*

18                            *(III) how the institute will sup-*  
19                            *port long-term and short-term edu-*  
20                            *cation and workforce development in*  
21                            *artificial intelligence, including broad-*  
22                            *ening participation of underrep-*  
23                            *resented communities; and*

1                   (IV) a plan for how the Institute  
2                   will transition from planning into op-  
3                   erations.

4                   (ii) A description of the anticipated  
5                   sources and nature of any non-Federal con-  
6                   tributions, including privately held data  
7                   sets, computing resources, and other types of  
8                   in-kind support.

9                   (iii) A description of the anticipated  
10                  long-term impact of such Institute.

11                 (6) *COMPETITIVE, MERIT REVIEW.*—In awarding  
12                 financial assistance under paragraph (1), the agency  
13                 head shall—

14                   (A) use a competitive, merit review process  
15                   that includes peer review by a diverse group of  
16                   individuals with relevant expertise from both the  
17                   private and public sectors; and

18                   (B) ensure the focus areas of the Institute  
19                   do not substantially duplicate the efforts of any  
20                   other Institute.

21                 (7) *COLLABORATION.*—

22                   (A) *IN GENERAL.*—In awarding financial  
23                   assistance under paragraph (1), an agency head  
24                   may collaborate with Federal departments and  
25                   agencies whose missions contribute to or are af-

1       *fected by artificial intelligence systems, including*  
2       *the agencies outlined in section 5103(c).*

3               *(B) COORDINATING NETWORK.—The Direc-*  
4       *tor of the National Science Foundation shall es-*  
5       *tablish a network of Institutes receiving finan-*  
6       *cial assistance under this subsection, to be known*  
7       *as the “Artificial Intelligence Leadership Net-*  
8       *work”, to coordinate cross-cutting research and*  
9       *other activities carried out by the Institutes.*

10              *(C) FUNDING.—The head of an agency may*  
11       *request, accept, and provide funds from other*  
12       *Federal departments and agencies, State, United*  
13       *States territory, local, or tribal government*  
14       *agencies, private sector for-profit entities, and*  
15       *nonprofit entities, to be available to the extent*  
16       *provided by appropriations Acts, to support an*  
17       *Institute’s activities. The head of an agency may*  
18       *not give any special consideration to any agency*  
19       *or entity in return for a donation.*

1 **TITLE III—NATIONAL INSTITUTE**  
2 **OF STANDARDS AND TECH-**  
3 **NOLOGY ARTIFICIAL INTEL-**  
4 **LIGENCE ACTIVITIES**

5 **SEC. 5301. NATIONAL INSTITUTE OF STANDARDS AND**  
6 **TECHNOLOGY ACTIVITIES.**

7 (a) *IN GENERAL.*—As part of the Initiative, the Direc-  
8 tor of the National Institute of Standards and Technology  
9 shall—

10 (1) *support measurement research and develop-*  
11 *ment of best practices and voluntary standards for*  
12 *trustworthy artificial intelligence systems, including*  
13 *for—*

14 (A) *privacy and security, including for*  
15 *datasets used to train or test artificial intel-*  
16 *ligence systems and software and hardware used*  
17 *in artificial intelligence systems;*

18 (B) *advanced computer chips and hardware*  
19 *designed for artificial intelligence systems;*

20 (C) *data management and techniques to in-*  
21 *crease the usability of data, including strategies*  
22 *to systematically clean, label, and standardize*  
23 *data into forms useful for training artificial in-*  
24 *telligence systems and the use of common, open*  
25 *licenses;*

1           (D) safety and robustness of artificial intel-  
2           ligence systems, including assurance,  
3           verification, validation, security, control, and the  
4           ability for artificial intelligence systems to with-  
5           stand unexpected inputs and adversarial attacks;

6           (E) auditing mechanisms and benchmarks  
7           for accuracy, transparency, verifiability, and  
8           safety assurance for artificial intelligence sys-  
9           tems;

10          (F) applications of machine learning and  
11          artificial intelligence systems to improve other  
12          scientific fields and engineering;

13          (G) model documentation, including per-  
14          formance metrics and constraints, measures of  
15          fairness, training and testing processes, and re-  
16          sults;

17          (H) system documentation, including con-  
18          nections and dependences within and between  
19          systems, and complications that may arise from  
20          such connections; and

21          (I) all other areas deemed by the Director to  
22          be critical to the development and deployment of  
23          trustworthy artificial intelligence;

24          (2) produce curated, standardized, representa-  
25          tive, secure, and privacy protected data sets for artifi-



1 *cial intelligence research, development, and use,*  
2 *prioritizing data for high-value, high-risk research;*

