JULY 7, 2020

RULES COMMITTEE PRINT 116–57

TEXT OF H.R. 6395, WILLIAM M. (MAC) THORNBERRY NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021

[Showing the text of H.R. 6395, as ordered reported by the Committee on Armed Services]

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the ''William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021''.

(b) REFERENCES.—Any reference in this or any other Act to the ''National Defense Authorization Act for Fiscal Year 2021'' shall be deemed to refer to the ''William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021''.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

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

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

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Sec. 101. Authorization of appropriations.

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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.
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Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

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Sec. 212. Enhanced participation of Department of Defense contractors in science, technology, engineering, and mathematics activities.
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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.
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Sec. 222. Measuring and incentivizing programming proficiency.
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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.
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Sec. 245. Self-directed training in artificial intelligence.
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Sec. 247. Microelectronics and national security.

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Sec. 326. Offshore wind energy development, Morro Bay, California.
Sec. 327. Long-duration demonstration initiative and joint program.
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Sec. 554. Defense Language Institute Foreign Language Center.
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TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.
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Sec. 4301. Operation and maintenance.
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TITLE XLIV—MILITARY PERSONNEL

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SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization Of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Navy Programs

SEC. 111. INDEPENDENT COST ESTIMATE OF FFG(X) FRIGATE PROGRAM.

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

Subtitle C—Air Force Programs

SEC. 121. MODIFICATION OF FORCE STRUCTURE OBJECTIVES FOR B–1 BOMBER AIRCRAFT.

(a) MODIFICATION OF MINIMUM INVENTORY REQUIREMENT.—Section 9062(h)(2) of title 10, United States Code, is amended by striking ''36'' and inserting ''24''.

(b) TEMPORARY AUTHORITY TO RETIRE AIRCRAFT.—

(1) IN GENERAL.—Notwithstanding section 9062(h)(1) of title 10, United States Code, the Secretary of the Air Force may retire up to seventeen B–1 aircraft.

(2) TERMINATION OF AUTHORITY.—The authority of the Secretary of the Air Force to retire

aircraft under paragraph (1) shall terminate on January 1, 2023.

(c) PRESERVATION OF CERTAIN AIRCRAFT AND MAINTENANCE PERSONNEL.—Until the date on which the Secretary of the Air Force determines that the B–21 aircraft has attained initial operating capability, the Secretary—

(1) shall preserve each B–1 aircraft that is retired under subsection (b), in a manner that ensures the components and parts of such aircraft are maintained in reclaimable condition that is consistent with type 2000 recallable storage, or better; and

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

SEC. 122. EXTENSION OF LIMITATION ON AVAILABILITY OF FUNDS FOR RETIREMENT OF RC–135 AIRCRAFT.

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

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

Section 147(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1669) is amended by striking ''certifies to the congressional defense committees that Increment 2 of the Advanced Battle-Management System of the Air Force has declared initial operational capability as defined in the Capability Development Document for the System'' and inserting ''certifies to the congressional defense committees that—

''(1) the Secretary has identified a replacement capability and capacity for the current fleet of 16 E–8 Joint Surveillance Target Attack Radar System aircraft to meet global combatant command requirements; and

''(2) such replacement delivers capabilities that are comparable or superior to the capabilities delivered by such aircraft.''.

SEC. 124. LIMITATION ON AVAILABILITY OF FUNDS FOR THE ADVANCED BATTLE MANAGEMENT SYSTEM PENDING CERTIFICATION RELATING TO RQ–4 AIRCRAFT.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fis-

cal year 2021 for the Department of the Air Force for the Advanced Battle Management System, not more than 50 percent may be obligated or expended until—

(1) the Secretary of the Air Force certifies, in writing, to the Committees on Armed Services of the Senate and the House of Representatives that the Secretary will not retire, or prepare to retire, any RQ–4 aircraft during fiscal year 2021;

(2)(A) the Under Secretary of Defense for Acquisition and Sustainment certifies, in writing, to such Committees that, with respect to the RQ–4 aircraft, the validated operating and sustainment costs of any capability developed to replace the RQ–4 aircraft are less than the validated operating and sustainment costs for the RQ–4 aircraft on a comparable flight-hour cost basis; and

(B) the Chairman of the Joint Requirements Oversight Council certifies, in writing, to such Committees that any such capability to be fielded at the same time or before the retirement of the RQ–4 aircraft would result in equal or greater capability available to the commanders of the combatant commands and would not result in less capacity available to the commanders of the combatant commands; or

(3) the Secretary of Defense—

(A) certifies, in writing, to such Committees that the Secretary has determined, after analyzing sufficient and relevant data, that a capability superior to the RQ–4 aircraft is worth increased operating and sustainment costs; and

(B) provides to such Committees analysis supporting such determination.

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

(c) ADVANCED BATTLE MANAGEMENT SYSTEM DEFINED.—In this section, the term ''Advanced Battle Management System'' has the meaning given that term in section 236(c) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1281).

SEC. 125. INVENTORY REQUIREMENTS FOR CERTAIN AIR REFUELING TANKER AIRCRAFT.

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

(1) FISCAL YEAR 2021.—During the period beginning on the date of the enactment of this Act and

ending on October 1, 2021, the Secretary of the Air Force shall maintain a minimum of 50 KC–10A aircraft designated as primary mission aircraft inventory.

(2) FISCAL YEAR 2022.—During the period beginning on October 1, 2021, and ending on October 1, 2022, the Secretary of the Air Force shall maintain a minimum of 38 KC–10A aircraft designated as primary mission aircraft inventory.

(3) FISCAL YEAR 2023.—During the period beginning on October 1, 2022, and ending on October 1, 2023, the Secretary of the Air Force shall maintain a minimum of 26 KC–10A aircraft designated as primary mission aircraft inventory.

(b) PROHIBITION ON RETIREMENT OF KC–135 AIRCRAFT.—

(1) PROHIBITION.—Except as provided in paragraph (2), during the period beginning on the date of the enactment of this Act and ending on October 1, 2023, the Secretary of the Air Force may not retire, or prepare to retire, any KC–135 aircraft.

(2) EXCEPTION.—The prohibition in paragraph (1) shall not apply to individual KC–135 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable

because of mishaps, other damage, or being uneconomical to repair.

(c) KC–135 AIRCRAFT FLEET MANAGEMENT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Air Force may be obligated or expended to reduce the number of KC–135 aircraft designated as primary mission aircraft inventory.

(d) PRIMARY MISSION AIRCRAFT INVENTORY DEFINED.—In this section, the term ''primary mission aircraft inventory'' has the meaning given that term in section 9062(i)(2)(B) of title 10, United States Code.

SEC. 126. LIMITATION ON PRODUCTION OF KC–46A AIRCRAFT.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Air Force may be used to approve the full-rate production of KC–46A aircraft or enter into a contract for the production of more than twelve KC–46A aircraft until the date on which the Secretary of the Air Force certifies to the congressional defense committees that all category-one deficiencies in the systems of the aircraft have been corrected, including the deficiencies affecting the aircraft's remote visioning system,

telescoping actuator in the boom system, and primary fuel containment system.

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

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

(2) a plan to engage an independent test organization to verify the effectiveness of any proposed solutions to such category-one deficiencies; and

(3) an acquisition strategy for the aircraft that—

(A) identifies principal acquisition milestones; and

(B) will ensure that there is sufficient competition for the procurement of a nondevelopmental tanker aircraft at the conclusion of the KC–46A production contract in effect as of the date of the enactment of this Act.

(c) CATEGORY-ONE DEFICIENCY DEFINED.—The term ''category-one deficiency'' means a deficiency that may cause—

(1) death or severe injury to personnel; or

(2) major loss or damage to critical aircraft capabilities.

SEC. 127. ASSESSMENT AND CERTIFICATION RELATING TO OC–135 AIRCRAFT.

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

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

(2) the certification required under subsection (d).

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

(1) individual OC–135 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of mishaps or other damage; or

(2) funds obligated or expended—

(A) for the preparation of the report required under subsection (c); or

(B) for the Air Force to assess options to repurpose the OC–135 aircraft to support other mission requirements.

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

(1) Identification of any unclassified aerial imagery requirements that the Air Force or Air National Guard can meet using the OC–135 aircraft, a version of the aircraft that is expected to replace the OC–135, or similar aerial imagery collection and processing capabilities.

(2) An assessment of the extent to which it is more appropriate for the Air Force or the Air National Guard to fulfill such requirements.

(3) A comparison of the costs and effectiveness of alternative means of meeting unclassified aerial imagery requirements.

(4) An assessment of the utility and cost differential of performing international treaty monitoring missions such as Olive Harvest with the OC–135 aircraft, a version of the aircraft that is ex-

pected to replace the OC–135, or similar aerial imagery collection and processing capabilities.

(d) CERTIFICATION REQUIRED.—Together with the report required under subsection (c), the Secretary of the Air Force shall certify to the congressional defense committees—

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

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

(e) UNCLASSIFIED AERIAL IMAGERY REQUIREMENTS DEFINED.—In this section, the term ''unclassified aerial imagery requirements'' means requirements for the Air Force to provide responsive unclassified aerial imagery support to military forces, domestic civil authorities, other departments and agencies of the Federal Government, and foreign partners of the United States, including any requirements to provide unclassified aerial imagery in support of overseas contingency operations, humanitarian as-

sistance and disaster relief missions, defense support to domestic civil authorities, and international treaty monitoring missions.

SEC. 128. MODERNIZATION PLAN FOR AIRBORNE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE.

(a) MODERNIZATION PLAN.—

(1) IN GENERAL.—The Secretary of the Air Force shall develop a comprehensive plan for the modernization of airborne intelligence, surveillance, and reconnaissance, which shall—

(A) ensure the alignment between requirements, both current and future, and Air Force budget submissions to meet such requirements; and

(B) inform the preparation of future defense program and budget requests by the Secretary, and the consideration of such requests by Congress.

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

(A) An assessment of all airborne intelligence, surveillance, and reconnaissance missions, both current missions and those missions

necessary to support the national defense strategy.

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

(C) The anticipated life-cycle budget associated with each platform, capability, and capacity requirement for both current and future requirements.

(D) An analysis showing operational, budget, and schedule trade-offs between sustainment of currently fielded capabilities, modernization of currently fielded capabilities, and development and production of new capabilities.

(b) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than March 30, 2021, the Secretary of the Air Force shall submit to the congressional defense committees a report that includes—

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

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

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

SEC. 129. MINIMUM BOMBER AIRCRAFT FORCE LEVEL.

(a) IN GENERAL.—Not later than February 1, 2021, the Secretary of the Air Force shall submit to the congressional defense committees a report with recommendations for the bomber aircraft force structure that enables the Air Force to meet the requirements of its long-range strike mission under the National Defense Strategy.

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

(1) The bomber force structure necessary to meet the requirements of the Air Force's long-range strike mission under the National Defense Strategy, including—

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

(B) the minimum number of primary mission aircraft.

(2) The penetrating bomber force structure necessary to meet the requirements of the Air Force's long-range strike mission in contested or denied environments under the National Defense Strategy, to include—

(A) the total minimum number of penetrating bomber aircraft; and

(B) the minimum number of primary mission penetrating bomber aircraft.

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

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

(d) PUBLICATION.—The Secretary shall make available to the public the unclassified form of the report submitted under subsection (a).

(e) BOMBER AIRCRAFT.—In this section, the term ''bomber aircraft'' includes penetrating bombers in addition to B–52H aircraft.

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

SEC. 131. DOCUMENTATION RELATING TO THE F–35 AIRCRAFT PROGRAM.

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

or enter into a contract for the full-rate production of F–35 aircraft, until a period of 30 days has elapsed following the date on which the Secretary has submitted to the congressional defense committees all of the documentation required under subsection (b).

(b) DOCUMENTATION REQUIRED.—The Secretary of Defense shall submit to the congressional defense committees the following documentation with respect to the F–35 aircraft program:

(1) A certification from the Under Secretary of Defense for Acquisition and Sustainment that all alternative supply contractors for parts, required for the airframe and propulsion prime contractors of the F–35 program as a result of the removal of the Republic of Turkey from the program—

(A) have been identified and all related undefinitized contract actions have been definitized (as described in section 7401 of part 217 of the Defense Federal Acquisition Regulation Supplement);

(B) the parts produced by each such contractor have been qualified and certified as meeting applicable technical design and use specifications; and

(C) each such contractor has reached the required rate of production to meet supply requirements for parts under the F–35 aircraft program.

(2) A cost analysis, prepared by the joint program office for the F–35 aircraft program, that assesses and defines —

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

(B) how the establishment of alternate sources of production and sustainment supply and repair parts due to the removal of the Republic of Turkey from the F–35 program will affect such unit cost.

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

(4) An independent cost estimate, prepared by Director of Cost Assessment and Program Evaluation, that defines, for each phase of the F–35 aircraft program, the cost to develop, procure, inte-

grate, and retrofit F–35 aircraft with all Block 4 capability requirements that are specified in the most recent Block 4 capabilities development document.

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

(A) that may cause death, severe injury or occupational illness, or major loss or damage to equipment or a system, and for which there is no identified workaround (commonly known as a ''category 1A deficiency''); or

(B) that critically restricts combat readiness capabilities or results in the inability to attain adequate performance to accomplish mission requirements (commonly known as a ''category 1B deficiency'').

(6) A software and hardware capability, upgrade, and aircraft modification plan that defines the cost and schedule for retrofitting F–35 aircraft that currently have Technical Refresh 2 capabilities installed to ensure compatibility with Block 4 and Technical Refresh 3 aircraft capabilities.

(7) The following reports for the F–35 aircraft program, as prepared by the Director of Operational Test and Evaluation:

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

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

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

(9) A certification that the F–35A meets the required mission reliability performance using an average sortie duration of 2 and one-half hours.

(10) A certification that the Secretary has developed and validated a fully integrated and realistic schedule for the development, production and integration of Block 4 Technical Refresh 3 capabilities, that includes a strategy for resolving all software technical debt that has accumulated within the F–35 operational flight program source code during development, production, and integration of Technical Refresh 1 and Technical Refresh 2 capabilities.

(11)(A) A complete list of hardware modifications that will be required to integrate Block 4 capabilities into lot 16 and lot 17 production aircraft.

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

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

SEC. 132. NOTIFICATION ON SOFTWARE REGRESSION TESTING FOR F–35 AIRCRAFT.

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

(b) ELEMENTS.—The notification required under subsection (a) shall include, with respect to the mission systems production software for the F–35 aircraft, the following:

(1) An explanation of the types and methods of regression testing that were completed for the pro-

duction release of the software to ensure compatibility and proper functionality with—

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

(B) all weapons certified for carriage and employment on each variant of the F–35 aircraft.

(2) Identification of any entities that conducted regression testing of the software, including any development facilities of the Federal Government or contractors that conducted such testing.

(3) A list of deficiencies identified during regression testing of the software or by operational units after fielding of the software, and an explanation of—

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

(B) with respect to any deficiencies that were not resolved or mitigated, whether the deficiencies will be corrected in later releases of the software; and

(C) any effects resulting from such deficiencies, including—

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

(ii) in cases in which the deficiencies resulted in additional, unplanned, software releases, any effects on the ongoing testing of software capability releases.

SEC. 133. NOTIFICATION ON EFFORTS TO REPLACE INOPERABLE EJECTION SEAT AIRCRAFT LOCATOR BEACONS.

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

(1) the efforts of the service acquisition executives of the Department of the Air Force and the Department of the Navy to replace ejection seat aircraft locator beacons that are—

(A) installed on covered aircraft; and

(B) inoperable in water or in wet conditions; and

(2) the funding allocated for such efforts.

(b) DATE SPECIFIED.—The date specified in this subsection is the earlier of—

(1) the date on which the Under Secretary of Defense for Acquisition and Sustainment determines that all ejection seat aircraft locator beacons installed on covered aircraft are operable in water and wet conditions; or

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

(c) DEFINITIONS.—In this section:

(1) The term ''covered aircraft'' means aircraft of the Air Force, the Navy, and the Marine Corps that are equipped with ejection seats.

(2) The term ''service acquisition executive of the Department of the Air Force'' does not include the Service Acquisition Executive of the Department of the Air Force for Space Systems and Programs described in section 957 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 10 U.S.C. 9016 note).

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

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for procurement for the Armed Overwatch Program of the

United States Special Operations Command may be obligated or expended until the date on which—

(1) the Secretary of Defense certifies to the congressional defense committees that—

(A) the Secretary has completed a requirements review of the Armed Overwatch Program; and

(B) the Secretary has conducted a review of the roles and responsibilities of the United States Air Force and the United States Special Operations Command with respect to close air support and armed intelligence, surveillance, and reconnaissance and, as a result of such review, the Secretary has identified the Armed Overwatch Program as a special operations forces-peculiar requirement; and

(2) the Commander of United States Special Operations Command submits to the congressional defense committees—

(A) certification that the Commander or Deputy Commander has approved the documentation of the Special Operations Command Requirements Evaluation Board; and

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

(i) an analysis of alternatives;

(ii) a procurement plan over the period covered by the most recent future-years defense program submitted under section 221 of title 10, United States Code;

(iii) a sustainment plan with projected costs;

(iv) a phase out plan of existing armed intelligence, surveillance, and reconnaissance platforms;

(v) a manpower and training analysis, and;

(vi) doctrinal considerations for employment; and

(C) a roadmap analyzing whether the near-term to mid-term multi-mission responsibilities of the Armed Overwatch Program are consistent with the intelligence, surveillance, and reconnaissance requirements of the various special operations forces units and missions, and the geographic combatant commands.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 211. MODIFICATION OF SCIENCE, MATHEMATICS, AND RESEARCH FOR TRANSFORMATION (SMART) DEFENSE EDUCATION PROGRAM.

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

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

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

''(b) REQUIREMENT FOR PILOT SUBPROGRAM.—

''(1) IN GENERAL.—As a subprogram of the program under subsection (a), the Secretary of De-

fense shall carry out a pilot program to be known as the 'National Security Pipeline Pilot Program' (referred to in this section as the 'Pilot Program') under which the Secretary shall seek to enter into partnerships with minority institutions to diversify the participants in the program under subsection (a).

"(2) ELEMENTS.—Under the Pilot Program, the Secretary of Defense shall—

"(A) provide an appropriate amount of financial assistance under subsection (c) to an individual who is pursuing an associate's degree, undergraduate degree, or advanced degree at a minority institution;

"(B) provide such financial assistance to recipients in conjunction with summer internship opportunities or other meaningful temporary appointments within the Department; and

"(C) periodically evaluate the success of recruiting individuals for scholarships under this subsection and on hiring and retaining those individuals in the public sector workforce.