3 (3) *support one or more institutes as described*  
4 *in section 5201(a) for the purpose of advancing the*  
5 *field of artificial intelligence;*

6 (4) *support and strategically engage in the devel-*  
7 *opment of voluntary consensus standards, including*  
8 *international standards, through open, transparent,*  
9 *and consensus-based processes;*

10 (5) *taking into account the findings from the Na-*  
11 *tional Academies study in section 5105, develop*  
12 *taxonomies and lexica to describe artificial intel-*  
13 *ligence tasks, knowledge, skills, abilities, competencies,*  
14 *and work roles to guide career development, edu-*  
15 *cation, and training activities in industry, academia,*  
16 *nonprofit organizations, and the Federal government,*  
17 *identify workforce gaps in the public and private sec-*  
18 *tor, and create criteria and measurement for creden-*  
19 *tials in artificial intelligence-related careers; and*

20 (6) *enter into and perform such contracts, in-*  
21 *cluding cooperative research and development ar-*  
22 *rangements and grants and cooperative agreements or*  
23 *other transactions, as may be necessary in the con-*  
24 *duct of the work of the National Institute of Stand-*  
25 *ards and Technology and on such terms as the Direc-*

1        *tor considers appropriate, in furtherance of the pur-*  
2        *poses of this division.*

3        *(b) RISK MANAGEMENT FRAMEWORK.—Not later than*  
4        *2 years after the date of the enactment of this Act, the Direc-*  
5        *tor shall work to develop, and periodically update, in col-*  
6        *laboration with other public and private sector organiza-*  
7        *tions, including the National Science Foundation and the*  
8        *Department of Energy, a voluntary risk management*  
9        *framework for the trustworthiness of artificial intelligence*  
10       *systems. The framework shall—*

11            *(1) identify and provide standards, guidelines,*  
12            *best practices, methodologies, procedures, and proc-*  
13            *esses for assessing the trustworthiness of, and miti-*  
14            *gating risks to, artificial intelligence systems;*

15            *(2) establish common definitions and character-*  
16            *izations for aspects and levels of trustworthiness, in-*  
17            *cluding explainability, transparency, safety, privacy,*  
18            *security, robustness, fairness, bias, ethics, validation,*  
19            *verification, interpretability, and other properties re-*  
20            *lated to artificial intelligence systems that are com-*  
21            *mon across all sectors;*

22            *(3) provide guidance and implementation steps*  
23            *for risk management of artificial intelligence systems;*

24            *(4) provide sector-specific case studies of imple-*  
25            *mentation of the framework;*

1           (5) *align with voluntary consensus standards,*  
2           *including international standards, to the fullest extent*  
3           *possible;*

4           (6) *incorporate voluntary consensus standards*  
5           *and industry best practices; and*

6           (7) *not prescribe or otherwise require—*

7                   (A) *the use of specific solutions; or*

8                   (B) *the use of specific information or com-*  
9                   *munications technology products or services.*

10          (c) *DATA SHARING AND DOCUMENTATION BEST PRAC-*  
11          *TICES.—Not later than 1 year after the date of enactment*  
12          *of this Act, the Director shall, in collaboration with other*  
13          *public and private sector organizations, develop guidance*  
14          *to facilitate the creation of voluntary data sharing arrange-*  
15          *ments between industry, federally funded research centers,*  
16          *and Federal agencies for the purpose of advancing artificial*  
17          *intelligence research and technologies, including—*

18                   (1) *options for partnership models between gov-*  
19                   *ernment entities, industry, universities, and non-*  
20                   *profits that incentivize each party to share the data*  
21                   *they collected; and*

22                   (2) *best practices for datasets used to train arti-*  
23                   *ficial intelligence systems, including—*

24                           (A) *standards for metadata that describe the*  
25                           *properties of datasets, including—*

- 1                   (i) *the origins of the data;*  
2                   (ii) *the intent behind the creation of*  
3                   *the data;*  
4                   (iii) *authorized uses of the data;*  
5                   (iv) *descriptive characteristics of the*  
6                   *data, including what populations are in-*  
7                   *cluded and excluded from the datasets; and*  
8                   (v) *any other properties as determined*  
9                   *by the Director; and*  
10                  (B) *standards for privacy and security of*  
11                  *datasets with human characteristics.*

12           (d) *STAKEHOLDER OUTREACH.—In carrying out the*  
13 *activities under this subsection, the Director shall—*

14                   (1) *solicit input from university researchers, pri-*  
15                   *vate sector experts, relevant Federal agencies, Federal*  
16                   *laboratories, State and local governments, civil society*  
17                   *groups, and other relevant stakeholders;*