"(3) REPORTS.—

"(A) INITIAL REPORT.—Not later than December 31, 2022, the Secretary of Defense shall submit to the congressional defense committees a report on the establishment of the Pilot Program. At a minimum, the report shall identify the number of students participating in the pilot program as of the date of the report, the fields of study pursued by such students, and the minority institutions at which such students are enrolled.

"(B) FINAL REPORT.—Not later than September 30, 2024, the Secretary of Defense shall submit to the congressional defense committees a report that evaluates the success of the pilot program in recruiting individuals for scholarships under this section and hiring and retaining those individuals in the public sector workforce.

"(4) TERMINATION.—The Pilot Program shall terminate on December 31, 2026.";

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

(A) in subparagraph (A), by striking "subsection (g)" and inserting "subsection (h)"; and

(B) in subparagraph (C), by striking "subsection (c)" and inserting "subsection (d)";

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

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

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

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

(5) by amending subsection (i), as so redesignated, to read as follows:

''(i) DEFINITIONS.—In this section:

''(1) The term 'institution of higher education' has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(2) The term 'minority institution' means an institution of higher education at which not less than 50 percent of the total student enrollment consists of students from ethnic groups that are underrepresented in the fields of science and engineering.''.

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

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

''(5) In employing participants during the period of obligated service, the Secretary shall ensure that participants are compensated at a rate that is comparable to the rate of compensation for employment in a similar position in the private sector.''.

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

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

''(e) INTERNSHIP REQUIREMENT.—In addition to the period of obligated service required under subsection (d), before completing a degree program for which a scholarship was awarded under this section, each participant shall participate in a paid internship for a period of not less than eight weeks with a defense industry sponsor. The Secretary shall work with each defense industry sponsor to ensure there are sufficient paid internships available for all participants, and that each such defense industry sponsor—

"(1)(A) may be a potential employer for purpose of the participant's period of obligated service as described subsection (d)(1)(B)(ii); or

"(B) may offer full time employment for a participant's last year of obligated service after the participant completes remaining years owed; and

"(2) has agreed to be a defense industry sponsor making a minimum contribution for each participant who receives an internship, which shall be a minimum amount determined by the Secretary, but not less than an amount equal to 50 percent of the cost of an average scholarship under this section.";

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

(A) by striking "The Secretary of Defense shall" and inserting

"(1) The Secretary of Defense shall"; and

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

"(2)(A) The Secretary of Defense shall establish or designate an organization within the Department of Defense which shall have primary responsibility for building cohesion and collaboration across the various scholarship and employment programs of the Department.

"(B) The organization described in subparagraph (A) shall have the following duties:

"(i) Establish an interconnected network and database across the scholarship and employment programs of the Department, including, at a minimum the SMART Defense Education Program, the Defense Civilian Training Corps, the National Defense Science and Engineering Graduate Fellowship, the Army AEOP apprenticeship program, and the Consortium Research Fellows Program;

"(ii) aid in matching scholarships to individuals pursuing courses of study in in-demand skill areas; and

"(iii) build a network of program participants, past, present, and future whom DOD departments can draw on to fill skills gaps.

"(C) On an annual basis, the organization described in subparagraph (A) shall publish, on a publicly accessible website of the Department of Defense, an annual report on the workforce requirements and expected future needs of the civilian workforce of the Department of Defense.";

(5) by redesignating subsection (j), as so redesignated, as subsection (k);

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

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

(7) in subsection (k), as so redesignated, by adding at the end the following new paragraph:

''(3) The term 'defense industry sponsor' means—

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

''(B) a company deemed critical to the national security infrastructure that makes such a contribution.''.

SEC. 212. ENHANCED PARTICIPATION OF DEPARTMENT OF DEFENSE CONTRACTORS IN SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTIVITIES.

(a) IN GENERAL.—

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

"§ 2192c. Program to enhance contractor participation in science, technology, engineering, and mathematics activities

''(a) IN GENERAL.—The Secretary of Defense shall carry out a program under which the Secretary shall seek to enter into partnerships with Department of Defense contractors to promote interest in careers in STEM disciplines.

''(b) OBJECTIVES.—The objectives of the program under subsection (a) are—

''(1) to maximize strategic partnerships between institutions of higher education and private sector organizations to build and strengthen communities involved in STEM disciplines;

''(2) to increase diversity, equity, and inclusion by providing access to career paths in STEM in historically underserved and underrepresented communities; and

''(3) to encourage employers in STEM disciplines to establish work-based learning experiences such as internships and apprenticeships.

"(c) ACTIVITIES.—As part of the program under subsection (a), the Secretary of Defense shall seek to encourage and provide support to Department of Defense contractors to enable such contractors to carry out activities to promote interest in careers in STEM disciplines. Such activities may include—

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

"(2) establishing volunteer programs in elementary schools and secondary schools receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to enhance education in STEM disciplines.

"(3) enhancing education in STEM disciplines at institutions of higher education by—

"(A) making personnel available to advise and assist faculty at such institutions in the performance of research and instruction in STEM disciplines that are determined to be critical to the functions of the Department of Defense;

"(B) awarding scholarships and fellowships to students pursuing courses of study in STEM disciplines; or

"(C) establishing cooperative work-education programs in STEM disciplines for students; or

"(4) enhancing education in STEM disciplines at minority institutions by—

"(A) establishing partnerships between offerors and such institutions for the purpose of training students in STEM disciplines;

"(B) conducting recruitment activities at such institutions; or

"(C) making internships or apprenticeships available to students of such institutions.

"(d) ALLOWABILITY OF COSTS.—Activities described in subsection (c) shall be considered as allowable community service activities for the purposes of determining allowability of cost on a government contract.

"(h) DEFINITIONS.—In this section:

"(1) The terms 'elementary school' and 'secondary school' have the meanings given those terms in section 8101 of the Higher Education Act of 1965 (20 U.S.C. 7801).

"(2) The term 'institution of higher education' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

"(3) The term 'minority institution' means—

"(A) a part B institution (as that term is defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)); or

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

"(4) The term 'STEM disciplines' means disciplines relating to science, technology, engineering and mathematics, including disciplines that are critical to the national security functions of the Department of Defense and that are needed in the Department of Defense workforce (as determined by the Secretary of Defense under section 2192a(a)).".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended

by inserting after the item relating to section 2192b the following new item:

"2192c. Program to enhance contractor participation in science, technology, engineering, and math activities.".

(b) CONFORMING REPEAL.—Section 862 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. note prec. 2191) is repealed.

SEC. 213. MODIFICATION OF REQUIREMENTS RELATING TO CERTAIN COOPERATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.

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

(1) in subsection (b)(2), by striking "and the Under Secretary" and inserting "or the Under Secretary";

(2) in subsection (c)—

(A) by striking "Each cooperative" and inserting "(1) Except as provided in paragraph (2), each cooperative"; and

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

"(2) A cooperative research and development project may be entered into under this section under which costs are shared between the participants on an unequal basis if the Secretary of Defense, or an official specified in sub-

section (b)(2) to whom the Secretary delegates authority under this paragraph, makes a written determination that unequal cost sharing provides strategic value to the United States or another participant in the project.

''(3) For purposes of this subsection, the term 'cost' means the total value of cash and non-cash contributions.'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''In order to'' and inserting ''Except as provided in paragraph (2), in order to'';

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

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

''(2)(A) The Secretary of Defense, or an official specified in subsection (b)(2) to whom the Secretary delegates authority under this paragraph, may waive the prohibition under paragraph (1) to allow the procurement of qualified services from a foreign government, foreign research organization, or other foreign entity on a case-by-case basis.

''(B) Not later than 30 days before issuing a waiver under subparagraph (A), the Secretary of Defense or the official specified in subsection (b)(2) to whom the Secretary delegates authority under this paragraph (as the

case may be) shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate written notice of the intent to issue such a waiver.

''(C) For purposes of this paragraph, the term 'qualified services' means engineering support services and local management services, including launch support services, test configuration support services, test range support services, and development support services, that are not covered by a memorandum of understanding (or other formal agreement) to conduct a cooperative research and development project under this section.''.

SEC. 214. PILOT PROGRAM ON TALENT OPTIMIZATION.

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

''(e) PILOT PROGRAM ON TALENT OPTIMIZATION.—

''(1) IN GENERAL.—The Under Secretary of Defense for Research and Engineering, acting through the Director of the Defense Innovation Unit, shall carry out a pilot program to develop a software-based system that enables active duty military units to identify, access, and request support from members of the reserve components who have

the skills and expertise necessary to carry out one or more functions required of such units.

"(2) ELEMENTS.—In carrying out the pilot program, the Director of the Defense Innovation Unit shall—

"(A) ensure that the system developed under paragraph (1)—

"(i) enables active duty units, in near real-time, to identify members of the reserve components who have the qualifications necessary to meet certain requirements applicable to the units;

"(ii) improves the ability of the military departments to access, on-demand, members of the reserve components who possess relevant experience; and

"(iii) prioritizes access to members of the reserve components who have private-sector experience in the fields identified in section (b);

"(iv) leverages commercial best practices for similar software systems;

"(B) recommend policies and legislation to streamline the use of members of the reserve components by active duty units; and

"(C) carry out such other activities as the Director determines appropriate.

"(3) TERMINATION.—The authority to carry out the pilot program under this subsection shall terminate on September 30, 2025.".

SEC. 215. CODIFICATION OF THE NATIONAL SECURITY INNOVATION NETWORK.

(a) CODIFICATION.—

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

"§ 2358c. National Security Innovation Network

"(a) ESTABLISHMENT.—The Secretary of Defense shall establish a program office to be known as the 'National Security Innovation Network' (referred to in this section as the 'Network'). The Secretary shall establish the Network within the Office of the Under Secretary of Defense for Research and Engineering or within the office of another principal staff assistant to the Secretary.

"(b) RESPONSIBILITIES.—The responsibilities of the Network shall be—

"(1) to create a network throughout the United States that connects the Department of Defense to academic institutions, commercial accelerators and incubators, commercial innovation hubs, and non-

profit entities with missions relating to national security innovation;

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

''(3) to accelerate the adoption of novel concepts and solutions by facilitating dual-use technology advancement to improve acquisition and procurement outcomes;

''(4) to work in coordination with the Under Secretary of Defense for Personnel and Readiness, other principal staff assistants within the Office of the Secretary, and the Armed Forces to create new pathways and models of national security service that facilitate term, temporary, and permanent employment within the Department for—

''(A) students and graduates in the fields of science, technology, arts, engineering, and mathematics;

''(B) early-career and mid-career technologists; and

''(C) entrepreneurs for purposes of project-based work;

"(5) to generate novel concepts and solutions to problems and requirements articulated by entities within the Department through programs, such as the Hacking for Defense program, that combine end users from the Department, students and faculty from academic institutions, and the early-stage dual-use venture community;

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

"(7) to carry out such other activities as the Secretary of Defense, in consultation with the head of the Network, determines to be relevant to such responsibilities.

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

"(1) Section 1599g of this title relating to public-private talent exchanges.

"(2) Section 2368 of this title, relating to Centers for Science, Technology, and Engineering Partnerships.

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

"(3) Section 2474 of this title, relating to Centers of Industrial and Technical Excellence.

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

"(5) Subchapter VI of chapter 33 of title 5, relating to assignments to and from States.

"(6) Chapter 47 of such title, relating to personnel research programs and demonstration projects.

"(7) Section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a) and section 6305 of title 31 relating to cooperative research and development agreements.

"(8) Such other authorities as the Secretary considers appropriate.

"(d) DEFINITIONS.—In this section:

"(1) The term 'dual-use venture' means a business that provides products or services that are capable of meeting requirements for military and non-military applications.

"(2) The term 'early-stage dual-use venture' means a business that provides products or services that are capable of meeting requirements for mili-

tary and nonmilitary applications that has raised not more than $20,000,000 in private venture capital, and whose principal product or service does not support, either directly or indirectly, a current Department of Defense program of record.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2358b the following new item:

''2358c. National Security Innovation Network.''.

(b) IMPLEMENTATION.—

(1) TRANSFERS FROM OTHER DOD ELEMENTS.—The Secretary of Defense may transfer to the National Security Innovation Network established under section 2358c of title 10, United States Code (as added by subsection (a)) such personnel, resources, and functions of other organizations and elements of the Department of Defense as the Secretary considers appropriate to carry out such section.

(2) INTEGRATION WITH EXISTING NSIN.—Effective on the date of the enactment of this Act, the National Security Innovation Network of the Department of Defense (as in existence on the day before such date of enactment) shall be transferred to and merged with the National Security Innovation

Network established under section 2358c of title 10, United States Code (as added by subsection (a)).

(3) IMPLEMENTATION PLAN.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a plan for implementing the National Security Innovation Network under section 2358c of title 10, United States Code (as added by subsection (a)).

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

(i) Plans for any transfers the Secretary intends to carry out under paragraph (1).

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

(I) future funding and administrative support of the Network;

(II) integration of the Network into the programming, planning, budgeting, and execution process of the Department of Defense;

(III) integration of the Network with the other programs and initiatives within the Department that have missions relating to innovation and outreach to the academic and the private sector early-stage dual-use venture community (as defined in section 2358c of title 10, United States Code (as added by subsection (a)); and

(IV) performance indicators by which the Network will be assessed and evaluated.

(iii) A description of any additional authorities the Secretary may require to ensure that the Network is able to effectively carry out the responsibilities specified in section 2358c(c) of title 10, United States Code (as added by subsection (a)).

(c) COMPTROLLER GENERAL REVIEWS AND REPORTS.—

(1) REVIEW AND REPORT ON IMPLEMENTATION PLAN.—Not later than 180 days after the date on which the implementation plan is submitted under subsection (b)(3), the Comptroller General of the United States shall—

(A) complete a review of the implementation plan;

(B) submit to the congressional defense committees a report on the results of the review.

(2) PROGRAM EVALUATION AND REPORT.—

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

(i) complete an evaluation of the National Security Innovation Network under section 2358c of title 10, United States Code (as added by subsection (a)); and

(ii) submit to the appropriate congressional committees a report on the results of the evaluation.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term ''appropriate congressional committees'' means—

(i) the congressional defense committees;

(ii) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(iii) the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 216. MODIFICATION OF PILOT PROGRAM ON ENHANCED CIVICS EDUCATION.

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

(1) in subsection (e)(1)—

(A) in subparagraph (H), by striking ''and'' at the end; and

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

''(J) the improvement of critical thinking and media literacy among students, including the improvement of students' abilities with respect to—

''(i) research and information fluency;

''(ii) critical thinking and problem solving skills;

''(iii) technology operations and concepts;

"(iv) information and technological literacy;

"(v) understanding of the importance of obtaining information from multiple media sources and evaluating sources for quality; and

"(vi) understanding how information on digital platforms can be altered through algorithms, editing, and augmented reality; and"; and

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

"(3) The term 'media literacy' means the ability to—

"(A) access relevant and accurate information through media in a variety of forms;

"(B) critically analyze media content and the influences of different forms of media;

"(C) evaluate the comprehensiveness, relevance, credibility, authority, and accuracy of information;

"(D) make educated decisions based on information obtained from media and digital sources;".

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

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

SEC. 217. MODIFICATION OF JOINT ARTIFICIAL INTELLIGENCE RESEARCH, DEVELOPMENT, AND TRANSITION ACTIVITIES.

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

(1) in the section heading, by inserting "**AND IMPROVEMENT OF THE JOINT ARTIFICIAL INTELLIGENCE CENTER**" before the period at the end;

(2) in subsection (a)—

(A) in paragraph (1), by inserting ''acquire,'' before ''develop''; and

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

''(2) EMPHASIS.—The set of activities established under paragraph (1) shall include—

''(A) acquisition and development of mature artificial intelligence technology;

''(B) applying artificial intelligence and machine learning solutions to operational problems by directly delivering artificial intelligence capabilities to the Armed Forces and other organizations and elements of the Department;

''(C) accelerating the development, testing, and fielding of new artificial intelligence and artificial intelligence-enabling capabilities; and

''(D) coordinating and deconflicting activities involving artificial intelligence and artificial intelligence-enabled capabilities within the Department.''

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

''(b) RESPONSIBLE OFFICIAL.—The Deputy Secretary of Defense shall be the official within the Department of Defense with principal responsibility for the co-

ordination of activities relating to the acquisition, development, and demonstration of artificial intelligence and machine learning for the Department.''.

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

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

''(c) ORGANIZATION.—

''(1) ROLE OF JOINT ARTIFICIAL INTELLIGENCE CENTER.—The set of activities established under subsection (a)(1) shall be established within the Joint Artificial Intelligence Center.

''(2) AUTHORITY OF DEPUTY SECRETARY OF DEFENSE.—The Deputy Secretary of Defense shall exercise authority and direction over the Joint Artificial Intelligence Center.

''(3) AUTHORITY OF DIRECTOR.—The Director of the Joint Artificial Intelligence Center shall report directly to the Deputy Secretary of Defense.

''(4) DELEGATION.—In exercising authority and direction over the Joint Artificial Intelligence Center under subsection (a), the Deputy Secretary of Defense may delegate administrative and ancillary management duties to the Chief Information Officer of the Department of Defense, as needed, to effec-

tively and efficiently execute the mission of the Center.'';

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

(A) in the matter preceding paragraph (1), by striking ''official designated under subsection (b)'' and inserting ''Deputy Secretary of Defense'';

(B) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''acquire,'' before ''develop'';

(C) in the heading of paragraph (2), by striking ''DEVELOPMENT'' and inserting ''ACQUISITION, DEVELOPMENT,''; and

(D) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''To the degree practicable, the designated official'' and inserting ''The Deputy Secretary of Defense'';

(ii) in subparagraph (A), by striking ''development'' and inserting ''acquisition, development,'';

(iii) by redesignating subparagraphs (H) and (I) as subparagraphs (J) and (K), respectively; and

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

''(H) develop standard data formats for the Department that—

''(i) aid in defining the relative maturity of datasets; and

''(ii) inform best practices for cost and schedule computation, data collection strategies aligned to mission outcomes, and dataset maintenance practices;

''(I) establish data and model usage agreements and collaborative partnership agreements for artificial intelligence product development with each organization and element of the Department, including each of the Armed Forces;'';

(7) in subsection (e), as so redesignated—

(A) by striking ''the official designated under subsection (b)'' and inserting ''the Director of the Joint Artificial Intelligence Center'';

(B) by striking ''subsection (c)'' and inserting ''subsection (d)'';and

(C) by adding at the end the following: ''At a minimum, such access shall ensure that the Director has the ability to discover, access,

share, and reuse data and models of the Armed Forces and other organizations and elements of the Department of Defense and to build and maintain data for the Department.'';

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

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking ''official designated under subsection (b)'' and inserting ''Deputy Secretary of Defense''; and

(ii) in subparagraph (B), by striking ''designated official'' and inserting ''Deputy Secretary of defense''; and

(B) in paragraph (2), by striking ''designated official'' and inserting ''Deputy Secretary of Defense''; and

(9) by adding at the end the following new subsection:

''(i) JOINT ARTIFICIAL INTELLIGENCE CENTER DEFINED.—The term 'Joint Artificial Intelligence Center' means the Joint Artificial Intelligence Center of the Department of Defense established pursuant to the memorandum of the Secretary of Defense dated June 27, 2018, and titled 'Establishment of the Joint Artificial Intelligence Center', or any successor to such Center.''.

SEC. 218. MODIFICATION OF NATIONAL SECURITY INNOVATION ACTIVITIES AND MANUFACTURING PILOT PROGRAM.

(a) NATIONAL SECURITY INNOVATION ACTIVITIES.—Section 230 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note) is amended—

(1) in subsection (a), by striking ''The Under Secretary of Defense for Research and Engineering shall establish'' and inserting ''The Under Secretary of Defense for Research and Engineering, acting through the Director of the Defense Innovation Unit, shall establish'';

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

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

''(e) ESTABLISHMENT OF ADVISORY BOARD.—

''(1) IN GENERAL.—Not earlier than the date specified in paragraph (5), but no later than 180 days after such date, the Under Secretary shall establish an advisory board within the Defense Innovation Unit to advise the Under Secretary and the Director of the Unit with respect to the establishment and prioritization of activities under such subsection (a).

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

"(A) identify activities that should be prioritized for establishment under subsection (a);

"(B) not less frequently that semiannually, reevaluate and update such priorities; and

"(C) ensure continuing alignment of the activities established under subsection (a), including all elements of such activities described in subsection (b), with the overall technology strategy of the Department of Defense.

"(3) MEMBERSHIP.—The advisory board established under paragraph (1) shall be composed of one or more representatives from each of the following:

"(A) Each science and technology reinvention laboratory of the Department of Defense.

"(B) The primary procurement organization of each Armed Force.

"(C) The Defense Innovation Board.

"(D) Such other organizations and elements of the Department of Defense as the Under Secretary, in consultation with the Director of the Defense Innovation Unit, determines appropriate.

"(4) PLAN.—Not later than 90 days before the date on which the advisory board is established under paragraph (1), the Under Secretary shall submit to the congressional defense committees a plan for establishing the advisory board, including a description of the expected roles, responsibilities, and membership of the advisory board.

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

(4) in subsection (h), as so redesignated, by striking "subsection (h)" and inserting "subsection (i)".

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

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

(2) in subsection (e), by striking "January 31, 2022" and inserting "January 31, 2027".

SEC. 219. EXTENSION OF PILOT PROGRAM FOR THE ENHANCEMENT OF THE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION CENTERS OF THE DEPARTMENT OF DEFENSE.

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

(1) in subsection (e), by striking ''2022'' and inserting ''2027''; and

(2) in subsection (f)—

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

''(1) IN GENERAL.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the status of the pilot program.''; and

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

''(F) With respect to any military department not participating in the pilot program, an explanation for such nonparticipation, including identification of—

''(i) any issues that may be preventing such participation; and

"(ii) any offices or other elements of the department that may be responsible for the delay in participation.".

(b) TECHNICAL AMENDMENT.—Effective as of December 23, 2016, and as if included therein as enacted, section 233(c)(2)(C)(ii) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2358 note) is amended by striking "Assistant Secretary of the Army for Acquisition, Technology, and Logistics" and inserting "Assistant Secretary of the Army for Acquisition, Logistics, and Technology".

SEC. 220. DIGITAL DATA MANAGEMENT AND ANALYTICS CAPABILITY.

(a) DIGITAL DATA MANAGEMENT AND ANALYTICS CAPABILITY.—

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

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

(B) to digitally record and track all relevant data generated during the research, development, testing, and evaluation of systems; and

(C) to maximize the use of such data to inform—

(i) the further development and improvement of such systems; and

(ii) the acquisition process for such systems.

(2) REQUIREMENTS.—The capability developed under paragraph (1) shall meet the following requirements:

(A) The capability will be accessible to, and useable by, individuals throughout the Department of Defense who have responsibilities relating to capability requirements, research, design, development, testing, evaluation, acquisition, management, operations, and sustainment of systems.

(B) The capability will provide for the development, use, curation, and maintenance of authoritative and technically accurate digital systems—

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

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

(iii) to supply data to digital engineering models for use in the defense acquisition process;

(iv) to supply data to testing infrastructure and software to support automated approaches for testing, evaluation, and deployment throughout the defense acquisition process; and

(v) to provide timely analyses to Department leadership.

(C) The capability will be designed—

(i) to improve data management processes in the research, development, acquisition, and sustainment activities of the Department;

(ii) to provide decision makers in the Department with timely, high-quality, transparent, and actionable analyses for optimal development, acquisition, and sustainment decision making and execution;

(iii) to facilitate productivity, discovery, access, knowledge sharing, and analysis of acquisition-related data across organizational boundaries at all levels of

the Department, including through the development of acquisition documentation; and

(iv) to build and improve analytical models and simulations to enhance the development, test, and use of weapon systems.

(3) SOFTWARE REQUIREMENT.—

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

(B) PROCUREMENT AUTHORITY.—The software described in subparagraph (A) may be developed or procured using the authorities provided under section 800 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1478).

(4) REVIEW.—In developing the capability required under paragraph (1) the Secretary of Defense shall—

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

(B) based on such review, develop recommended approaches for—

(i) moving supporting processes from analog to digital format, including planning and reporting processes;

(ii) making new data active through digitalization;

(iii) making legacy data, including data currently residing in program documentation, active through digitalization; and

(iv) modernizing the storage, retrieval, and reporting capabilities for stakeholders within the Department, including research entities, Program Management Offices, analytic organizations, enterprise oversight, and decision makers.

(b) DEMONSTRATION ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Defense shall carry out demonstration activities to test var-

ious approaches to building the capability required under subsection (a).

(2) PROGRAM SELECTION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall assess and select not fewer than two and not more than five programs of the Department of Defense to participate in the demonstration activities under paragraph (1), including—

(A) one or more acquisition data management test cases; and

(B) one or more development and test modeling and simulation test cases to demonstrate the ability to collect data from tests and operations in the field, and feed the data back into models and simulations for better software development and testing.

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

(A) conduct a comparative analysis that assesses the risks and benefits of the digital management and analytics capability used in each of the programs participating in the demonstration activities relative to the Depart-

ment's traditional data collection, reporting, exposing, and analysis approaches;

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

(C) develop a workforce and infrastructure plan to support any new policies and guidance implemented in connection with the demonstration activities, including any policies and guidance implemented after the completion of such activities.

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

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

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

(d) STEERING COMMITTEE.—

(1) IN GENERAL.—The Secretary of Defense shall establish a steering committee to assist the

Secretary in carrying out subsections (a) through (c).

(2) MEMBERSHIP.—The steering committee shall be composed of the following members or their designees:

(A) The Chief Management Officer.

(B) The Chief Information Officer.

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

(D) The Under Secretary of Defense for Research and Engineering.

(E) The Under Secretary of Defense for Acquisition and Sustainment.

(F) The Director of Operational Test and Evaluation.

(G) The Service Acquisition Executives.

(H) The Director for Force Structure, Resources, and Assessment of the Joint Staff.

(I) The Director of the Defense Digital Service.

(e) INDEPENDENT ASSESSMENTS.—

(1) INITIAL ASSESSMENT.—

(A) IN GENERAL.—The Defense Innovation Board, in consultation with the Defense Digital Service, shall conduct an independent

assessment to identify recommended approaches for the implementation of subsections (a) through (c).

(B) ELEMENTS.—The assessment under subparagraph (A) shall include the following:

(i) A plan for the development and implementation of the capability required under subsection (a), including a plan for any procurement that may be required as part of such development and implementation.

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

(iii) An independent estimate of the schedule for the development and implementation of the capability, including a reasonable estimate of the dates on which the capability can be expected to achieve initial operational capability and full operational capability, respectively.

(iv) A recommendation identifying the office or other organization of the Department of Defense that would be most ap-

propriate to manage and execute the capability.

(C) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Defense Innovation Board, in consultation with the Defense Digital Service, shall submit to the Secretary of Defense and the congressional defense committees a report on the findings of the assessment under subparagraph (A), including the findings of the assessment with respect to each element specified in subparagraph (B).

(2) FINAL ASSESSMENT.—

(A) IN GENERAL.—Not later than March 15, 2022, the Defense Innovation Board and the Defense Science Board shall jointly complete an independent assessment of the progress of the Secretary in implementing subsections (a) through (c). The Secretary of Defense shall ensure that the Defense Innovation Board and the Defense Science Board have access to the resources, data, and information necessary to complete the assessment.

(B) INFORMATION TO CONGRESS.—Not later than 30 days after the date on which the assessment under subparagraph (A) is com-

pleted, the Defense Innovation Board and the Defense Science Board shall jointly provide to the congressional defense committees—

(i) a report summarizing the assessment; and

(ii) a briefing on the findings of the assessment.

(f) REPORT AND BRIEFING.—

(1) REPORT ON IMPLEMENTATION.—Not later than 90 days after the date on which the report described in subsection (e)(1)(C) is submitted to the congressional defense committees, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Secretary in implementing subsections (a) through (c). The report shall include an explanation of how the results of the demonstration activities carried out under subsection (b) will be incorporated into the policy and guidance required under subsection (c), particularly the policy and guidance of the members of the steering committee established under subsection (d).

(2) BRIEFING ON LEGISLATIVE RECOMMENDATIONS.—Not later than October 15, 2021, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives a

briefing that identifies any changes to existing law that may be necessary to facilitate the implementation of subsections (a) through (c).

SEC. 221. SOCIAL SCIENCE, MANAGEMENT SCIENCE, AND INFORMATION SCIENCE RESEARCH ACTIVITIES.

(a) ESTABLISHMENT.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering, shall carry out a program of research and development in social science, management science, and information science.

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

(1) To ensure that the Department of Defense has access to innovation and expertise in social science, management science, and information science to enable the Department to improve the effectiveness and efficiency of the Department's operational and management activities.

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

(3) To enhance cooperation and collaboration on research and development in the fields of social science, management science, and information

science among the Department of Defense and appropriate private sector and international entities that are involved in such research and development.

(4) To develop and manage a portfolio of research initiatives in fundamental and applied social science, management science, and information science that is stable, consistent, and balanced across relevant disciplines.

(5) To accelerate efforts to transition and deploy technologies and concepts derived from research and development in the fields of social science, management science, and information science into the Department of Defense, and to establish policies, procedures, and standards for measuring the success of such efforts.

(6) To collect, synthesize, and disseminate critical information on research and development in the fields of social science, management science, and information science.

(7) To support the missions and systems of the Department by developing the fields of social science, management science, and information science, including by supporting—

(A) appropriate research and innovation in such fields; and

(B) the development of an industrial base in such fields, including development of the facilities, workforce, and infrastructure that comprise such industrial base.

(c) ADMINISTRATION.—The Under Secretary of Defense for Research and Engineering shall supervise the planning, management, and coordination of the program under subsection (a).

(d) ACTIVITIES.—The Under Secretary of Defense for Research and Engineering, in consultation with the Secretaries of the military departments and the heads of relevant Defense Agencies, shall—

(1) prescribe a set of long-term challenges and a set of specific technical goals for the program, including—

(A) optimization of analysis of national security data sets;

(B) development of defense-related management innovation activities;

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

(D) improving understanding of the fundamental social, cultural, and behavioral forces

that shape the strategic interests of the United States; and

(E) developing a Department of Defense workforce capable of developing and leveraging innovations and best practices in the fields of social science, management science, and information science to support defense missions;

(2) develop a coordinated and integrated research and investment plan for meeting near-term, mid-term, and long-term national security, defense-related, and Department management challenges that—

(A) includes definitive milestones;

(B) provides for achieving specific technical goals; and

(C) builds upon the investments of the Department, other departments and agencies of the Federal Government, and the commercial sector in the fields of social science, management science, and information science;

(3) develop plans for—

(A) the development of the Department's workforce in social science, management science, and information science; and

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

(4) develop memoranda of agreement, joint funding agreements, and such other cooperative arrangements as the Under Secretary determines necessary for carrying out the program under subsection (a).

(e) GUIDANCE REQUIRED.—

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

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

(B) policies for control of personnel participating in such activities to minimize the effects of the loss of intellectual property in social science, management science, and information science considered sensitive to the Federal Government.

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

(f) RESEARCH CENTERS.—

(1) IN GENERAL.—The Secretary of each military department may establish or designate an entity or activity under the jurisdiction of such Secretary, which may include a Department of Defense Laboratory, to serve as a research center in the fields of social science, management science, and information science. Each such research center shall engage with appropriate public sector and private sector organizations, including academic institutions, to enhance and accelerate the research, development, and deployment of social science, management science, and information science within the Department.

(2) MINIMUM NUMBER.—The Secretary of Defense shall ensure that not less than one research center is established or designated under paragraph (1) by not later than 180 days after the date of the enactment of this Act.

(g) REPORT.—

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

(2) FORM OF REPORT.—The report required under paragraph (1) may be submitted in unclassified or classified form.

SEC. 222. MEASURING AND INCENTIVIZING PROGRAMMING PROFICIENCY.

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

(1) Leverage existing civilian software development and software architecture certification programs to implement coding language proficiency and artificial intelligence competency tests within the Department of Defense that—

(A) measure an individual's competency in using machine learning tools, in a manner similar to the way the Defense Language Proficiency Test measures competency in foreign language skills;

(B) enable the identification of members of the Armed Forces and civilian employees of the Department of Defense who have varying levels of quantified coding comprehension and skills

and a propensity to learn new programming paradigms, algorithms, and data analytics; and

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

(2) Update existing record keeping systems to track artificial intelligence and programming certification testing results in a manner that is comparable to the system used for tracking and documenting foreign language competency, and use that record keeping system to ensure that workforce coding and artificial intelligence comprehension and skills are taken into consideration when making assignments.

(3) Implement a system of rewards, including appropriate incentive pay and retention incentives, for members of the Armed Forces and civilian employees of the Department of Defense who perform successfully on specific language coding proficiency and artificial intelligence competency tests and make their skills available to the Department.

(b) INFORMATION SHARING WITH OTHER FEDERAL AGENCIES.—The Secretary of Defense shall share information on the activities carried out under subsection (a) with the Secretary of Homeland Security, the Attorney General, the Director of National Intelligence, and the

heads of such other organizations of the intelligence community as the Secretary determines appropriate, for purposes of—

(1) making information about the coding language proficiency and artificial intelligence competency tests developed under such subsection available to other Federal national security agencies; and

(2) encouraging the heads of such agencies to implement tracking and reward systems that are comparable to those implemented by the Department of Defense pursuant to such subsection.

SEC. 223. INFORMATION TECHNOLOGY MODERNIZATION AND SECURITY EFFORTS.

(a) MODERNIZATION EFFORT.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Assistant Secretary'' means the Assistant Secretary of Commerce for Communications and Information;

(B) the term ''covered agency''—

(i) means any Federal entity that the Assistant Secretary determines is appropriate; and

(ii) includes the Department of Defense;

(C) the term ''Federal entity'' has the meaning given the term in section 113(l) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923(l));

(D) the term ''Federal spectrum'' means frequencies assigned on a primary basis to a covered agency;

(E) the term ''infrastructure'' means information technology systems and information technologies, tools, and databases; and

(F) the term ''NTIA'' means the National Telecommunications and Information Administration.

(2) INITIAL INTERAGENCY SPECTRUM INFORMATION TECHNOLOGY COORDINATION.—Not later than 90 days after the date of enactment of this Act, the Assistant Secretary, in consultation with the Policy and Plans Steering Group, shall identify a process to establish goals, including parameters to measure the achievement of those goals, for the modernization of the infrastructure of covered agencies relating to managing the use of Federal spectrum by those agencies, which shall include—

(A) the standardization of data inputs, modeling algorithms, modeling and simulation processes, analysis tools with respect to Federal spectrum, assumptions, and any other tool to ensure interoperability and functionality with respect to that infrastructure;

(B) other potential innovative technological capabilities with respect to that infrastructure, including cloud-based databases, artificial intelligence technologies, automation, and improved modeling and simulation capabilities;

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

(i) increasing the efficiency of that infrastructure;

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

(iii) increasing the accuracy of that infrastructure;

(iv) validating models used by that infrastructure; and

(v) monitoring and enforcing requirements that are imposed on covered agen-

cies with respect to the use of Federal spectrum by covered agencies;

(D) ways to improve the ability of covered agencies to meet mission requirements in congested environments with respect to Federal spectrum, including as part of automated adjustments to operations based on changing conditions in those environments;

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

(i) to share Federal spectrum between covered agencies to collaboratively and dynamically increase access to Federal spectrum by those agencies; and

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

(F) the collaboration between covered agencies necessary to ensure the interoperability of Federal spectrum.

(3) SPECTRUM INFORMATION TECHNOLOGY MODERNIZATION.—

(A) IN GENERAL.—Not later than 240 days after the date of enactment of this Act, the Assistant Secretary shall submit to Congress a report that contains the plan of the

NTIA to modernize and automate the infrastructure of the NTIA relating to managing the use of Federal spectrum by covered agencies so as to more efficiently manage that use.

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

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

(ii) an acquisition strategy for the modernized infrastructure of the NTIA described in that paragraph, including how that modernized infrastructure will enable covered agencies to be more efficient and effective in the use of Federal spectrum;

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

(iv) plans detailing how the modernized infrastructure of the NTIA described in that paragraph will—

(I) enhance the security and reliability of that infrastructure so that such infrastructure satisfies the re-

quirements of the Federal Information Security Management Act of 2002 (Public Law 107–296; 116 Stat. 2135);

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

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

(aa) administer the management of the spectrum use described in that paragraph; and

(bb) improve data quality and processing time; and

(IV) improve the timeliness of spectrum analyses and requests for information, including requests submitted pursuant to section 552 of title 5, United States Code;

(v) an operations and maintenance plan with respect to the modernized infrastructure of the NTIA described in that paragraph;

(vi) a strategy for coordination between the covered agencies within the Policy and Plans Steering Group, which shall include—

(I) a description of—

(aa) those coordination efforts, as in effect on the date on which the report is submitted; and

(bb) a plan for coordination of those efforts after the date on which the report is submitted, including with respect to the efforts described in paragraph (4);

(II) a plan for standardizing—

(aa) electromagnetic spectrum analysis tools;

(bb) modeling and simulation processes and technologies; and

(cc) databases to provide technical interference assessments that are usable across the Federal Government as part of a common spectrum management

1 infrastructure for covered agen-
2 cies;
3 (III) a plan for each covered
4 agency to implement a modernization
5 plan described in paragraph (4)(A)
6 that is tailored to the particular
7 timeline of the agency;
8 (vii) identification of manually inten-
9 sive processes involved in managing Fed-
10 eral spectrum and proposed enhancements
11 to those processes;
12 (viii) metrics to evaluate the success
13 of the modernization efforts described in
14 that paragraph and any similar future ef-
15 forts; and
16 (ix) an estimate of the cost of the
17 modernization efforts described in that
18 paragraph and any future maintenance
19 with respect to the modernized infrastruc-
20 ture of the NTIA described in that para-
21 graph, including the cost of any personnel
22 and equipment relating to that mainte-
23 nance.
24 (4) INTERAGENCY INPUTS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the head of each covered agency shall submit to the Assistant Secretary and the Policy and Plans Steering Group a report that describes the plan of the agency to modernize the infrastructure of the agency with respect to the use of Federal spectrum by the agency so that such modernized infrastructure of the agency is interoperable with the modernized infrastructure of the NTIA, as described in paragraph (3).