18                   (2) *solicit input from experts in relevant fields*  
19                   *of social science, technology ethics, and law; and*

20                   (3) *provide opportunity for public comment on*  
21                   *guidelines and best practices developed as part of the*  
22                   *Initiative, as appropriate.*

1 **TITLE IV—NATIONAL SCIENCE**  
2 **FOUNDATION ARTIFICIAL IN-**  
3 **TELLIGENCE ACTIVITIES**

4 **SEC. 5401. ARTIFICIAL INTELLIGENCE RESEARCH AND EDU-**  
5 **CATION.**

6 (a) *IN GENERAL.*—As part of the Initiative, the Direc-  
7 tor of the National Science Foundation shall fund research  
8 and education activities in artificial intelligence systems  
9 and related fields, including competitive awards or grants  
10 to institutions of higher education or eligible nonprofit or-  
11 ganizations (or consortia thereof).

12 (b) *USES OF FUNDS.*—In carrying out the activities  
13 under subsection (a), the Director of the National Science  
14 Foundation shall—

15 (1) *support research, including interdisciplinary*  
16 *research on artificial intelligence systems and related*  
17 *areas;*

18 (2) *support collaborations among researchers*  
19 *across disciplines, including between social scientists*  
20 *and computer and data scientists, to advance research*  
21 *critical to the development and deployment of trust-*  
22 *worthy artificial intelligence systems, including sup-*  
23 *port for interdisciplinary research relating advances*  
24 *in artificial intelligence to changes in the future*  
25 *workplace, in a social and economic context;*

1           (3) use the existing programs of the National  
2       *Science Foundation, in collaboration with other Fed-*  
3       *eral departments and agencies, as appropriate to—*

4           (A) improve the teaching and learning of  
5       *artificial intelligence systems at all levels of edu-*  
6       *cation; and*

7           (B) increase participation in artificial in-  
8       *telligence related fields, including by individuals*  
9       *identified in sections 33 and 34 of the Science*  
10       *and Engineering Equal Opportunity Act (42*  
11       *U.S.C. 1885a, 1885b);*

12          (4) engage with institutions of higher education,  
13       *research communities, industry, Federal laboratories,*  
14       *nonprofit organizations, State and local governments,*  
15       *and potential users of information produced under*  
16       *this section, including through the convening of work-*  
17       *shops and conferences, to leverage the collective body*  
18       *of knowledge across disciplines relevant to artificial*  
19       *intelligence, facilitate new collaborations and partner-*  
20       *ships, and identify emerging research needs;*

21          (5) support partnerships among institutions of  
22       *higher education and industry that facilitate collabo-*  
23       *rative research, personnel exchanges, and workforce*  
24       *development with respect to artificial intelligence sys-*  
25       *tems;*

1           (6) *ensure adequate access to research and edu-*  
2           *cation infrastructure with respect to artificial intel-*  
3           *ligence systems, including through the development of*  
4           *new computing resources and partnership with the*  
5           *private sector for the provision of cloud-based com-*  
6           *puting services;*

7           (7) *conduct prize competitions, as appropriate,*  
8           *pursuant to section 24 of the Stevenson-Wydler Tech-*  
9           *nology Innovation Act of 1980 (15 U.S.C. 3719);*

10          (8) *coordinate research efforts funded through ex-*  
11          *isting programs across the directorates of the National*  
12          *Science Foundation;*

13          (9) *provide guidance on data sharing by grant-*  
14          *ees to public and private sector organizations con-*  
15          *sistent with the standards and guidelines developed*  
16          *under section 5301(c); and*

17          (10) *evaluate opportunities for international col-*  
18          *laboration with strategic allies on artificial intel-*  
19          *ligence research and development.*

20          (c) *ARTIFICIAL INTELLIGENCE RESEARCH GRANTS.—*

21                 (1) *IN GENERAL.—The Director shall award*  
22                 *grants for research on artificial intelligence systems.*  
23                 *Research areas may include—*

24                         (A) *artificial intelligence systems, including*  
25                         *machine learning, computer vision, robotics, and*

1           *hardware for accelerating artificial intelligence*  
2           *systems;*

3                   *(B) artificial intelligence-enabled systems;*

4                   *(C) fields and research areas that will con-*  
5           *tribute to the advancement of artificial intel-*  
6           *ligence systems, including information theory,*  
7           *causal and statistical inference, data mining, in-*  
8           *formation extraction, human-robot interaction,*  
9           *and intelligent interfaces;*

10                   *(D) fields and research areas that increase*  
11           *understanding of human characteristics relevant*  
12           *to artificial intelligence systems, including com-*  
13           *putational neuroscience, reasoning and represen-*  
14           *tation, speech and language, multi-agent sys-*  
15           *tems, intelligent interfaces, human-artificial in-*  
16           *telligence cooperation, and artificial intelligence-*  
17           *augmented human problem solving;*