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

(i) include—

(I) an assessment of the current, as of the date on which the report is submitted, management capabilities of the agency with respect to the use of frequencies that are assigned to the agency, which shall include a description of any challenges faced by the agency with respect to that management;

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

(III) a description of potential innovative technological capabilities for the management of frequencies that are assigned to the agency, as determined under paragraph (2);

(IV) identification of agency-specific requirements or constraints relating to the infrastructure of the agency;

(V) identification of any existing, as of the date on which the report is submitted, systems of the agency that are duplicative of the modernized infrastructure of the NTIA, as proposed under paragraph (3); and

(VI) with respect to the report submitted by the Secretary of Defense—

(aa) a strategy for the integration of systems or the flow of data among the Armed Forces, the military departments, the De-

fense Agencies and Department of Defense Field Activities, and other components of the Department of Defense;

(bb) a plan for the implementation of solutions to the use of Federal spectrum by the Department of Defense involving information at multiple levels of classification; and

(cc) a strategy for addressing, within the modernized infrastructure of the Department of Defense described in that paragraph, the exchange of information between the Department of Defense and the NTIA in order to accomplish required processing of all Department of Defense domestic spectrum coordination and management activities; and

(ii) be submitted in an unclassified format, with a classified annex, as appropriate.

(C) NOTIFICATION OF CONGRESS.—Upon submission of the report required under subparagraph (A), the head of each covered agency shall notify Congress that the head of the covered agency has submitted the report.

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

(A) not later than 90 days after the date of enactment of this Act, conduct a review of the infrastructure of covered agencies, as that infrastructure exists on the date of enactment of this Act;

(B) after all of the reports required under paragraph (4) have been submitted, conduct oversight of the implementation of the modernization plans submitted by the NTIA and covered agencies under paragraphs (3) and (4), respectively;

(C) not later than 1 year after the date on which the Comptroller General begins conducting oversight under subparagraph (B), and annually thereafter, submit a report regarding that oversight to—

(i) with respect to the implementation of the modernization plan of the Depart-

ment of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(ii) with respect to the implementation of the modernization plans of all covered agencies, including the Department of Defense, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(D) provide regular briefings to—

(i) with respect to the application of this section to the Department of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(ii) with respect to the application of this section to all covered agencies, including the Department of Defense, the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(b) TELECOMMUNICATIONS SECURITY PROGRAM.—

(1) PROGRAM REQUIRED.—The Secretary of Defense shall carry out a program to identify and mitigate vulnerabilities in the telecommunications infrastructure of the Department of Defense.

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

(A) develop a capability to communicate clearly and authoritatively about threats by foreign adversaries;

(B) conduct independent red-team security analysis of Department of Defense systems, subsystems, devices, and components including no-knowledge testing and testing with limited or full knowledge of expected functionalities;

(C) verify the integrity of personnel who are tasked with design fabrication, integration, configuration, storage, test, and documentation of noncommercial 5G technology to be used by the Department of Defense;

(D) verify the efficacy of the physical security measures used at Department of Defense locations where system design, fabrication, integration, configuration, storage, test, and documentation of 5G technology occurs;

(E) direct the Chief Information Officer of the Department of Defense to use the Federal Risk and Authorization Management Program (commonly known as ''FedRAMP'') moderate or high cloud standard baselines, supplemented with the Department's FedRAMP cloud standard controls and control enhancements, to assess 5G core service providers whose services will be used by the Department of Defense through the Department's provisional authorization process; and

(F) direct the Defense Information Systems Agency and the United States Cyber Command to Develop a capability for continuous, independent monitoring of packet streams for 5G data on frequencies assigned to the Department of Defense to validate availability, confidentiality, and integrity of Department of Defense communications systems.

(3) IMPLEMENTATION PLAN.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a plan for the implementation of the program under paragraph (1).

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

(A) a comprehensive assessment of the findings and conclusions of the program under paragraph (1);

(B) recommendations on how to mitigate vulnerabilities in the Department of Defense telecommunications infrastructure; and

(C) an explanation of how the Department of Defense plans to implement such recommendations.

SEC. 224. BOARD OF DIRECTORS FOR THE JOINT ARTIFICIAL INTELLIGENCE CENTER.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a Board of Directors for the Joint Artificial Intelligence Center.

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

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

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

(3) Evaluate and advise the Secretary on ethical matters relating to the development and use of artificial intelligence by the Department.

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

(5) Evaluate and provide recommendations to the Secretary regarding the Department's development of a robust workforce proficient in artificial intelligence.

(6) Assist the Secretary in developing strategic level guidance on artificial intelligence-related hardware procurement and supply-chain matters.

(7) Monitor and provide recommendations to the Secretary on computing power, usage, storage, and other technical matters relating to artificial intelligence.

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

(1) The official within the Department of Defense to whom the Director of the Joint Artificial intelligence center directly reports.

(2) The Under Secretary of Defense for Policy.

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

(4) The Under Secretary of Defense for Acquisition and Sustainment.

(5) The Under Secretary of Defense for Intelligence and Security.

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

(7) Not more than five members from academic or private sector organizations outside the Department of Defense, who shall be appointed by the Secretary.

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

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

(f) REPORTS.—Not later than September 30 of each year through September 30, 2024, the Board of Directors shall submit to the congressional defense committees a report that summarizes the activities of the Board over the preceding year.

(g) DEFINITIONS.—In this section:

(1) The term ''artificial intelligence'' has the meaning given that term in section 238(g) of the

John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358 note).

(2) The term ''Board of Directors'' means the Board of Directors established under subsection (a).

(3) The term ''Joint Artificial Intelligence Center'' means the Joint Artificial Intelligence Center of the Department of Defense established pursuant to the memorandum of the Secretary of Defense dated June 27, 2018, and titled ''Establishment of the Joint Artificial Intelligence Center'', or any successor to such Center.

(4) The term ''Secretary'' means the Secretary of Defense.

SEC. 225. DIRECTED ENERGY WORKING GROUP.

(a) IN GENERAL.—The Secretary of Defense shall establish a working group, to be known as the ''Directed Energy Working Group''.

(b) RESPONSIBILITIES.—The working group shall—

(1) discuss the current and planned directed energy programs of each of the military departments;

(2) make recommendations to the Secretary of Defense about establishing memoranda of understanding among the organizations and elements of the Department of Defense to coordinate directed

energy activities using amounts authorized to be appropriated for research, development, test, and evaluation;

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

(4) develop a compendium on the effectiveness of directed energy weapon systems and integrate the compendium into an overall Joint Effectiveness Manual under the guidance from the Joint Technical Coordination Group for Munitions Effectiveness.

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

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

(1) One member from each military department, appointed by the Secretary of the military department concerned.

(2) One member appointed by the Under Secretary of Defense for Research and Engineering.

(3) One member appointed by the Under Secretary of Defense for Acquisition and Sustainment.

(4) One member appointed by the Director of the Strategic Capabilities Office of the Department of Defense.

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

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

(f) TERMINATION.—The working group under this section shall terminate four years after the date of the enactment of this Act.

SEC. 226. PROGRAM EXECUTIVE OFFICER FOR AUTONOMY.

(a) IN GENERAL.—Not later than February 1, 2022, the Secretary of the Navy shall designate a program executive officer for autonomy who shall be the official within the Department of the Navy with primary responsibility for the development and integration of autonomous technology into weapon systems.

(b) PROGRAM EXECUTIVE OFFICER DEFINED.—In this section, the term ''program executive officer'' has the

meaning given that term in section 1737(a)(4) of title 10, United States Code.

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

(a) INDEPENDENT COST ESTIMATE.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall—

(A) review any cost estimate of the Advanced Battle Management System prepared by the Department of the Air Force; and

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

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

(b) AIR FORCE BRIEFING REQUIREMENT.—Section 147(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 STAT. 1670) is amended by adding at the end the

following: ''Each briefing shall include a detailed explanation of any on-ramp exercise of the Advanced Battle Management System conducted during the quarter covered by the report, including an explanation of—

''(1) the objectives achieved by the exercise;

''(2) the realism of the exercise, including identification of the portions of the exercise that were scripted and unscripted and any technical workarounds or substitutes used for purposes of the exercise;

''(3) the interim capabilities provided to combatant commanders after the conclusion of the exercise (commonly known as 'leave behind' capabilities) and a plan for the sustainment or upgrade of such capabilities; and

''(4) the total cost of the exercise and a breakdown of the costs with respect to technology, range and demonstration resources, personnel, and logistics.''.

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

(1) REPORT ON PLANNED CAPABILITIES.—A report on the planned product line capabilities of the Advanced Battle Management System, including—

(A) a description of the technologies needed to implement and achieve such product line capabilities;

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

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

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

(3) REPORT ON ALIGNMENT WITH COMMON MISSION CONTROL CENTER.—A report, which may be submitted in classified or unclassified form, that

explains how, and to what extent, the Advanced Battle Management System will be aligned and coordinated with the Common Mission Control Center of the Air Force.

(d) REPORT ON SECURITY MEASURES.—At the same time as the budget of the President for fiscal year 2022 is submitted to Congress pursuant to section 1105(a) of title 31, United States Code, the Secretary of the Air Force shall submit to the congressional defense committees a report that describes how the Secretary plans to ensure the security of the Advanced Battle Management System, including a description of any information assurance and anti-tamper requirements for the System.

(e) ADVANCED BATTLE MANAGEMENT SYSTEM DEFINED.—In this section, the term ''Advanced Battle Management System'' has the meaning given that term in section 236(c) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1281).

SEC. 228. MEASURES TO ADDRESS FOREIGN TALENT PROGRAMS.

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

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

(1) the extent to which a foreign talent program—

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

(B) engages in, or facilitates, cyber attacks, theft, espionage, or otherwise interferes in the affairs of the United States; and

(2) any other factors the Secretary determines appropriate.

(c) INFORMATION TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a copy of the list developed under subsection (a).

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

(e) NOTICE AND COMMENT PERIOD.—The list developed under subsection (a), and any guidance, rules, updates, or other requirements relating to such list, shall not take effect until such list, or any such guidance, rules, up-

1 dates, or other requirements (as the case may be) have
2 been—
3 (1) published in the Federal Register; and
4 (2) open for public comment for a period of not
5 less than 60 days.
6 (f) FOREIGN TALENT PROGRAM DEFINED.—In this
7 section, the term ''foreign talent program'' has the mean-
8 ing given that term for purposes of section 1286 of the
9 John S. McCain National Defense Authorization Act for
10 Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2358
11 note).

12 **SEC. 229. DISCLOSURE OF FOREIGN FUNDING SOURCES IN**
13 **APPLICATIONS FOR FEDERAL RESEARCH**
14 **AWARDS.**

15 (a) DISCLOSURE REQUIREMENT.—Each Federal re-
16 search agency shall require—
17 (1) any individual applying for funds from that
18 agency as a principal investigator or co-principal in-
19 vestigator under a grant or cooperative agreement to
20 disclose all current and pending support and the
21 sources of such support at the time of the applica-
22 tion for funds; and
23 (2) any institution of higher education applying
24 for funds from that agency to certify that every
25 principal investigator or co-principal investigator

who is employed by the institution of higher education and is applying for such funds has been made aware of the requirement under paragraph (1).

(b) CONSISTENCY.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council and in accordance with the authority provided under section 1746 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 42 U.S.C. 6601 note) shall ensure that the requirements issued by Federal research agencies under subsection (a) are consistent.

(c) ENFORCEMENT.—

(1) IN GENERAL.—In the event that an individual or entity violates the disclosure requirements under subsection (a), a Federal research agency may take one or more of the following actions against such individual or entity:

(A) Reject an application for a grant or cooperative agreement because the disclosed current and pending support violates agency terms and conditions.

(B) Reject an application for a grant or cooperative agreement because current and pending support have not been disclosed as required under subsection (a).

(C) Temporarily or permanently discontinue any or all funding from that agency for any principal investigator or co-principal investigator who has failed to properly disclose current and pending support pursuant to subsection (a).

(D) Temporarily or permanently suspend or debar a researcher, in accordance with part 180 of title 2, Code of Federal Regulations, from receiving funding from that agency when failure to disclose current and pending support pursuant to subsection (a) as done knowingly and willfully.

(E) Refer a failure to disclose under subsection (a) to Federal law enforcement authorities to determine whether any criminal statutes have been violated.

(2) NOTICE.—A Federal research agency intending to take action under any of subparagraphs (A), (B), (C), or (D) of paragraph (1) shall notify the institution of higher education, principal investigator and any co-principal investigators subject to such action about the specific reason for the action, and shall provide the institution, principal investigator, and co-principal investigator, as applicable,

with the opportunity and a process by which to contest the proposed action.

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

(d) DEFINITIONS.—In this section:

(1) CURRENT AND PENDING SUPPORT.—The term ''current and pending support'' means all resources made available to an individual in direct support of the individual's research efforts, regardless of whether such resources have monetary value, and includes in-kind contributions requiring a commitment of time and directly supporting the individual's research efforts, such as the provision of office or laboratory space, equipment, supplies, employees, and students.

(2) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) FEDERAL RESEARCH AGENCY.—The term ''Federal research agency'' includes the following and any organizations and elements thereof:

(A) The Department of Agriculture.

(B) The Department of Commerce.

(C) The Department of Defense.

(D) The Department of Education.

(E) The Department of Energy.

(F) The Department of Health and Human Services.

(G) The Department of Homeland Security.

(H) The Department of Transportation.

(I) The Environmental Protection Agency.

(J) The National Aeronautics and Space Administration.

(K) The National Science Foundation.

SEC. 230. LIMITATIONS RELATING TO LARGE UNMANNED SURFACE VESSELS AND ASSOCIATED OFFENSIVE WEAPON SYSTEMS.

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

(1) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of the Navy for the procurement of a large unmanned surface vessel may be obligated or expended until a period of 60 days has elapsed following the date on

which the Secretary of the Navy submits to the congressional defense committees the certification described in paragraph (2).

(2) CERTIFICATION DESCRIBED.—The certification described in this paragraph is a written statement of the Secretary of the Navy certifying, with respect to any large unmanned surface vessel to be procured by the Secretary, the following:

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

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

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

(B) A command control system has been developed for the vessel and the system—

(i) can be operated autonomously;

(ii) includes autonomous detection; and

(iii) has attained a technology readiness level of seven or greater.

(C) A detailed plan has been developed for measuring and demonstrating the reliability of the vessel.

(D) All payloads expected to be carried on the vessel have attained a technology readiness level of seven or greater.

(b) LIMITATION ON LUSV WEAPON INTEGRATION.—The Secretary of the Navy may not integrate any offensive weapon system into a large unmanned surface vessel until the date on which the Secretary of the Defense certifies to the congressional defense committees that any large unmanned surface vessel that employs offensive weapons will comply with the law of armed conflict. Such certification shall include a detailed explanation of how such compliance will be achieved.

SEC. 231. LIMITATION ON AVAILABILITY OF FUNDS PENDING REVIEW AND REPORT ON NEXT GENERATION AIR DOMINANCE CAPABILITIES.

(a) LIMITATION ON AIR FORCE FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the next generation air dominance initiative of the Air Force, not more than 85 percent may be obligated or expended until the date on which the Director of Cost Assessment and Program Evaluation submits the report required under subsection (d)(1).

(b) LIMITATION ON NAVY FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made

available for fiscal year 2021 for the next generation air dominance initiative of the Navy, not more than 85 percent may be obligated or expended until the date on which the Director of Cost Assessment and Program Evaluation submits the report required under subsection (d)(2).

(c) REVIEWS.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall conduct—

(A) a non-advocate review of the next generation air dominance initiative of the Air Force; and

(B) a non-advocate review of the next generation air dominance initiative of the Navy.

(2) ELEMENTS.—Each review under paragraph (1) shall include an assessment of—

(A) all risks associated with cost, schedule, development, integration, production, fielding, and sustainment of next generation air dominance capabilities;

(B) the technological maturity of significant hardware and software efforts planned or carried out as part of the development of such capabilities; and

(C) affordability goals that the Air Force and the Navy (as the case may be) will be re-

quired to achieve during development, production, and sustainment activities for such capabilities that will not jeopardize or otherwise be detrimental to other high-priority future capabilities being developed and procured to support and execute other primary core competencies and missions.

(d) REPORTS.—The Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees—

(1) a report on the results of the review conducted under subsection (c)(1)(A) with respect to the Air Force; and

(2) a report on the results of the review conducted under subsection (c)(1)(B) with respect to the Navy.

Subtitle C—Emerging Technology and Artificial Intelligence Matters

SEC. 241. STEERING COMMITTEE ON EMERGING TECHNOLOGY.

(a) ESTABLISHMENT.—There is established in the executive branch a steering committee on emerging technology and national security threats (referred to in this section as the ''Steering Committee'').

(b) MEMBERSHIP.—The Steering Committee shall be composed of the following:

(1) The Deputy Secretary of Defense.

(2) The Vice Chairman of the Joint Chiefs of Staff.

(3) The Under Secretary of Defense for Intelligence and Security.

(4) Such other officials of the Department of Defense as are jointly appointed to Steering Committee by the officials specified in paragraphs (1) through (3).

(c) CO-CHAIRS.—The officials specified in paragraphs (1) through (3) of subsection (b) shall serve as co-chairs of the Steering Committee.

(d) STAFF AND SUPPORT SERVICES.—Upon request of the co-chairs, the Department of Defense shall provide to the Steering Committee, on a reimbursable basis, such staff and administrative support services as are necessary for the Committee to carry out its responsibilities under this section.

(e) RESPONSIBILITIES.—The Steering Committee shall be responsible for—

(1) developing a strategic vision for the organizational change, concept and capability development, and technology investments in emerging technologies

that are needed to maintain the technological edge of the military and intelligence community of the United States;

(2) providing credible assessments of emerging threats and identifying investments and advances in emerging technology undertaken by adversaries of the United States;

(3) making recommendations to the Secretary of Defense on—

(A) the implementation of the strategy developed under to paragraph (1); and

(B) steps that may be taken to address the threats identified under to paragraph (2);

(4) coordinating with the Joint Committee on Research Environments of the National Science and Technology Council; and

(5) carrying out such other activities as are assigned to the Steering Committee by the Secretary of Defense.

(f) COORDINATION WITH JAIC.—The co-chairs shall coordinate the activities of the Steering Committee with the activities of the Board of Directors of the Joint Artificial Intelligence Center established under section 224, as appropriate.

(g) EMERGING TECHNOLOGY DEFINED.—In this section, the term ''emerging technology'' means technology determined to be in an emerging phase of development by the Secretary of Defense, including quantum computing, technology for the analysis of large and diverse sets of data (commonly known as ''big data analytics''), artificial intelligence, autonomous technology, robotics, directed energy, hypersonics, biotechnology, and such other technology as may be identified by the Secretary.

SEC. 242. TRAINING FOR HUMAN RESOURCES PERSONNEL IN ARTIFICIAL INTELLIGENCE AND RELATED TOPICS.

(a) DEPARTMENT OF DEFENSE.—

(1) TRAINING PROGRAM.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall develop and implement a program to provide covered human resources personnel with training in the fields of software development, data science, and artificial intelligence, as such fields related to the duties of such personnel.

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

(A) a generalist's introduction to—

(i) software development and business processes;

(ii) data management practices related to machine learning;

(iii) machine learning, deep learning, and artificial intelligence;

(iv) artificial intelligence workforce roles; and

(v) cybersecurity and secure software development; and

(B) training in the authorities and procedures that may be used to recruit software developers, data scientists, and artificial intelligence professionals, including direct hiring authorities, excepted service authorities, the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4701 et seq.), and authorities for hiring special government employees and highly qualified experts.

(3) CERTIFICATE OF COMPLETION.—The Secretary of Defense shall issue a certificate of completion to each individual who successfully completes the training provided under paragraph (1), as determined by the Secretary.

(4) IMPLEMENTATION.—The Secretary of Defense shall implement the training program under paragraph (1) as follows:

(A) In the first year in which the training program is carried out, the Secretary shall ensure that not less than 20 percent of covered human resource personnel complete the program.

(B) In each year of the training program after the first year, the Secretary shall ensure that not less than an additional 10 percent of covered human resources personnel complete the program until 80 percent of such personnel have completed the program.

(C) After achieving the 80 percent completion rate specified in subparagraph (B), the Secretary shall ensure, in each year, that not less than 80 percent of covered human resources personnel have completed the training program.

(b) COVERED HUMAN RESOURCES PERSONNEL DEFINED.—In this section, the term ''covered human resources personnel'' means members of the Armed Forces and civilian employees of the Department of Defense, including human resources professionals, hiring managers, and recruiters, who are responsible for hiring software developers, data scientists, or artificial intelligence professionals for the Department.

SEC. 243. UNCLASSIFIED WORKSPACES FOR PERSONNEL WITH PENDING SECURITY CLEARANCES.

(a) GUIDANCE REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue guidance to ensure, to the extent practicable, that all facilities the Department of Defense at which covered personnel perform work functions have unclassified workspaces.

(b) USE OF WORKSPACES BY OTHER PERSONNEL.—The guidance issued under subsection (a) shall include guidelines under which appropriately screened individuals other than covered personnel, such as interns and visiting experts, may use unclassified workspaces on a space-available basis.

(c) REPORT REQUIRED.—Not later than 90 days after the issuance of the guidance under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report that includes—

(1) a plan for implementing the guidance;

(2) a description of how existing facilities may be modified to accommodate unclassified workspaces; and

(3) identification of any impediments to making unclassified workspace available as described in subsection (a).

(d) DEFINITIONS.—

(1) In this section, the term ''unclassified workspace'' means a workspace at which unclassified work may be performed.

(2) The term ''covered personnel'' means a member of the Armed Forces or a civilian employee of the Department of Defense who has applied for, but who has not yet received, a security clearance.

SEC. 244. PILOT PROGRAM ON THE USE OF ELECTRONIC PORTFOLIOS TO EVALUATE APPLICANTS FOR CERTAIN TECHNICAL POSITIONS.

(a) PILOT PROGRAM.—Beginning not later than one year after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which applicants for technical positions within the Department of Defense will be evaluated, in part, based on electronic portfolios of the applicant's work, as described in subsection (b).

(b) ACTIVITIES.—Under the pilot program, the human resources manager of an organization of the Department of Defense participating in the program, in consultation with relevant subject matter experts, shall assess each applicant for a technical position in the organization by reviewing an electronic portfolio of the applicant's best work, as selected by the applicant.

(c) SCOPE OF PROGRAM.—The Secretary of Defense shall carry out the pilot program under subsection (a) in at least one major command of each military department.

(d) REPORT.—Not later than two years after the commencement of the pilot program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on the results of the program. At a minimum, the report shall describe—

(1) how the use of electronic portfolios in the hiring process affected the timeliness of the hiring process for technical positions in organizations of the Department of Defense participating in the program;

(2) the level of satisfaction of organization leaders, hiring authorities, and subject matter experts with the quality of applicants that were hired based on evaluations of electronic portfolios.

(e) TECHNICAL POSITION DEFINED.—In this section, the term ''technical position'' means a position in the Department of Defense requiring expertise in artificial intelligence, data science, or software development.

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

SEC. 245. SELF-DIRECTED TRAINING IN ARTIFICIAL INTELLIGENCE.

(a) ONLINE ARTIFICIAL INTELLIGENCE COURSES.—The Secretary of Defense shall make available a list of approved online courses relating to artificial intelligence that may be taken by civilian employees of the Department of Defense and members of the Armed Forces on a voluntary basis while not engaged in the performance of their duties.

(b) DOCUMENTATION OF COMPLETION.—The Secretary of Defense shall develop and implement a system—

(1) to confirm whether a civilian employee of the Department of Defense or member of the Armed Forces has completed an online course approved by the Secretary under paragraph (1); and

(2) to document the completion of such course in the personnel file of such employee or member.

(c) REWARD SYSTEM.—The Secretary of Defense shall develop and implement a system to reward civilian employees of the Department of Defense and members of the Armed Forces who complete an online course approved by the Secretary under paragraph (1), which may include—

(1) for a member of the Armed Forces, a 24-hour pass which may be used on a stand-alone basis

or in conjunction with other leave, holiday, or weekend periods; and

(2) for a civilian employees of the Department, up to 8 hours of additional leave.

(d) DEADLINE.—The Secretary of Defense shall carry out the activities described in subparagraphs (a) through (c) not later than 180 days after the date of the enactment of this Act.

SEC. 246. PART-TIME AND TERM EMPLOYMENT OF UNIVERSITY PROFESSORS AND STUDENTS IN THE DEFENSE SCIENCE AND TECHNOLOGY ENTERPRISE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, jointly with the Secretaries of the military departments, and in consultation with the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Personnel and Readiness, shall establish a program under which qualified professors and students may be employed on a part-time or term basis in an organization of the Defense science and technology enterprise for the purpose of conducting a research project.

(b) SELECTION.—

(1) SELECTION AND HIRING.—The head of an organization in the Defense science and technology enterprise at which positions are made available under subsection (a) shall be responsible for selecting qualified professors and students to fill such positions.

(2) SELECTION CRITERIA.—A qualified professor or student shall be selected for participation in the program under subsection (a) based on the following criteria:

(A) In the case of a qualified professor—

(i) the academic credentials and research experience of the professor; and

(ii) the extent to which the research proposed to be carried out by the professor will contribute to the objectives of the Department of Defense.

(B) In the case of qualified student assisting a professor with a research project under the program—

(i) the academic credentials and other qualifications of the student; and

(ii) the ability of the student to carry out the responsibilities assigned to the student as part of the project.

(c) IMPLEMENTATION.—

(1) MINIMUM NUMBER OF POSITIONS.—In the first year of the program under subsection (a), the Secretary of Defense shall establish not fewer than 10 positions for qualified professors. Not fewer than five of such positions shall be reserved for qualified professors to conduct research in the fields of artificial intelligence and machine learning.

(2) AUTHORITIES.—In carrying out the program under subsection (a), the Secretary of Defense and the heads of organizations in the Defense science and technology enterprise may—

(A) use any hiring authority available to the Secretary or the head of such an organization;

(B) enter into cooperative research and development agreements under section 12 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a); and

(C) pay referral bonuses to professors or students participating in the program who identify—

(i) students to assist in a research project under the program; or

(ii) students or recent graduates to participate in other programs in the Defense science and technology enterprise, including internships at Department of Defense Laboratories and in the Pathways Program of the Department.

(d) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than 30 days after the conclusion of the first year of the program under subsection (a), the Secretary of Defense shall submit to the congressional defense committees a report on the status of the program. The report shall include—

(A) identification of the number of qualified professors and students employed under the program;

(B) identification of the organizations in the Defense science and technology enterprise that employed such individuals; and

(C) a description of the types of research conducted by such individuals.

(2) SUBSEQUENT REPORTS.—Not later than 30 days after the conclusion of the second and third years of the program under subsection (a), the Secretary of Defense shall submit to the congressional

defense committees a report on the progress of the program. Each report shall include—

(A) the information described in subparagraphs (A) through (C) of paragraph (1);

(B) the results of any research projects conducted under the program; and

(C) the number of students and recent graduates who, pursuant to a reference from a professor or student participating in the program as described in subsection (c)(2)(C), were hired by the Department of Defense or selected for participation in another program in the Defense science and technology enterprise.

(e) DEFINITIONS.—In this section:

(1) The term ''Defense science and technology enterprise'' means—

(A) the research organizations of the military departments;

(B) the science and technology reinvention laboratories (as designated under section 1105 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note));

(C) the facilities of the Major Range and Test Facility Base (as defined in section 2358a(f)(3) of title 10, United States Code);

(D) the Defense Advanced Research Projects Agency; and

(E) such other organizations as the Secretary of Defense determines appropriate for inclusion in the enterprise.

(2) The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) The term ''qualified professor'' means a professor of an institution of higher education who has expertise in science, technology, engineering, and mathematics.

(4) The term ''qualified student'' means a student of an institution of higher education selected by a qualified professor to assist the professor in conducting research.

SEC. 247. MICROELECTRONICS AND NATIONAL SECURITY.

(a) MODIFICATION OF STRATEGY FOR ASSURED ACCESS TO TRUSTED MICROELECTRONICS.—Section 231 of the National Defense Authorization Act for Fiscal Year

2017 (Public Law 114–328; 10 U.S.C. 2302 note) is amended—

(1) in subsection (a), by striking ''September 30, 2019'' and inserting ''December 30, 2020'';

(2) in subsection (b), by adding at the end the following new paragraphs:

''(10) An approach to ensuring the continuing production of cutting-edge microelectronics for national security needs, including state-of-the-art node sizes, heterogeneous integration, boutique chip designs, and variable volume production capabilities.

''(11) An assessment of current microelectronics supply chain management practices, existing risks, and actions that may be carried out to mitigate such risks by organizations in the defense industrial base.

''(12) A plan for increasing commercialization of intellectual property developed by the Department of Defense for commercial microelectronics research and development.

''(13) An assessment of the feasibility, usefulness, efficacy, and cost of—

''(A) developing a national laboratory exclusively focused on the research and development of microelectronics to serve as a center for

Federal Government expertise in high-performing, trusted microelectronics and as a hub for Federal Government research into breakthrough microelectronics-related technologies; and

"(B) incorporating into such national laboratory a commercial incubator to provide early-stage microelectronics startups, which face difficulties scaling due to the high costs of microelectronics design and fabrication, with access to funding resources, fabrication facilities, design tools, and shared intellectual property.

"(14) Such other matters as the Secretary of Defense determines to be relevant.";

(3) in subsection (d), by striking "September 30, 2019" and inserting "December 30, 2020"; and

(4) in subsection (e), by striking "September 30, 2019" and inserting "December 30, 2020".

(b) ADVISORY PANEL ON MICROELECTRONICS LEADERSHIP AND COMPETITIVENESS.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, the President, in consultation with the National Security Council, the National Economic Council, and the Office of Science and Technology Policy, shall establish

an advisory panel on microelectronics leadership and competitiveness (referred to in this subsection as the ''Advisory Panel'').

(2) MEMBERSHIP.—The Advisory Panel shall be composed of the following members:

(A) The Secretary of Defense.

(B) The Secretary of Energy.

(C) The Director of the National Science Foundation.

(D) The Director of the National Institute of Standards and Technology.

(E) The heads of such other departments and agencies of the Federal Government as the President, in consultation with the National Security Council, determines appropriate.

(3) NATIONAL STRATEGY.—

(A) IN GENERAL .—Not later than 180 days after the date on which the Advisory Panel is established, the Panel shall develop a national strategy to—

(i) accelerate the development and deployment of state-of-the-art microelectronics; and

(ii) ensure that the United States is a global leader in the field of microelectronics.

(B) ELEMENTS.—The strategy developed under subparagraph (A) shall address the following:

(i) Activities that may be carried out to strengthen engagement and outreach between the Department of Defense and industry, academia, international partners of the United States, and other departments and agencies of the Federal Government on issues relating to microelectronics.

(ii) Science, technology, research, and development efforts to facilitate the advancement and adoption of microelectronics and new uses of microelectronics and components, including efforts to—

(I) accelerate leap-ahead research, development, and innovation in microelectronics; and

(II) deploy heterogeneously integrated microelectronics for machine learning and other applications.

(iii) The role of diplomacy and trade in maintaining the position of the United States as a global leader in the field of microelectronics, including the feasibility and advisability of—

(I) implementing multilateral export controls tailored through direct coordination with key allies of the United States, including through the Wassenaar Arrangement and other multilateral fora, for specific semiconductor manufacturing equipment such as extreme ultraviolet photolithography equipment and argon fluoride immersion photolithography equipment;

(II) additional trade enforcement actions that may be initiated by the United States to address any unfair or excessive foreign semiconductor subsidy programs or other unfair microelectronics trade practices; and

(III) the elimination of any trade barriers or unilateral export controls that harm United States companies

without producing a substantial benefit to the competitiveness or national security of the United States.

(iv) The potential role of a national laboratory and incubator exclusively focused on the research and development of microelectronics, as described in section 231(b)(13) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) (as added by subsection (a)) in carrying out the strategy and plan required subparagraph (A).

(v) Such other activities as the Panel determines may be appropriate to overcome looming challenges to the innovation, competitiveness, and supply chain integrity of the United States in the area of microelectonics.

(c) BRIEFINGS.—Not later than 90 days after the date of the enactment of this Act—

(1) the Secretary of Defense shall provide to the congressional defense committees a briefing on the progress of the Secretary in developing the strategy and implementation plan required under section

231(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note); and

(2) the Assistant to the President for National Security Affairs shall provide to the congressional defense committees a briefing on the progress of the Advisory Panel in developing the strategy required under subsection (b)(3).

SEC. 248. ACQUISITION OF ETHICALLY AND RESPONSIBLY DEVELOPED ARTIFICIAL INTELLIGENCE TECHNOLOGY.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Board of Directors of the Joint Artificial Intelligence Center established under section 224, shall conduct an assessment to determine whether the Department of Defense has the ability to ensure that any artificial intelligence technology acquired by the Department is ethically and responsibly developed.

(b) ELEMENTS.—The assessment conducted under paragraph (1) shall address the following:

(1) Whether the Department of Defense has personnel with sufficient expertise, across multiple disciplines, to ensure the acquisition of ethically and

responsibly developed artificial intelligence technology, including personnel with sufficient ethical, legal, and technical expertise to advise on the acquisition of such technology.

(2) The feasibility and advisability of retaining outside experts as consultants to assist the Department in filling any gaps in expertise identified under paragraph (1).

(3) The extent to which existing acquisition processes encourage or require consultation with relevant experts across multiple disciplines within the Department to ensure that artificial intelligence technology acquired by the Department is ethically and responsibly developed.

(4) Quantitative and qualitative standards for assessing the extent to which experts across multiple disciplines are engaged in the acquisition of artificial intelligence technology by the Department.

(c) REPORT.—

(1) IN GENERAL.—Not later than 30 days after the date on which the Secretary completes the assessment under subsection (a), the Secretary shall submit to the congressional defense committees a report on the results of the assessment.

(2) ELEMENTS.—The report under paragraph (1) shall include, based on the results of the assessment—

(A) an explanation of whether the Department of Defense has personnel with sufficient expertise, across multiple disciplines, to ensure the acquisition of ethically and responsibly developed artificial intelligence technology;

(B) an explanation of whether the Department has adequate procedures to encourage or require the consultation of such experts as part of the acquisition process for artificial intelligence technology; and

(C) with respect to any deficiencies identified under subparagraph (A) or subparagraph (B), a description of any measures that have been taken, and any additional resources that may be needed, to mitigate such deficiencies.

SEC. 249. ENHANCEMENT OF PUBLIC-PRIVATE TALENT EXCHANGE PROGRAMS IN THE DEPARTMENT OF DEFENSE.

(a) PUBLIC-PRIVATE TALENT EXCHANGE.-- .—Section 1599g of title 10, United States Code is amended—

(1) in subsection (b)(1), by amending subparagraph (C) to read as follows:

"(C) shall contain language ensuring that such employee of the Department does not improperly use information that such employee knows relates to a Department acquisition, or procurement for the benefit or advantage of the private-sector organization.".

(2) in subsection (f)—

(A) in paragraph (2)—

(i) by striking "is deemed to be an employee of the Department of Defense for the purposes of" and inserting "is subject to";

(ii) by striking subparagraph (D);

(iii) by redesignating subparagraphs (E) and (F) as subparagraphs (D) and (E), respectively;

(B) by striking paragraph (4);

(C) by redesignating paragraph (5) as paragraph (4); and

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

"(5) shall be required to file a Public Financial Disclosure Report (OGE Form 278) and the Public Financial Disclosure Report for a such a person and a description of any waivers provided to such person

shall be made available on a publicly accessible website of the Department of Defense.''.

(b) APPLICATION OF EXCHANGE AUTHORITY TO ARTIFICIAL INTELLIGENCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall take steps to ensure that the authority for the Department of Defense to operate a public-private talent exchange program pursuant to section 1599g of title 10, United States Code, is used to exchange personnel with private sector entities working on artificial intelligence applications. Such application of the authority of section 1599g shall be in addition to, not in lieu of, any other application of such authority by the Department of Defense.