18                   *(E) fields and research areas that increase*  
19           *understanding of learning, adaptability, and re-*  
20           *silience beyond the human cognitive model, in-*  
21           *cluding topics in developmental biology, zoology,*  
22           *botany, morphological computation, and*  
23           *organismal systems;*

24                   *(F) fields and research areas that will con-*  
25           *tribute to the development and deployment of*



1 *trustworthy artificial intelligence systems, in-*  
2 *cluding—*

3 *(i) algorithmic explainability;*

4 *(ii) methods to assess, characterize, and*  
5 *reduce bias in datasets and artificial intel-*  
6 *ligence systems; and*

7 *(iii) safety and robustness of artificial*  
8 *intelligence systems, including assurance,*  
9 *verification, validation, security, and con-*  
10 *trol;*

11 *(G) privacy and security, including for*  
12 *datasets used for the training and inference of*  
13 *artificial intelligence systems, and software and*  
14 *hardware used in artificial intelligence systems;*

15 *(H) fields and research areas that address*  
16 *the application of artificial intelligence systems*  
17 *to scientific discovery and societal challenges, in-*  
18 *cluding economic and public health emergencies;*

19 *(I) societal, ethical, safety, education, work-*  
20 *force, and security implications of artificial in-*  
21 *telligence systems, including social impact of ar-*  
22 *tificial intelligence systems on different groups*  
23 *within society, especially historically*  
24 *marginalized groups; and*

1           *(J) qualitative and quantitative forecasting*  
2           *of future capabilities, applications, and impacts.*

3           (2) *ENGINEERING SUPPORT.*—*In soliciting pro-*  
4           *posals for funding under this section, the Director*  
5           *shall permit applicants to include in their proposed*  
6           *budgets funding for software engineering support to*  
7           *assist with the proposed research.*

8           (3) *ETHICS.*—

9           (A) *SENSE OF CONGRESS.*—*It is the sense of*  
10          *Congress that—*

11                 *(i) a number of emerging areas of re-*  
12                 *search, including artificial intelligence,*  
13                 *have potential ethical, social, safety, and se-*  
14                 *curity implications that might be apparent*  
15                 *as early as the basic research stage;*

16                 *(ii) the incorporation of ethical, social,*  
17                 *safety, and security considerations into the*  
18                 *research design and review process for Fed-*  
19                 *eral awards may help mitigate potential*  
20                 *harms before they happen;*

21                 *(iii) the National Science Foundation's*  
22                 *intent to enter into an agreement with the*  
23                 *National Academies of Sciences, Engineer-*  
24                 *ing, and Medicine to conduct a study and*  
25                 *make recommendations with respect to gov-*

1            *ernance of research in emerging technologies*  
2            *is a positive step toward accomplishing this*  
3            *goal; and*

4            *(iv) the National Science Foundation*  
5            *should continue to work with stakeholders to*  
6            *understand and adopt policies that promote*  
7            *best practices for governance of research in*  
8            *emerging technologies at every stage of re-*  
9            *search.*

10          *(B) ETHICS STATEMENTS.—*

11            *(i) IN GENERAL.—Not later than 18*  
12            *months after the date of enactment of this*  
13            *Act, the Director shall amend grant pro-*  
14            *posal instructions to include a requirement*  
15            *for an ethics statement to be included as*  
16            *part of any proposal for funding prior to*  
17            *making the award. Such statement shall be*  
18            *considered by the Director in the review of*  
19            *proposals, taking into consideration any*  
20            *relevant input from the peer-reviewers for*  
21            *the proposal, and shall factor into award*  
22            *decisions as deemed necessary by the Direc-*  
23            *tor.*

24            *(ii) CONTENTS.—Such statements may*  
25            *include, as appropriate—*

1                   (I) *the potential societal benefits*  
2                   *of the research;*

3                   (II) *any foreseeable or quantifi-*  
4                   *able risks to society, including how the*  
5                   *research could enable products, tech-*  
6                   *nologies, or other outcomes that could*  
7                   *intentionally or unintentionally cause*  
8                   *significant societal harm; and*

9                   (III) *how technical or social solu-*  
10                  *tions can mitigate such risks and, as*  
11                  *appropriate, a plan to implement such*  
12                  *mitigation measures.*

13                  (iii) *GUIDANCE.—The Director shall*  
14                  *issue clear guidance on what constitutes a*  
15                  *foreseeable or quantifiable risk described in*  
16                  *clause (ii)(II), and to the extent practical*  
17                  *harmonize this policy with existing ethical*  
18                  *policies or related requirements for human*  
19                  *subjects.*