(c) GOALS FOR PROGRAM PARTICIPATION.—In carrying out the requirement of subsection (b), the Secretary shall seek to achieve the following objectives:

(1) In the Secretary of Defense Executive Fellows program, the nomination of an additional five uniformed service members and three government civilians by each service and by the Office of the Secretary of Defense, for sponsorship by private sector entities working on artificial intelligence applications.

(2) For the public-private talent exchange program of the Under Secretary of Defense for Acquisition and Sustainment—

(A) an additional ten government employees to work with private sector entities working on artificial intelligence applications; and

(B) an additional ten employees of private sector entities working on artificial intelligence applications to work in the Department.

(3) The establishment of the following new public-private talent exchange programs in the Office of the Secretary of Defense, comparable to the program referred to in paragraph (2)—

(A) in the office of the Undersecretary of Defense for Research and Engineering, a program with twenty participants, focused on exchanges with private sector entities working on artificial intelligence applications.

(B) in the office of the Chief Information Officer of the Department of Defense, a program with twenty participants, focused on exchanges with private sector entities working on artificial intelligence applications.

(4) In the Army, Navy, and Marine Corps, the establishment of new public-private exchange pro-

grams, comparable to the Air Force Education with Industry Program, each with twenty program participants, focused on private sector entities working on artificial intelligence applications.

(d) TREATMENT OF PROGRAM PARTICIPANTS.—

(1) The Army, Navy, and Marine Corps shall take steps to ensure that participation by a service member in a program described in subsection (c)(4) is treated, for purposes of promotion boards and subsequent assignments, as equivalent to attending resident professional military education.

(2) The Secretary of Defense shall establish a public-private exchange program billet office to temporarily hold billets for civilian employees who participate in programs described in subsection (b), to ensure that participating Department of Defense offices are able to retain their staffing levels during the period of participation.

(e) BRIEFING ON EXPANSION OF EXISTING EXCHANGE PROGRAMS.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the efforts undertaken to expand existing public-private exchange programs of the Depart-

ment of Defense and to ensure that such programs seek opportunities for exchanges with private sector entities working on artificial intelligence applications, in accordance with the requirements of this section.

Subtitle D—Sustainable Chemistry Research and Development

SEC. 251. SHORT TITLE.

This subtitle may be cited as the ''Sustainable Chemistry Research and Development Act of 2020''.

SEC. 252. FINDINGS.

Congress finds that—

(1) Congress recognized the importance and value of sustainable chemistry in section 114 of the American Innovation and Competitiveness Act (Public Law 114–329);

(2) sustainable chemistry and materials transformation is a key value contributor to business competitiveness across many industrial and consumer sectors;

(3) companies across hundreds of supply chains critical to the American economy are seeking to reduce costs and open new markets through innovations in manufacturing and materials, and are in need of new innovations in chemistry, including sustainable chemistry;

(4) sustainable chemistry can improve the efficiency with which natural resources are used to meet human needs for chemical products while avoiding environmental harm, reduce or eliminate the emissions of and exposures to hazardous substances, minimize the use of resources, and benefit the economy, people, and the environment; and

(5) a recent report by the Government Accountability Office (GAO–18–307) found that the Federal Government could play an important role in helping realize the full innovation and market potential of sustainable chemistry technologies, including through a coordinated national effort on sustainable chemistry and standardized tools and definitions to support sustainable chemistry research, development, demonstration, and commercialization.

SEC. 253. NATIONAL COORDINATING ENTITY FOR SUSTAINABLE CHEMISTRY.

(a) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Director of the Office of Science and Technology Policy shall convene an interagency entity (referred to in this subtitle as the ''Entity'') under the National Science and Technology Council with the responsibility to coordinate Federal programs and

activities in support of sustainable chemistry, including those described in sections 255 and 256.

(b) COORDINATION WITH EXISTING GROUPS.—In convening the Entity, the Director of the Office of Science and Technology Policy shall consider overlap and possible coordination with existing committees, subcommittees, or other groups of the National Science and Technology Council, such as—

(1) the Committee on Environment;

(2) the Committee on Technology;

(3) the Committee on Science; or

(4) related groups or subcommittees.

(c) CO-CHAIRS.—The Entity shall be co-chaired by the Director of the Office of Science and Technology Policy and a representative from the Environmental Protection Agency, the National Institute of Standards and Technology, the National Science Foundation, or the Department of Energy, as selected by the Director of the Office of Science and Technology Policy.

(d) AGENCY PARTICIPATION.—The Entity shall include representatives, including subject matter experts, from the Environmental Protection Agency, the National Institute of Standards and Technology, the National Science Foundation, the Department of Energy, the Department of Agriculture, the Department of Defense, the

National Institutes of Health, the Centers for Disease Control and Prevention, the Food and Drug Administration, and other related Federal agencies, as appropriate.

(e) TERMINATION.—The Entity shall terminate on the date that is 10 years after the date of enactment of this Act.

SEC. 254. STRATEGIC PLAN FOR SUSTAINABLE CHEMISTRY.

(a) STRATEGIC PLAN.—Not later than 2 years after the date of enactment of this Act, the Entity shall—

(1) consult with relevant stakeholders, including representatives from industry, academia, national labs, the Federal Government, and international entities, to develop and update, as needed, a consensus definition of ''sustainable chemistry'' to guide the activities under this subtitle;

(2) develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry, as described in subsection (b);

(3) assess the state of sustainable chemistry in the United States as a key benchmark from which progress under the activities described in this subtitle can be measured, including assessing key sectors of the United States economy, key technology platforms, commercial priorities, and barriers to innovation;

(4) coordinate and support Federal research, development, demonstration, technology transfer, commercialization, education, and training efforts in sustainable chemistry, including budget coordination and support for public-private partnerships, as appropriate;

(5) identify any Federal regulatory barriers to, and opportunities for, Federal agencies facilitating the development of incentives for development, consideration, and use of sustainable chemistry processes and products;

(6) identify major scientific challenges, roadblocks, or hurdles to transformational progress in improving the sustainability of the chemical sciences;

(7) identify other opportunities for expanding Federal efforts in support of sustainable chemistry; and

(8) review, identify, and make efforts to eliminate duplicative Federal funding and duplicative Federal research in sustainable chemistry.

(b) CHARACTERIZING AND ASSESSING SUSTAINABLE CHEMISTRY.—The Entity shall develop a working framework of attributes characterizing and metrics for assessing sustainable chemistry for the purposes of carrying out the Act. In developing this framework, the Entity shall—

(1) seek advice and input from stakeholders as described in subsection (c);

(2) consider existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry already in use at Federal agencies;

(3) consider existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry already in use by international organizations of which the United States is a member, such as the Organisation for Economic Co-operation and Development; and

(4) consider any other appropriate existing definitions of, or frameworks characterizing and metrics for assessing, sustainable chemistry.

(c) CONSULTATION.—In carrying out the duties described in subsections (a) and (b), the Entity shall consult with stakeholders qualified to provide advice and information to guide Federal activities related to sustainable chemistry through workshops, requests for information, or other mechanisms as necessary. The stakeholders shall include representatives from—

(1) business and industry (including trade associations and small- and medium-sized enterprises from across the value chain);

(2) the scientific community (including the National Academies of Sciences, Engineering, and Medicine, scientific professional societies, national labs, and academia);

(3) the defense community;

(4) State, Tribal, and local governments, including nonregulatory State or regional sustainable chemistry programs, as appropriate;

(5) nongovernmental organizations; and

(6) other appropriate organizations.

(d) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this subtitle, the Entity shall submit a report to the Committee on Environment and Public Works, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate, and the Committee on Science, Space, and Technology, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives. In addition to the elements described in subsections (a) and (b), the report shall include—

(A) a summary of federally funded, sustainable chemistry research, development, dem-

onstration, technology transfer, commercialization, education, and training activities;

(B) a summary of the financial resources allocated to sustainable chemistry initiatives by each participating agency;

(C) an assessment of the current state of sustainable chemistry in the United States, including the role that Federal agencies are playing in supporting it;

(D) an analysis of the progress made toward achieving the goals and priorities of this subtitle, and recommendations for future program activities;

(E) an evaluation of steps taken and future strategies to avoid duplication of efforts, streamline interagency coordination, facilitate information sharing, and spread best practices among participating agencies; and

(F) an evaluation of duplicative Federal funding and duplicative Federal research in sustainable chemistry, efforts undertaken by the Entity to eliminate duplicative funding and research, and recommendations on how to achieve these goals.

(2) SUBMISSION TO GAO.—The Entity shall also submit the report described in paragraph (1) to the Comptroller General of the United States for consideration in future Congressional inquiries.

(3) ADDITIONAL REPORTS.—The Entity shall submit a report to Congress and the Comptroller General of the United States that incorporates the information described in subparagraphs (a), (b), (d), (e), and (f) every three years, commencing after the initial report is submitted until the Entity terminates.

SEC. 255. AGENCY ACTIVITIES IN SUPPORT OF SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity shall carry out activities in support of sustainable chemistry, as appropriate to the specific mission and programs of each agency.

(b) ACTIVITIES.—The activities described in subsection (a) shall—

(1) incorporate sustainable chemistry into existing research, development, demonstration, technology transfer, commercialization, education, and training programs, that the agency determines to be relevant, including consideration of—

(A) merit-based competitive grants to individual investigators and teams of investigators, including, to the extent practicable, early career investigators for research and development;

(B) grants to fund collaborative research and development partnerships among universities, industry, and nonprofit organizations;

(C) coordination of sustainable chemistry research, development, demonstration, and technology transfer conducted at Federal laboratories and agencies;

(D) incentive prize competitions and challenges in coordination with such existing Federal agency programs; and

(E) grants, loans, and loan guarantees to aid in the technology transfer and commercialization of sustainable chemicals, materials, processes, and products;

(2) collect and disseminate information on sustainable chemistry research, development, technology transfer, and commercialization, including information on accomplishments and best practices;

(3) expand the education and training of students at appropriate levels of education, professional scientists and engineers, and other professionals in-

volved in all aspects of sustainable chemistry and engineering appropriate to that level of education and training, including through—

(A) partnerships with industry as described in section 256;

(B) support for the integration of sustainable chemistry principles into chemistry and chemical engineering curriculum and research training, as appropriate to that level of education and training; and

(C) support for integration of sustainable chemistry principles into existing or new professional development opportunities for professionals including teachers, faculty, and individuals involved in laboratory research (product development, materials specification and testing, life cycle analysis, and management);

(4) as relevant to an agency's programs, examine methods by which the Federal agencies, in collaboration and consultation with the National Institute of Standards and Technology, may facilitate the development or recognition of validated, standardized tools for performing sustainability assessments of chemistry processes or products;

(5) through programs identified by an agency, support (including through technical assistance, participation, financial support, communications tools, awards, or other forms of support) outreach and dissemination of sustainable chemistry advances such as non-Federal symposia, forums, conferences, and publications in collaboration with, as appropriate, industry, academia, scientific and professional societies, and other relevant groups;

(6) provide for public input and outreach to be integrated into the activities described in this section by the convening of public discussions, through mechanisms such as public meetings, consensus conferences, and educational events, as appropriate;

(7) within each agency, develop or adapt metrics to track the outputs and outcomes of the programs supported by that agency; and

(8) incentivize or recognize actions that advance sustainable chemistry products, processes, or initiatives, including through the establishment of a nationally recognized awards program through the Environmental Protection Agency to identify, publicize, and celebrate innovations in sustainable chemistry and chemical technologies.

(d) LIMITATIONS.—Financial support provided under this section shall—

(1) be available only for pre-competitive activities; and

(2) not be used to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. 256. PARTNERSHIPS IN SUSTAINABLE CHEMISTRY.

(a) IN GENERAL.—The agencies participating in the Entity may facilitate and support, through financial, technical, or other assistance, the creation of partnerships between institutions of higher education, nongovernmental organizations, consortia, or companies across the value chain in the chemical industry, including small- and medium-sized enterprises, to—

(1) create collaborative sustainable chemistry research, development, demonstration, technology transfer, and commercialization programs; and

(2) train students and retrain professional scientists, engineers, and others involved in materials specification on the use of sustainable chemistry concepts and strategies by methods, including—

(A) developing or recognizing curricular materials and courses for undergraduate and graduate levels and for the professional develop-

ment of scientists, engineers, and others involved in materials specification; and

(B) publicizing the availability of professional development courses in sustainable chemistry and recruiting professionals to pursue such courses.

(b) PRIVATE SECTOR PARTICIPATION.—To be eligible for support under this section, a partnership in sustainable chemistry shall include at least one private sector organization.

(c) SELECTION OF PARTNERSHIPS.—In selecting partnerships for support under this section, the agencies participating in the Entity shall also consider the extent to which the applicants are willing and able to demonstrate evidence of support for, and commitment to, the goals outlined in the strategic plan and report described in section 254.

(d) PROHIBITED USE OF FUNDS.—Financial support provided under this section may not be used—

(1) to support or expand a regulatory chemical management program at an implementing agency under a State law;

(2) to construct or renovate a building or structure; or

(3) to promote the sale of a specific product, process, or technology, or to disparage a specific product, process, or technology.

SEC. 257. PRIORITIZATION.

In carrying out this subtitle, the Entity shall focus its support for sustainable chemistry activities on those that achieve, to the highest extent practicable, the goals outlined in the Act.

SEC. 258. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to alter or amend any State law or action with regard to sustainable chemistry, as defined by the State.

SEC. 259. MAJOR MULTI-USER RESEARCH FACILITY PROJECT.

Section 110 of the American Innovation and Competitiveness Act (42 U.S.C. 1862s-2) is amended by striking (g)(2) and inserting the following:

"(2) MAJOR MULTI-USER RESEARCH FACILITY PROJECT.—The term 'major multi-user research facility project' means a science and engineering facility project that exceeds $100,000,000 in total construction, acquisition, or upgrade costs to the Foundation.".

Subtitle E—Plans, Reports, and Other Matters

SEC. 261. MODIFICATION TO ANNUAL REPORT OF THE DIRECTOR OF OPERATIONAL TEST AND EVALUATION.

Section 139(h)(2) of title 10, United States Code, is amended—

(1) by striking ''Engineering,,'' and inserting ''Engineering,''; and

(2) by striking '', through January 31, 2025''.

SEC. 262. REPEAL OF QUARTERLY UPDATES ON THE OPTIONALLY MANNED FIGHTING VEHICLE PROGRAM.

Section 261 of the National Defense Authorization Act for Fiscal Year 2020 (Public law 116–92; 133 Stat. 1294) is repealed.

SEC. 263. INDEPENDENT EVALUATION OF PERSONAL PROTECTIVE AND DIAGNOSTIC TESTING EQUIPMENT.

(a) INDEPENDENT EVALUATION REQUIRED.—The Director of Operational Test and Evaluation shall conduct an independent evaluation of—

(1) any processes used to test the effectiveness of covered personal protective and diagnostic testing equipment; and

(2) the results of such tests.

(b) AVAILABILITY OF INFORMATION.—The Secretary of Defense shall provide the Director of Operational Test and Evaluation with such information as may be necessary for the Director to conduct the evaluations required under subsection (a), including any relevant documentation relating to testing processes and test results for covered personal protective and diagnostic testing equipment.

(c) REPORT TO CONGRESS.—Not later than 30 days after the completion of each evaluation under subsection (a), the Director of Operational Test and Evaluation shall submit to the congressional defense committees a report on the results of the evaluation.

(d) COVERED PERSONAL PROTECTIVE AND DIAGNOSTIC TESTING EQUIPMENT DEFINED.—In this section, the term ''covered personal protective and diagnostic testing equipment'' means any personal protective equipment or diagnostic testing equipment developed, acquired, or used by the Department of Defense—

(1) in response to COVID–19; or

(2) as part of any follow-on, long-term acquisition and distribution program for such equipment.

SEC. 264. REPORTS ON F–35 PHYSIOLOGICAL EPISODES AND MITIGATION EFFORTS.

(a) STUDY AND REPORT.—

(1) IN GENERAL.—The Under Secretary of Defense for Acquisition and Sustainment shall conduct a study to determine the underlying causes of physiological episodes affecting crewmembers of F–35 aircraft.

(2) ELEMENTS.—The study under subsection (a) shall include—

(A) an examination of each physiological episode reported by a crewmember of an F–35 aircraft as of the date of the enactment of this Act; and

(B) a determination as to the underlying cause of the episode.

(3) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report that includes—

(A) the results the study conducted under subsection (a), including a description of each physiological episode examined under the study and an explanation of the underlying cause of the episode;

(B) a description of any actions that may be taken to address the underlying causes of

such episodes, including any resources that may be required to carry out such actions; and

(C) any other findings and recommendations of the study.

(b) ANNUAL REPORTS ON MITIGATION EFFORTS.—The Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition and Sustainment, shall include with the annual report required by section 224(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2059), a detailed description of—

(1) the efforts of the Department of Defense to address physiological episodes affecting crewmembers of F–35 aircraft; and

(2) the funding allocated for such efforts.

SEC. 265. STUDY ON MECHANISMS FOR ATTRACTING AND RETAINING HIGH QUALITY TALENT IN THE NATIONAL SECURITY INNOVATION BASE.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study to determine the feasibility of establishing a program to attract and retain covered individuals for employment in the national security innovation base.

(b) ELEMENTS.—The study required under subsection (a) shall include an analysis of—

(1) mechanisms the Department of Defense may use to engage institutions of higher education to assist in the identification and recruitment of covered individuals for employment in the national security innovation base;

(2) monetary and nonmonetary incentives that may be provided to retain covered individuals in positions in the national security innovation base;

(3) methods that may be implemented to ensure the proper vetting of covered individuals;

(4) the number of covered individuals needed to advance the competitiveness of the research, development, test, and evaluation efforts of the Department of Defense in the critical technologies identified in the National Defense Strategy; and

(5) the type and amount of resources required to implement the program described in subsection (a).

(c) REPORT.—Not later than February 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the results of the study conducted under subsection (a).

(d) DEFINITIONS.—In this section:

(1) The term ''national security innovation base'' the means the network of persons and organi-

zations, including Federal agencies, institutions of higher education, federally funded research and development centers, defense industrial base entities, nonprofit organizations, commercial entities, and venture capital firms that are engaged in the military and nonmilitary research, development, funding, and production of innovative technologies that support the national security of the United States.

(2) The term ''institution of higher education'' has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(3) The term ''covered individual'' means an individual who—

(A) is employed by a United States employer and engaged in work to promote and protect the national security innovation base;

(B) is engaged in basic or applied research, funded by the Department of Defense, through an institution of higher education in the United States; and

(C) possesses scientific or technical expertise that will advance the development of critical technologies identified in the National Defense Strategy or the National Defense Science

and Technology Strategy, required by section 218 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1679).