20                  (iv) *ANNUAL REPORTS.—The Director*  
21                  *shall encourage grantees to update their eth-*  
22                  *ics statements as appropriate as part of the*  
23                  *annual reports required by all grantees*  
24                  *under the grant terms and conditions.*

25                  (d) *EDUCATION.—*

1           (1) *IN GENERAL.*—*The Director of the National*  
2           *Science Foundation shall award grants for education*  
3           *programs at the K-12, community college, under-*  
4           *graduate, graduate, postdoctoral, adult learning, and*  
5           *retraining stages of education that—*

6                   (A) *support the development of a diverse*  
7                   *workforce pipeline for science and technology*  
8                   *with respect to artificial intelligence systems;*

9                   (B) *increase awareness of ethical, social,*  
10                   *safety, and security implications of artificial in-*  
11                   *telligence systems; and*

12                   (C) *promote the widespread understanding*  
13                   *of artificial intelligence principles and methods*  
14                   *to create an educated workforce and general pub-*  
15                   *lic able to use products enabled by artificial in-*  
16                   *telligence systems and adapt to future societal*  
17                   *and economic changes caused by artificial intel-*  
18                   *ligence systems.*

19           (2) *USE OF FUNDS.*—*Grants awarded under this*  
20           *section for education activities referred to in para-*  
21           *graph (1) may be used for—*

22                   (A) *collaborative interdisciplinary research,*  
23                   *development, testing, and dissemination of K-12,*  
24                   *undergraduate, and community college cur-*  
25                   *riculum development, dissemination, and other*

1 *educational tools and methods in artificial intel-*  
2 *ligence related fields;*

3 *(B) curriculum development in the field of*  
4 *technology ethics;*

5 *(C) support for informal education activi-*  
6 *ties for K-12 students to engage with artificial*  
7 *intelligence systems, including mentorship pro-*  
8 *grams for underrepresented populations;*

9 *(D) efforts to achieve equitable access to K-*  
10 *12 artificial intelligence education for popu-*  
11 *lations and geographic areas traditionally*  
12 *underrepresented in the artificial intelligence*  
13 *field;*

14 *(E) training and professional development*  
15 *programs, including innovative pre-service and*  
16 *in-service programs, in artificial intelligence and*  
17 *related fields for K-12 teachers;*

18 *(F) efforts to improve the retention rate for*  
19 *researchers focusing on artificial intelligence sys-*  
20 *tems at institutions of higher learning and other*  
21 *nonprofit research institutions;*

22 *(G) outreach programs to educate the gen-*  
23 *eral public about the uses of artificial intel-*  
24 *ligence and its societal implications;*

1           (H) assessments of activities conducted  
2 under this subsection; and

3           (I) any other relevant activities the Director  
4 determines will accomplish the aim described in  
5 paragraph (1).

6           (3) *ARTIFICIAL INTELLIGENCE TRAINEESHIPS*  
7 *AND FELLOWSHIPS.*—

8           (A)       *ARTIFICIAL       INTELLIGENCE*  
9 *TRAINEESHIPS.*—

10           (i) *IN GENERAL.*—*The Director of the*  
11 *National Science Foundation shall award*  
12 *grants to institutions of higher education to*  
13 *establish traineeship programs for graduate*  
14 *students who pursue artificial intelligence-*  
15 *related research leading to a masters or doc-*  
16 *torate degree by providing funding and*  
17 *other assistance, and by providing graduate*  
18 *students opportunities for research experi-*  
19 *ences in government or industry related to*  
20 *the students' artificial intelligence studies.*

21           (ii) *USE OF FUNDS.*—*An institution of*  
22 *higher education shall use grant funds pro-*  
23 *vided under clause (i) for the purposes of—*

24                   (I) *providing traineeships to stu-*  
25 *dents who are pursuing research in ar-*

1 *tificial intelligence leading to a mas-*  
2 *ters or doctorate degree;*

3 *(II) paying tuition and fees for*  
4 *students receiving traineeships who are*  
5 *citizens, nationals, or lawfully admit-*  
6 *ted permanent resident aliens of the*  
7 *United States;*

8 *(III) creating and requiring*  
9 *courses or training programs in tech-*  
10 *nology ethics for students receiving*  
11 *traineeships;*

12 *(IV) creating opportunities for re-*  
13 *search in technology ethics for students*  
14 *receiving traineeships;*

15 *(V) establishing scientific intern-*  
16 *ship programs for students receiving*  
17 *traineeships in artificial intelligence at*  
18 *for-profit institutions, nonprofit re-*  
19 *search institutions, or government lab-*  
20 *oratories; and*

21 *(VI) other costs associated with*  
22 *the administration of the program.*

23 *(B) ARTIFICIAL INTELLIGENCE FELLOW-*  
24 *SHIPS.—The Director of the National Science*  
25 *Foundation shall award fellowships to masters*



1           *and doctoral students and postdoctoral research-*  
2           *ers at institutions of higher education who are*  
3           *pursuing degrees or research in artificial intel-*  
4           *ligence and related fields, including in the field*  
5           *of technology ethics. In making such awards, the*  
6           *Director shall—*

7                     *(i) ensure recipients of artificial intel-*  
8                     *ligence fellowships are citizens, nationals, or*  
9                     *lawfully admitted permanent resident aliens*  
10                    *of the United States; and*

11                    *(ii) conduct outreach, including*  
12                    *through formal solicitations, to solicit pro-*  
13                    *posals from students and postdoctoral re-*  
14                    *searchers seeking to carry out research in*  
15                    *aspects of technology ethics with relevance to*  
16                    *artificial intelligence systems.*

17            (C) *FACULTY RECRUITMENT FELLOW-*  
18            *SHIPS.—*

19                    *(i) IN GENERAL.—The Director of the*  
20                    *National Science Foundation shall establish*  
21                    *a program to award grants to institutions*  
22                    *of higher education to recruit and retain*  
23                    *tenure-track or tenured faculty in artificial*  
24                    *intelligence and related fields.*

1                   (ii) *USE OF FUNDS.*—*An institution of*  
2                   *higher education shall use grant funds pro-*  
3                   *vided under clause (i) for the purposes of—*

4                   (I) *recruiting new tenure-track or*  
5                   *tenured faculty members to that con-*  
6                   *duct research and teaching in artificial*  
7                   *intelligence and related fields and re-*  
8                   *search areas, including technology eth-*  
9                   *ics; and*

10                  (II) *paying salary and benefits*  
11                  *for the academic year of newly re-*  
12                  *cruited tenure-track or tenured faculty*  
13                  *members for a duration of up to three*  
14                  *years.*

15                  (D) *FACULTY TECHNOLOGY ETHICS FEL-*  
16                  *LOWSHIPS.*—

17                  (i) *IN GENERAL.*—*The Director of the*  
18                  *National Science Foundation shall establish*  
19                  *a program to award fellowships to tenure-*  
20                  *track and tenured faculty in social and be-*  
21                  *havioral sciences, ethics, law, and related*  
22                  *fields to develop new research projects and*  
23                  *partnerships in technology ethics, in col-*  
24                  *laboration with faculty conducting empir-*

1           ical research in artificial intelligence and  
2           related fields.

3           (ii) *PURPOSES.*—*The purposes of such*  
4           *fellowships are to enable researchers in so-*  
5           *cial and behavioral sciences, ethics, law,*  
6           *and related fields to establish new research*  
7           *and education partnerships with researchers*  
8           *in artificial intelligence and related fields;*  
9           *learn new techniques and acquire system-*  
10          *atic knowledge in artificial intelligence and*  
11          *related fields; shift their research to focus on*  
12          *technology ethics; and mentor and advise*  
13          *graduate students and postdocs pursuing re-*  
14          *search in technology ethics.*

15          (iii) *USES OF FUNDS.*—*A fellowship*  
16          *may include salary and benefits for up to*  
17          *one academic year and additional expenses*  
18          *to support coursework or equivalent train-*  
19          *ing in artificial intelligence systems.*

20          (E) *UPDATE TO ROBERT NOYCE TEACHER*  
21          *SCHOLARSHIP PROGRAM.*—*Section 10(i)(5) of the*  
22          *National Science Foundation Authorization Act*  
23          *of 2002 (42 U.S.C. 1862n–1(i)(5)) is amended by*  
24          *inserting “and artificial intelligence” after*  
25          *“computer science”.*

1           (4) *UPDATE TO ADVANCED TECHNOLOGICAL EDU-*  
2           *CATION PROGRAM.*—

3           (A) *IN GENERAL.*—Section 3(b) of the *Sci-*  
4           *entific and Advanced-Technology Act of 1992 (42*  
5           *U.S.C. 1862(i)) is amended by striking “10” and*  
6           *inserting “12”.*

7           (B) *ARTIFICIAL INTELLIGENCE CENTERS OF*  
8           *EXCELLENCE.*—*The Director of the National*  
9           *Science Foundation shall establish national cen-*  
10           *ters of scientific and technical education to ad-*  
11           *vance education and workforce development in*  
12           *areas related to artificial intelligence pursuant*  
13           *to Section 3 of the Scientific and Advanced-*  
14           *Technology Act of 1992 (42 U.S.C. 1862(i)). Ac-*  
15           *tivities of such centers may include—*