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

Section 183a(c) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively;

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) If, after issuing the notices of presumed risk required by paragraphs (2) and (3), the Secretary of Defense later concludes for any reason that the energy project will not have an adverse impact on military readiness, the Clearinghouse shall notify the applicant and the governor in writing of that conclusion.''; and

(3) in paragraph (7), as so redesignated, by striking ''Any setback for a project pursuant to the previous sentence shall not be more than what is determined to be necessary by a technical analysis conducted by the Lincoln Laboratory at the Massachusetts Institute of Technology or any successor entity.''.

SEC. 312. MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE FOR REVIEW OF MISSION OBSTRUCTIONS.

Section 183a(c) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (3) the following new paragraph (4):

"(4) If, after issuing the notices of presumed risk required by paragraphs (2) and (3), the Secretary of Defense later concludes for any reason that the energy project will not have an adverse impact on military readiness, the Clearinghouse shall notify the applicant and the governor in writing of that conclusion.".

SEC. 313. AGREEMENTS TO LIMIT ENCROACHMENTS AND OTHER CONSTRAINTS ON MILITARY TRAINING, TESTING, AND OPERATIONS.

Section 2684a of title 10, United States Code, is amended—

(1) in subsection (b), by striking "An agreement under this section may be entered into with" and inserting "For purposes of this section, the term 'eligible entity' means"; and

(2) in subsection (d)(1)(A), by striking "the entity" and inserting "the eligible entity".

SEC. 314. MODIFICATION OF DEPARTMENT OF DEFENSE ENVIRONMENTAL RESTORATION AUTHORITIES TO INCLUDE FEDERAL GOVERNMENT FACILITIES USED BY NATIONAL GUARD.

Section 2707(e) of title 10, United States Code, as added by section 316 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92, is amended—

(1) by inserting ''where military activities are conducted by the state National Guard under title 32,'' after ''facility''; and

(2) by adding at the end the following new sentence: ''The Secretary concerned may also utilize the authority in section 2701(d) of this title for these environmental restoration projects.''.

SEC. 315. INCREASED TRANSPARENCY THROUGH REPORTING ON USAGE AND SPILLS OF AQUEOUS FILM-FORMING FOAM AT MILITARY INSTALLATIONS.

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

''§ 2712. Reporting on usage and spills of aqueous film-forming foam

''Not later than 48 hours after the Deputy Assistant Secretary of Defense for Environment receives notice of the usage or spill of aqueous film-forming foam, either as concentrate or mixed foam, at any military installation, the Deputy Assistant Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of such usage or spill. Each such notice shall include each of the following:

"(1) The name of the installation where the usage or spill occurred.

"(2) The date on which the usage or spill occurred.

"(3) The amount, type, and specified concentration of aqueous film-forming foam that was used or spilled.

"(4) The cause of the usage or spill.

"(5) A summary narrative of the usage or spill.".

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

"2712. Reporting on usage and spills of aqueous film-forming foam.".

SEC. 316. REPLACEMENT OF NON-TACTICAL MOTOR VEHICLES AT THE END OF SERVICE LIFE WITH ELECTRIC OR HYBRID MOTOR VEHICLES.

Section 2922g of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) by inserting after subsection (a) the following new subsection (b):

"(b) END OF LIFE REPLACEMENT.—Upon the end of the lease or service life of a motor vehicle, the Secretary of the military department or the head of the Defense

Agency shall, to the maximum extent possible, replace such motor vehicle with a motor vehicle that uses an electric or hybrid propulsion system, including a plug-in hybrid system.'';

(3) in subsection (c), as so redesignated, by striking ''Subsection (a) does not'' and inserting ''Subsections (a) and (b) do not''; and

(4) in subsection (d), as so redesignated, by striking ''The preference required by subsection (a) does not'' and inserting ''The preference under subsection (a) and the requirement under subsection (b) do not''.

SEC. 317. BUDGETING OF DEPARTMENT OF DEFENSE RELATING TO OPERATIONAL ENERGY IMPROVEMENT.

The Secretary of Defense shall include in the annual budget submission of the President under section 1105(a) of title 31, United States Code, a dedicated budget line item for fielding operational energy improvements, including such improvements for which funds from the Operational Energy Capability Improvement Fund have been expended to create the operational and business case for broader employment.

SEC. 318. ASSESSMENT OF DEPARTMENT OF DEFENSE OPERATIONAL ENERGY USAGE.

(a) IN GENERAL.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with a federally funded research and development center with relevant expertise under which such center shall conduct an assessment of Department of Defense operational energy usage, including an agency-wide view and breakdowns of progress by service branch.

(b) ELEMENTS.—The assessment required under subsection (a) shall include—

(1) an analysis of the extent to which the Department of Defense developed an integrated operational energy strategy and the extent to which each of the military departments has implemented such strategy;

(2) an analysis of the viability of implementing net zero initiatives or meeting net zero goals within the operational energy enterprise without negatively impacting mission capability;

(3) an analysis of fossil fuel reduction regimes that may maximize reduction of reliance on fossil fuels, including impacts of lowering the reliance on fossil fuels, decreasing the need for refueling convoys, overcoming the tyranny of distance within

United States Indo-Pacific Command through hybrid or other fuel efficient propulsion systems, and energy production, storage, and distribution systems that enhance logistics supply chain resiliency;

(4) a description of the options for achieving fossil fuel reduction benchmarks with respect to operational energy of 25 percent, 50 percent, 75 percent, and 100 percent, using fiscal year 2020 as the benchmark, including anticipated funding requirements, statutory requirements, infrastructure needs, and timeframes; and

(5) an analysis of the integration between energy offices with program offices, budget, and operational planners within the Department of Defense and military departments, and recommendations for improving coordination.

(c) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 319. IMPROVEMENT OF THE OPERATIONAL ENERGY CAPABILITY IMPROVEMENT FUND OF THE DEPARTMENT OF DEFENSE.

(a) MANAGEMENT OF THE OPERATIONAL ENERGY CAPABILITY IMPROVEMENT FUND.—The Under Secretary of Defense for Acquisition and Sustainment shall exercise

1 authority, direction, and control over the Operational En-
2 ergy Capability Improvement Fund of the Department of
3 Defense (in this section referred to as the ''OECIF'').
4 (b) ALIGNMENT AND COORDINATION WITH RELATED
5 PROGRAMS.—
6 (1) REALIGNMENT OF OECIF.—Not later than
7 60 days after the date of the enactment of this Act,
8 the Secretary of Defense shall realign the OECIF
9 under the Assistant Secretary of Defense for
10 Sustainment, with such realignment to include per-
11 sonnel positions adequate for the mission of the
12 OECIF.
13 (2) BETTER COORDINATION WITH RELATED
14 PROGRAMS.—The Assistant Secretary shall ensure
15 that this placement facilitates better alignment be-
16 tween OECIF, the Strategic Environmental Re-
17 search Program, the Environmental Security Tech-
18 nology Certification Program, and the Operational
19 Energy Prototyping Program is utilized to advance
20 common goals of the Department, promote organiza-
21 tional synergies, and avoid unnecessary duplication
22 of effort.
23 (c) PROGRAM FOR OPERATIONAL ENERGY PROTO-
24 TYPING.—

(1) IN GENERAL.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, through the Under Secretary of Defense for Acquisition and Sustainment, shall carry out a program for the demonstration of technologies related to operational energy prototyping, including demonstration of operational energy technology and validation prototyping.

(2) OPERATION OF PROGRAM.—The Secretary shall ensure that the program under paragraph (1) operates in conjunction with the OECIF to promote the transfer of innovative technologies that have successfully established proof of concept for use in production or in the field.

(3) PROGRAM ELEMENTS.—In carrying out the program under paragraph (1) the Secretary shall—

(A) identify and demonstrate the most promising, innovative, and cost-effective technologies and methods that address high-priority operational energy requirements of the Department of Defense;

(B) in conducting demonstrations under subparagraph (A), the Secretary shall—

(i) collect cost and performance data to overcome barriers against employing an

innovative technology because of concerns regarding technical or programmatic risk; and

(ii) ensure that components of the Department have time to establish new requirements where necessary and plan, program, and budget for technology transition to programs of record;

(C) utilize project structures similar to those of the OECIF to ensure transparency and accountability throughout the efforts conducted under the program; and

(D) give priority, in conjunction with the OECIF, to the development and fielding of clean technologies that reduce reliance on fossil fuels.

(4) TOOL FOR ACCOUNTABILITY AND TRANSITION.—

(A) IN GENERAL.—In carrying out the program under paragraph (1), the Secretary shall develop and utilize a tool to track relevant investments in operational energy from applied research to transition to use to ensure user organizations have the full picture of technology maturation and development.

(B) TRANSITION.—The tool developed and utilized under subparagraph (A) shall be designed to overcome transition challenges with rigorous and well-documented demonstrations that provide the information needed by all stakeholders for acceptance of the technology.

SEC. 320. FIVE-YEAR REVIEWS OF CONTAINMENT TECHNOLOGIES RELATING TO RED HILL BULK FUEL STORAGE FACILITY.

(a) REVIEWS.—

(1) REVIEWS REQUIRED.—At least once every five years, the Secretary of the Navy shall conduct a review of available technologies relating to the containment of fuel to determine whether any such technology may be used to improve the containment of fuel with respect to storage tanks located at the Red Hill Bulk Fuel Storage Facility, Hawaii.

(2) DEADLINE FOR INITIAL REVIEW.—The Secretary shall begin the first review under paragraph (1) by not later than the date that is one year after the date of the enactment of this Act.

(b) BRIEFINGS.—Not later than 60 days after the date on which a review conducted under subsection (a) is completed, the Secretary shall provide to the congressional defense committees a briefing on—

(1) any technology identified in such review that the Secretary determines may be used to improve the containment of fuel with respect to storage tanks located at the Red Hill Bulk Fuel Storage Facility; and

(2) the feasibility and cost of implementing any such technology at the Red Hill Bulk Fuel Storage Facility.

(c) TERMINATION.—The requirements to conduct reviews under subsection (a) and provide briefings under subsection (b) shall terminate on the date on which the Red Hill Bulk Fuel Storage Facility ceases operation, as determined by the Secretary of the Navy.

SEC. 321. LIMITATION ON USE OF FUNDS FOR ACQUISITION OF FURNISHED ENERGY FOR RHINE ORDNANCE BARRACKS ARMY MEDICAL CENTER.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2021 may be used to enter into a contract for the acquisition of furnished energy for the new Rhine Ordnance Barracks Army Medical Center (hereafter referred to as the ''Medical Center'') before the date on which Secretary of Defense submits to the congressional defense committees a written certification that the Medical Center does not use any energy sourced from

inside the Russian Federation as a means of generating the furnished energy.

SEC. 322. REQUIREMENT TO UPDATE DEPARTMENT OF DEFENSE CLIMATE CHANGE ROADMAP.

(a) IN GENERAL.—Not later than February 1, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives an update to the Department of Defense 2014 Climate Change Adaptation Roadmap. Such update shall include an outline of the strategy and implementation plan of the Department to address the current and foreseeable effects of climate change on the mission of the Department of Defense.

(b) ELEMENTS OF STRATEGY AND IMPLEMENTATION PLAN.—The strategy and implementation plan required to be included in the update under subsection (a) shall include—

(1) a description of the overarching approach of the Department to climate adaptation and climate mitigation measures; and

(2) a discussion of the current and foreseeable effects of climate change on—

(A) plans and operations, including—

(i) military readiness;

(ii) increased frequency of extreme weather events, including flooding, drought, desertification, wildfires, thawing permafrost, hurricanes, and extreme heat;

(iii) geopolitical instability caused by climate events, including extreme weather;

(iv) increased demand for Defense Support for Civil Authorities and disaster or humanitarian relief operations;

(v) the operating environment of the Arctic and of the strategic and geopolitical implications of a progressively more ice-free Arctic Ocean; and

(vi) alteration or limitation on operation environments;

(B) training and testing, including—

(i) changes in land carrying capacity;

(ii) increased maintenance and repair requirements for equipment and infrastructure;

(iii) mitigation of heat stress and heat-related illnesses resulting from increasing temperatures;

(iv) increased dust generation and fire hazards; and

(v) maintaining testing and training capacity to support increased operations and civil support missions;

(C) built and natural infrastructure, including—

(i) military installation resilience, as such term is defined in section 101(e)(8) of title 10, United States Code, of installations both within and outside the United States and its possessions and territories and of the State-owned National Guard installations of the several States;

(ii) resilience of the air and sea ports of our allies and partners that are critical to the training, deployment, and operations of the armed forces of the United States and its allies and partners;

(iii) resilience of the deployment system and structure of the Department of Defense and of the United States, including the strategic highway network, the strategic rail network, and designated strategic air and sea ports;

(iv) best practices for modeling and mitigating risks posed to military installa-

tions by increased inundation, erosion, flood, wind, and fire damage;

(v) changing energy demand at military installations to include heating and cooling, particularly in communities experiencing grid stress;

(vi) disruption and competition for reliable energy and water resources;

(vii) increased maintenance and sustainment costs;

(viii) damage to natural and constructed infrastructure from thawing permafrost and sea ice; and

(ix) the effects of climate stress on community support infrastructure, including roads, transportation hubs, and medical facilities;

(D) acquisition and supply chain, including—

(i) measures to ensure that the current and projected future scale and impacts of climate change are fully considered in the research, development, testing, and acquisition of major weapon systems and of associated supplies and equipment;

(ii) required alterations of stockpiles;

(iii) reduced or changed availability and access to materials, equipment, and supplies, including water and food sources;

(iv) disruptions in fuel availability and distribution;

(v) estimated climate security investments required to address foreseeable costs incurred or influenced by climate change for each of the lines of effort in this report, including extreme weather response, over the next five, ten, and twenty years, with topline estimates and a qualitative discussion of cost drivers for each; and

(vi) equipment and infrastructure investments required to address a changing Arctic environment; and

(E) such other matters as the Secretary determines appropriate.

(c) ASSESSMENTS AND PROJECTIONS OF THE SCOPE AND SCALE OF CLIMATE CHANGE.—In preparing the update to the climate change roadmap as required under subsection (a), the Secretary shall consider—

(1) climate projections from the Global Change Research Office, National Climate Assessment, the

National Oceanic and Atmospheric Administration, and other Federal agencies; and

(2) data on, and analysis of, the national security effects of climate prepared by the Climate Security Advisory Council of the Office of the Director of National Intelligence established pursuant to section 120 of the National Security Act of 1947 (50 U.S.C. 3060) and by other elements of the intelligence community.

(d) FORM.—The update to the climate change roadmap required under subsection (a) shall be submitted in an unclassified form, but may contain a classified annex. If the Secretary determines that the inclusion of a classified annex is necessary, the Secretary shall conduct an in-person briefing for Members of the Committees on Armed Services of the Senate and House of Representatives by not later than 90 days after date of the submission of the update.

SEC. 323. COMPTROLLER GENERAL REPORT ON DEPARTMENT OF DEFENSE INSTALLATION ENERGY.

(a) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the progress of the Department of De-

fense toward reaching net zero goals, including an agency-wide view and breakdowns of progress by service branch.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include—

(1) an analysis of the extent to which the Department of Defense has implemented net zero initiatives to date and developed a forward-looking integrated net zero strategy for energy, emissions, water, and waste management and the extent to which each of the military departments has implemented such strategy;

(2) a description of the current challenges to implementing net zero initiatives or meeting net zero goals and the degree to which the Department of Defense and the military departments have addressed applied lessons learned;

(3) a cost-benefit analysis of net zero initiatives, including a description of how such costs and benefits are identified, tracked, and validated;

(4) a description of the feasibility of achieving net zero benchmarks of 25 percent, 50 percent, 75 percent, and 100 percent of the energy, emissions, water, and waste management levels for 2020, including anticipated funding requirements, statutory

requirements, infrastructure needs, and timeframes; and

(5) an analysis of the integration between energy offices with program offices, budget, and operational planners within the Department of Defense and military departments across the enterprise, and recommendations for improving coordination.

(c) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 324. DEPARTMENT OF DEFENSE REPORT ON EMISSIONS LEVELS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Department of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives and to the Comptroller General a report on the total level of emissions for each of the last ten fiscal years. Such emissions levels shall include the agency-wide total, breakdowns by military department, and delineations between installation and operational emissions.

(b) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex.

SEC. 325. OBJECTIVES, PERFORMANCE STANDARDS, AND CRITERIA FOR USE OF WILDLIFE CONSERVATION BANKING PROGRAMS.

(a) IN GENERAL.—To ensure opportunities for Department of Defense participation in wildlife conservation banking programs pursuant to section 2694c of title 10, United States Code, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall issue regulations of general applicability establishing objectives, measurable performance standards, and criteria for use, consistent with the Endangered Species Act (16 U.S.C. 1531 et seq.), for mitigation banking offsetting effects on a species, or habitat of such species, that is endangered, threatened, a candidate for listing, or otherwise at risk under such Act. To the maximum extent practicable, the regulatory standards and criteria shall maximize available credits and opportunities for mitigation, provide flexibility for characteristics of various species, and apply equivalent standards and criteria to all mitigation banks.

(b) DEADLINE FOR REGULATIONS.—The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, shall publish an advance notice of proposed rulemaking for the regulations required by subsection (a) by not later than one year after the date of the enactment of this Act.

SEC. 326. OFFSHORE WIND ENERGY DEVELOPMENT, MORRO BAY, CALIFORNIA.

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

(1) Since 2016, the Department of Defense and Department of the Navy have been working with State and Federal stakeholders to determine whether a commercial lease for the development of renewable energy off the coast of Morro Bay, California could be developed in a manner that is compatible with the training and readiness requirements of the Department of Defense.

(2) Military readiness and the ability to conduct realistic training are critical to our national security; however, energy security and other ocean uses are also important. These interests should be balanced to the extent practicable when analyzing offshore energy proposals.

(3) In August 2019, Members of Congress, the Assistant Secretary of Defense for Sustainment, senior officials from other Federal agencies, and state and local elected representatives met to discuss a path forward to accommodate wind energy development off the Central Coast of California while ensuring the Department of Defense was able to continue

meeting its testing, training, and operational requirements.

(4) Following the initial meeting in August 2019, the stakeholder group continued meeting at roughly monthly intervals through 2019 and into 2020 to discuss options and work towards a mutually agreeable solution for renewable energy development and continued military testing, training, and operational requirements off the Central Coast of California.

(5) In May 2020, the Assistant Secretary of the Navy for Energy, Installations, and Environment notified stakeholders that despite the previous year of negotiations, it was his view any wind energy developments off the Central Coast of California may not be viewed as being compatible with military activities. This unilateral decision was made abruptly, without providing any supporting analysis or acknowledgment of the progress and commitments made during previous negotiations, and was not in the spirit of cooperation and collaboration that had driven the previous nine months of stakeholder engagements.