16                   (i) *the development, dissemination,*  
17                   *and evaluation of curriculum and other*  
18                   *educational tools and methods in artificial*  
19                   *intelligence related fields and research*  
20                   *areas, including technology ethics;*

21                   (ii) *the development and evaluation of*  
22                   *artificial intelligence related certifications*  
23                   *for 2-year programs; and*

24                   (iii) *interdisciplinary science and en-*  
25                   *gineering research in employment-based*

1                   *adult learning and career retraining related*  
2                   *to artificial intelligence fields.*

3   **TITLE V—DEPARTMENT OF EN-**  
4       **ERGY ARTIFICIAL INTEL-**  
5       **LIGENCE RESEARCH PRO-**  
6       **GRAM**

7   **SEC. 5501. DEPARTMENT OF ENERGY ARTIFICIAL INTEL-**  
8                   **LIGENCE RESEARCH PROGRAM.**

9       *(a) IN GENERAL.—The Secretary shall carry out a*  
10   *cross-cutting research and development program to advance*  
11   *artificial intelligence tools, systems, capabilities, and work-*  
12   *force needs and to improve the reliability of artificial intel-*  
13   *ligence methods and solutions relevant to the mission of the*  
14   *Department. In carrying out this program, the Secretary*  
15   *shall coordinate across all relevant offices and programs at*  
16   *the Department, including the Office of Science, the Office*  
17   *of Energy Efficiency and Renewable Energy, the Office of*  
18   *Nuclear Energy, the Office of Fossil Energy, the Office of*  
19   *Electricity, the Office of Cybersecurity, Energy Security,*  
20   *and Emergency Response, the Advanced Research Projects*  
21   *Agency-Energy, and any other relevant office determined*  
22   *by the Secretary.*

23       *(b) RESEARCH AREAS.—In carrying out the program*  
24   *under subsection (a), the Secretary shall award financial*

1 *assistance to eligible entities to carry out research projects*  
2 *on topics including—*

3           (1) *the application of artificial intelligence sys-*  
4 *tems to improve large-scale simulations of natural*  
5 *and other phenomena;*

6           (2) *the study of applied mathematics, computer*  
7 *science, and statistics, including foundations of meth-*  
8 *ods and systems of artificial intelligence, causal and*  
9 *statistical inference, and the development of algo-*  
10 *rithms for artificial intelligence systems;*

11           (3) *the analysis of existing large-scale datasets*  
12 *from science and engineering experiments and sim-*  
13 *ulations, including energy simulations and other pri-*  
14 *orities at the Department as determined by the Sec-*  
15 *retary using artificial intelligence tools and tech-*  
16 *niques;*

17           (4) *the development of operation and control sys-*  
18 *tems that enhance automated, intelligent decision-*  
19 *making capabilities;*

20           (5) *the development of advanced computing*  
21 *hardware and computer architecture tailored to arti-*  
22 *ficial intelligence systems, including the codesign of*  
23 *networks and computational hardware;*

24           (6) *the development of standardized datasets for*  
25 *emerging artificial intelligence research fields and ap-*

1        *plications, including methods for addressing data*  
2        *scarcity; and*

3                *(7) the development of trustworthy artificial in-*  
4        *telligence systems, including—*

5                        *(A) algorithmic explainability;*

6                        *(B) analytical methods for identifying and*  
7                        *mitigating bias in artificial intelligence systems;*  
8                        *and*

9                        *(C) safety and robustness, including assur-*  
10                        *ance, verification, validation, security, and con-*  
11                        *trol.*

12        *(c) TECHNOLOGY TRANSFER.—In carrying out the*  
13        *program under subsection (a), the Secretary shall support*  
14        *technology transfer of artificial intelligence systems for the*  
15        *benefit of society and United States economic competitive-*  
16        *ness.*

17        *(d) FACILITY USE AND UPGRADES.—In carrying out*  
18        *the program under subsection (a), the Secretary shall—*

19                        *(1) make available high-performance computing*  
20                        *infrastructure at national laboratories;*

21                        *(2) make any upgrades necessary to enhance the*  
22                        *use of existing computing facilities for artificial intel-*  
23                        *ligence systems, including upgrades to hardware;*

24                        *(3) establish new computing capabilities nec-*  
25                        *essary to manage data and conduct high performance*

1       *computing that enables the use of artificial intel-*  
2       *ligence systems; and*

3             (4) *maintain and improve, as needed, net-*  
4       *working infrastructure, data input and output mech-*  
5       *anisms, and data analysis, storage, and service capa-*  
6       *bilities.*

7       (e) *ETHICS.*—

8             (1) *IN GENERAL.*—*Not later than 18 months*  
9       *after the date of enactment of this Act, the Secretary*  
10       *shall amend grant proposal instructions to include a*  
11       *requirement for an ethics statement to be included as*  
12       *part of any proposal for funding prior to making the*  
13       *award. Such statement shall be considered by the Sec-*  
14       *retary in the review of proposals, taking into consid-*  
15       *eration any relevant input from the peer-reviewers for*  
16       *the proposal, and shall factor into award decisions as*  
17       *deemed necessary by the Secretary. Such statements*  
18       *may include, as appropriate—*

19             (A) *the potential societal benefits of the re-*  
20        *search;*

21             (B) *any foreseeable or quantifiable risks to*  
22        *society, including how the research could enable*  
23        *products, technologies, or other outcomes that*  
24        *could intentionally or unintentionally cause sig-*  
25        *nificant societal harm; and*



1           (C) *how technical or social solutions can*  
2           *mitigate such risks and, as appropriate, a plan*  
3           *to implement such mitigation measures.*

4           (2) *GUIDANCE.—The Secretary shall issue clear*  
5           *guidance on what constitutes risks as described in sec-*  
6           *tion (1)(B), and to the extent practical harmonize*  
7           *this policy with existing ethical policies or related re-*  
8           *quirements for human subjects.*

9           (3) *ANNUAL REPORTS.—The Secretary shall en-*  
10          *courage awardees to update their ethics statements as*  
11          *appropriate as part of the annual reports required by*  
12          *all awardees under the grant terms and conditions.*

13          (f) *RISK MANAGEMENT.—The Secretary shall review*  
14          *agency policies for risk management in artificial intel-*  
15          *ligence related projects and issue as necessary policies and*  
16          *principles that are consistent with the framework developed*  
17          *under section 5301(b).*

18          (g) *DATA PRIVACY AND SHARING.—The Secretary*  
19          *shall review agency policies for data sharing with other*  
20          *public and private sector organizations and issue as nec-*  
21          *essary policies and principles that are consistent with the*  
22          *standards and guidelines submitted under section 5301(c).*  
23          *In addition, the Secretary shall establish a streamlined*  
24          *mechanism for approving research projects or partnerships*

1 *that require sharing sensitive public or private data with*  
2 *the Department.*

3       (h) *PARTNERSHIPS WITH OTHER FEDERAL AGEN-*  
4 *CIES.—The Secretary may request, accept, and provide*  
5 *funds from other Federal departments and agencies, State,*  
6 *United States territory, local, or Tribal government agen-*  
7 *cies, private sector for-profit entities, and nonprofit entities,*  
8 *to be available to the extent provided by appropriations*  
9 *Acts, to support a research project or partnership carried*  
10 *out under this section. The Secretary may not give any spe-*  
11 *cial consideration to any agency or entity in return for a*  
12 *donation.*

13       (i) *STAKEHOLDER ENGAGEMENT.—In carrying out*  
14 *the activities authorized in this section, the Secretary*  
15 *shall—*

16               (1) *collaborate with a range of stakeholders in-*  
17 *cluding small businesses, institutes of higher edu-*  
18 *cation, industry, and the National Laboratories;*

19               (2) *leverage the collective body of knowledge from*  
20 *existing artificial intelligence and machine learning*  
21 *research; and*

22               (3) *engage with other Federal agencies, research*  
23 *communities, and potential users of information pro-*  
24 *duced under this section.*

25       (j) *DEFINITIONS.—In this section:*

1           (1) *SECRETARY*.—The term “Secretary” means  
2           the Secretary of Energy.

3           (2) *DEPARTMENT*.—The term “Department”  
4           means the Department of Energy.

5           (3) *NATIONAL LABORATORY*.—The term “na-  
6           tional laboratory” has the meaning given such term  
7           in section 2 of the Energy Policy Act of 2005 (42  
8           U.S.C. 15801).

9           (4) *ELIGIBLE ENTITIES*.—The term “eligible en-  
10          tities” means—

11                   (A) an institution of higher education;

12                   (B) a National Laboratory;

13                   (C) a Federal research agency;

14                   (D) a State research agency;

15                   (E) a nonprofit research organization;

16                   (F) a private sector entity; or

17                   (G) a consortium of 2 or more entities de-  
18          scribed in subparagraph (A) through (F).

Amend the title so as to read: “A bill 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.”.

Union Calendar No. 354

116<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 6395**

[Report No. 116-442]

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## **A BILL**

To authorize appropriations for fiscal year 2021 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes.

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JULY 9, 2020

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