(6) Stakeholder confidence in the Department of Defense review process is paramount. Abrupt and

unilateral changes of course erode confidence and undermine the State, local, and industry trust in a fair, transparent, and predictable adjudication of potential conflicts.

(7) In early 2019, in order to create continuity between the offshore and terrestrial processes, the Department of Defense consolidated its review of proposed energy development projects so that offshore energy proposals were now included in the Military Aviation and Installation Assurance Clearinghouse (the Clearinghouse). The Clearinghouse has a proven record for reviewing proposed energy development projects through a fair and transparent process. The Morro Bay proposal pre-dates this consolidation but underwent a similar Department of Defense led compatibility review.

(8) Congress has generally supported the transparent and fair Clearinghouse review process, as well as all efforts between the Department of Defense and other stakeholders to reach solutions that allow for the development of energy projects in a manner that is compatible with military testing, training, and operational requirements.

(9) Legislating a solution to a specific energy development proposal should only be reserved for

rare occasions. Due to Navy's abrupt and unilateral decision to walk away from productive negotiations, after months of good-faith efforts by other stakeholders and public engagement, the threshold for congressional intervention has been reached.

(b) RESPONSIBILITY.—All interaction on behalf of the Department of the Navy with the California Energy Commission, Federal agencies, State and local governments, and potential energy developers regarding proposed offshore wind energy off the central coast of California shall be performed through the Office of the Under Secretary of Defense for Acquisition and Sustainment.

(c) BRIEFING REQUIREMENT; LIMITATION.—

(1) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services and the Committee on Natural Resources of the House of Representatives a briefing on status of the review by the Offshore Energy Working Group of the request to locate at least two offshore wind lease areas proximate to and within the Morro Bay Call Area. Such briefing shall include—

(A) a detailed map that shows any areas identified;

(B) proposed mitigations that would enable compatible development in the areas identified;

(C) any unresolved issues; and

(D) any other terms of the agreement reached with the California Energy Commission, other Federal agencies, State and local governments, and potential energy developers.

(2) LIMITATION.—The Secretary of Defense may not issue a final offshore wind assessment that proposes wind exclusion areas and may not object to an offshore energy project in the Central Coast of California that has filed for review by the Military Aviation and Installation Assurance Clearinghouse until the Secretary provides the briefing required under paragraph (1).

(d) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2021, not more than 75 percent may be obligated or expended for the Office of the Assistant Secretary of the Navy for Energy, Installations, and Environment until the date that is 30 days after the date on which the briefing required under subsection (c)(1) is provided.

SEC. 327. LONG-DURATION DEMONSTRATION INITIATIVE AND JOINT PROGRAM.

(a) ESTABLISHMENT OF INITIATIVE.—Not later than January 15, 2021, the Director of the Environmental Security Technology Certification Program of the Department of Defense (hereinafter in this section referred to as the ''Director'') may establish a demonstration initiative composed of demonstration projects focused on the development of long-duration energy storage technologies.

(b) SELECTION OF PROJECTS.—To the maximum extent practicable, in selecting demonstration projects to participate in the demonstration initiative under subsection (a), the Director may—

(1) ensure a range of technology types;

(2) ensure regional diversity among projects; and

(3) consider bulk power level, distribution power level, behind-the-meter, microgrid (grid-connected or islanded mode), and off-grid applications.

(c) JOINT PROGRAM.—

(1) ESTABLISHMENT.—As part of the demonstration initiative under subsection (a), the Director, in consultation with the Secretary of Energy, may establish within the Department of Defense a joint program to carry out projects—

(A) to demonstrate promising long-duration energy storage technologies at different scales to promote energy resiliency; and

(B) to help new, innovative long-duration energy storage technologies become commercially viable.

(2) MEMORANDUM OF UNDERSTANDING.—Not later than 200 days after the date of enactment of this Act, the Director may enter into a memorandum of understanding with the Secretary of Energy to administer the joint program.

(3) INFRASTRUCTURE.—In carrying out the joint program, the Director and the Secretary of Energy may—

(A) use existing test-bed infrastructure at—

(i) installations of the Department of Defense; and

(ii) facilities of the Department of Energy; and

(B) develop new infrastructure for identified projects, if appropriate.

(4) GOALS AND METRICS.—The Director and the Secretary of Energy may develop goals and metrics for technological progress under the joint

program consistent with energy resilience and energy security policies.

(5) SELECTION OF PROJECTS.—

(A) IN GENERAL.—To the maximum extent practicable, in selecting projects to participate in the joint program, the Director and the Secretary of Energy may—

(i) ensure that projects are carried out under conditions that represent a variety of environments with different physical conditions and market constraints; and

(ii) ensure an appropriate balance of—

(I) larger, operationally-scaled projects, adapting commercially-proven technology that meets military service defined requirements; and

(II) smaller, lower-cost projects.

(B) PRIORITY.—In carrying out the joint program, the Director and the Secretary of Energy may give priority to demonstration projects that—

(i) make available to the public project information that will accelerate deployment of long-duration energy storage

technologies that promote energy resiliency; and

(ii) will be carried out as field demonstrations fully integrated into the installation grid at an operational scale.

SEC. 328. PRIZES FOR DEVELOPMENT OF NON-PFAS-CONTAINING FIRE-FIGHTING AGENT.

(a) AUTHORITY.—The Secretary of Defense, acting through the Assistant Secretary of Defense for Sustainment and the Strategic Environmental Research and Development Program, may carry out a program to award cash prizes and other types of prizes that the Secretary determines are appropriate to recognize outstanding achievements in the development of a non-PFAS-containing fire-fighting agent to replace aqueous film-forming foam with the potential for application to the performance of the military missions of the Department of Defense.

(b) COMPETITION REQUIREMENTS.—A program under subsection (a) shall use a competitive process for the selection of recipients of cash prizes. The process shall include the widely-advertised solicitation of submissions of research results, technology developments, and prototypes.

(c) LIMITATIONS.—The following limitations shall apply to a program under subsection (a):

(1) No prize competition may result in the award of a prize with a fair market value of more than $5,000,000.

(2) No prize competition may result in the award of more than $1,000,000 in cash prizes without the approval of the Assistant Secretary of Defense for Sustainment.

(3) No prize competition may result in the award of a solely nonmonetary prize with a fair market value of more than $10,000 without the approval of the Assistant Secretary of Defense for Sustainment.

(d) RELATIONSHIP TO OTHER AUTHORITY.—A program under subsection (a) may be carried out in conjunction with or in addition to the exercise of any other authority of the Department of Defense.

(e) USE OF PRIZE AUTHORITY.—Use of prize authority under this section shall be considered the use of competitive procedures for the purposes of section 2304 of title 10, United States Code.

(f) PFAS.—In this section, the term ''PFAS'' means—

(1) man-made chemicals of which all of the carbon atoms are fully fluorinated carbon atoms; and

(2) man-made chemicals containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(g) TERMINATION.—The authority to carry out a program under this section shall terminate on October 1, 2024.

SEC. 329. SURVEY OF TECHNOLOGIES FOR DEPARTMENT OF DEFENSE APPLICATION IN PHASING OUT THE USE OF FLUORINATED AQUEOUS FILM-FORMING FOAM.

(a) SURVEY OF TECHNOLOGIES.—The Secretary of Defense shall conduct a survey of relevant technologies, other than fire-fighting agent solutions, to determine whether any such technologies are available and can be adapted for use by the Department of Defense to facilitate the phase-out of fluorinated aqueous film-forming foam. The technologies surveyed under this subsection shall include hangar flooring systems, fire-fighting agent delivery systems, containment systems, and other relevant technologies the Secretary determines appropriate.

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the survey conducted under subsection (a). Such report shall include—

(1) a description of the technologies included in the survey;

(2) a list of the technologies that were considered for further testing or analysis; and

(3) any technologies that are undergoing additional analysis for possible application within the Department.

SEC. 330. INTERAGENCY BODY ON RESEARCH RELATED TO PER- AND POLYFLUOROALKYL SUBSTANCES.

(a) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, shall establish an interagency working group to coordinate Federal activities to advance research and development needed to address PFAS.

(b) AGENCY PARTICIPATION.—The interagency working group shall include a representative of each—

(1) the Environmental Protection Agency;

(2) the National Institute of Environmental Health Sciences;

(3) the Agency for Toxic Substances and Disease Registry;

(4) the National Science Foundation;

(5) the Department of Defense;

(6) the National Institutes of Health;

(7) the National Institute of Standards and Technology;

(8) the National Oceanic and Atmospheric Administration;

(9) the Department of Interior;

(10) the Department of Transportation;

(11) the Department of Homeland Security;

(12) the National Aeronautics and Space Administration;

(13) the National Toxicology Program;

(14) the Department of Agriculture;

(15) the Geological Survey;

(16) the Department of Commerce;

(17) the Department of Energy;

(18) the Office of Information and Regulatory Affairs;

(19) the Office of Management and Budget; and

(20) any such other Federal department or agency as the President considers appropriate.

(c) CO-CHAIRS.—The Interagency working group shall be co-chaired by the Director of the Office of Science and Technology Policy and, on an annual rotating basis, a representative from a Member agency, as selected by the Director of the Office of Science and Technology Policy.

(d) RESPONSIBILITIES OF THE WORKING GROUP.—The interagency working group established under subsection (a) shall—

(1) provide for interagency coordination of Federally funded PFAS research and development; and

(2) not later than 12 months after the date of enactment of this Act, develop a strategic plan for Federal support for PFAS research and development (to be updated not less than every 2 years) that—

(A) identifies all current Federally funded PFAS research and development, including the nature and scope of such research and development and the amount of funding associated with such research and development during the current fiscal year, disaggregated by agency;

(B) identifies scientific and technological challenges that must be addressed to understand and to significantly reduce the environmental and human health impacts of PFAS and to identify cost-effective—

(i) alternatives to PFAS that are designed to be safer and more environmentally friendly;

(ii) methods for removal of PFAS from the environment; and

(iii) methods to safely destroy or degrade PFAS;

(C) establishes goals, priorities, and metrics for Federally funded PFAS research and development that takes into account the current state of research and development identified in paragraph (A) and the challenges identified in paragraph (B); and

(D) an implementation plan for Federal agencies.

(e) CONSULTATION.—In developing the strategic plan under subsection (d), the interagency working group shall consult with states, tribes, territories, local governments, appropriate industries, academic institutions and non-governmental organizations with expertise in PFAS research and development, treatment, management, and alternative development.

(f) ANNUAL REPORT.—For each fiscal year beginning with fiscal year 2022, not later than 90 days after submission of the President's annual budget request for such fiscal year, the Interagency working group shall prepare and submit to Congress a report that includes—

(1) a summary of Federally funded PFAS research and development for such fiscal year and the

preceding fiscal year, including a disaggregation of spending for each participating Federal agency; and

(2) a description of how Federal agencies are implementing the strategic plan described in subsection (d).

(g) PFAS RESEARCH AND DEVELOPMENT.—The term ''PFAS research and development'' includes any research or project that has the goal of accomplishing the following:

(1) The removal of PFAS from the environment.

(2) The safe destruction or degradation of PFAS.

(3) The development and deployment of safer and more environmentally friendly alternative substances that are functionally similar to those made with PFAS.

(4) The understanding of sources of environmental PFAS contamination and pathways to exposure for the public.

(5) The understanding of the toxicity of PFAS to humans and animals.

SEC. 331. RESTRICTION ON PROCUREMENT BY DEFENSE LOGISTICS AGENCY OF CERTAIN ITEMS CONTAINING PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES.

(a) PROHIBITION.—The Director of the Defense Logistics Agency may not procure any covered item containing a perfluoroalkyl substance or polyfluoroalkyl substance.

(b) DEFINITIONS.—In this section:

(1) The term ''covered item'' means—

(A) non-stick cookware or food service ware for use in galleys or dining facilities;

(B) food packaging materials;

(C) furniture or floor waxes;

(D) carpeting, rugs, or upholstered furniture;

(E) personal care items;

(F) dental floss; and

(G) sunscreen.

(2) The term ''perfluoroalkyl substance'' means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(3) The term ''polyfluoroalkyl substance'' means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(c) EFFECTIVE DATE.—This section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 332. STANDARDS FOR REMOVAL OR REMEDIAL ACTIONS WITH RESPECT TO PFOS OR PFOA CONTAMINATION.

(a) IN GENERAL.—In conducting removal or remedial actions pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) or section 332 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) of PFOS or PFOA contamination from Department of Defense or National Guard activities found in drinking water or in groundwater that is not currently used for drinking water, the Secretary of Defense shall ensure that such actions result in a level that meets or exceeds the most stringent of the following standards for PFOS or PFOA in any environmental media:

(1) An enforceable State standard, in effect in that State, for drinking, surface, or ground water, as described in section 121(d)(2)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)).

(2) An enforceable Federal standard for drinking, surface, or ground water, as described in section 121(d)(2)(A)(i) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9621(d)(2)(A)(i)).

(3) A health advisory under section 1412(b)(1)(F) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(1)(F)).

(b) DEFINITIONS.—In this section:

(1) The term ''PFOA'' means perfluorooctanoic acid.

(2) The term ''PFOS'' means perfluorooctane sulfonate.

(3) The terms ''removal'' and ''remedial action'' have the meanings given those terms in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(c) SAVINGS CLAUSE.—Except with respect to the specific level required to be met under subsection (a), nothing in this section affects the application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9607).

SEC. 333. RESEARCH AND DEVELOPMENT OF ALTERNATIVE TO AQUEOUS FILM-FORMING FOAM.

(a) IN GENERAL.—The Secretary of Defense, acting through the National Institute of Standards and Technology and in consultation with appropriate stakeholders and manufactures, research institutions, and other Federal agencies shall award grants and carry out other activities to—

(1) promote and advance the research and development of additional alternatives to aqueous film-forming foam (in this section referred to as ''AFFF'') containing per- and polyfluoroalkyl substances (in this section referred to as ''PFAS'') to facilitate the development of a military specification and subsequent fielding of a PFAS-free fire-fighting foam;

(2) advance the use of green and sustainable chemistry for a fluorine-free alternative to AFFF;

(3) increase opportunities for sharing best practices within the research and development sector with respect to AFFF;

(4) assist in the testing of potential alternatives to AFFF; and

(5) provide guidelines on priorities with respect to an alternative to AFFF.

(b) ADDITIONAL REQUIREMENTS.—In carrying out the program required under subsection (a), the Secretary shall—

(1) take into consideration the different uses of AFFF and the priorities of the Department of Defense in finding an alternative;

(2) prioritize green and sustainable chemicals that do not pose a threat to public health or the environment; and

(3) use and leverage research from existing Department of Defense programs.

(c) REPORT.—The Secretary shall submit to Congress a report on—

(1) the priorities and actions taken with respect to finding an alternative to AFFF and the implementation of such priorities; and

(2) any alternatives the Secretary has denied, and the reason for any such denial.

(d) USE OF FUNDS.—This section shall be carried out using amounts authorized to be available for the Strategic Environmental Research and Development Program.

SEC. 334. NOTIFICATION TO AGRICULTURAL OPERATIONS LOCATED IN AREAS EXPOSED TO DEPARTMENT OF DEFENSE PFAS USE.

(a) NOTIFICATION REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Agriculture, shall provide a notification described in subsection (b) to any agricultural operation located within 10 square miles of a location where covered PFAS—

(1) has been detected in groundwater;

(2) has been hydrologically linked to a local water source, including a water well; and

(3) is suspected to be, or due to a positive test known to be, the result of the use of PFAS at any installation of the Department of Defense located in the United States or any State-owned facility of the National Guard.

(b) NOTIFICATION REQUIREMENTS.—The notification required under subparagraph (a) shall include:

(1) The name of the Department of Defense or National Guard installation from which the PFAS contamination in groundwater originated.

(2) The specific type of PFAS detected in groundwater.

(3) The detection levels of PFAS detected.

(4) Relevant governmental information regarding the health and safety of the covered PFAS detected, including relevant Federal or State standards for PFAS in groundwater, livestock, food commodities and drinking water, and any known restrictions for sale of agricultural products that have been irrigated or watered with water containing PFAS.

(c) ADDITIONAL TESTING RESULTS.—The Secretary of Defense shall provide to an agricultural operation that receives a notice under subsection (a) any pertinent updated information, including any results of new elevated testing, by not later than 15 days after receiving such information.

(d) REPORT TO CONGRESS.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of Defense shall submit to the Committee on Agriculture, Nutrition, and Forestry of the Senate and the Committee on Agriculture of the House of Representatives a report on the status of providing notice under subsection (a). Such report shall include, for the period covered by the report—

(1) the approximate locations of such operations relative to installations of the Department of Defense located in the United States and State-owned facilities of the National Guard;

(2) the PFAS substances detected in groundwater; and

(3) the levels of PFAS detected.

(e) DEFINITIONS.—In this section:

(1) The term ''covered PFAS'' means each of the following:

(A) Perfluorooctanoic acid (commonly referred to as ''PFOA'') (Chemical Abstracts Service No. 335–67–1).

(B) Perfluorooctane sulfonic acid (commonly referred to as ''PFOS'') (Chemical Abstracts Service No. 1763–23–1).

(C) Perfluorobutanesulfonic acid (commonly referred to as ''PFBS'') (Chemical Abstracts Service No. 375-73-5).

(D) Perfluorohexane sulfonate (commonly referred to as ''PFHxs'') (Chemical Abstracts Service No. 108427-53-8).

(E) Perfluoroheptanoic acid (commonly referred to as ''PFHpA'') (Chemical Abstracts Service No. 375-85-9).

(F) Perfluorohexanoic acid (commonly referred to as ''PFHxA'') (Chemical Abstracts Service No. 307-24-4).

(G) Perfluorodecanoic acid (commonly referred to as ''PFDA'') (Chemical Abstracts Service No. 335-76-2).

(H) Perfluorononanoic acid (commonly referred to as ''PFNA'') (Chemical Abstracts Service No. 375-95-1).

(2) The term ''PFAS'' means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom, including the chemical GenX.

SEC. 335. PUBLIC DISCLOSURE OF RESULTS OF DEPARTMENT OF DEFENSE TESTING FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES.

(a) PUBLIC DISCLOSURE OF PFAS TESTING.—The Secretary of Defense shall publicly disclose the results of any testing for perfluoroalkyl or polyfluoroalkyl substances (commonly referred to as ''PFAS'') conducted on military installations or formerly used defense sites, including—

(1) all such testing results conducted by the Department of Defense; and

(2) all such testing results conducted by a non-Department entity (including any Federal agency and any public or private entity) under contract by

or pursuant to an agreement with the Department of Defense.

(b) NATURE OF DISCLOSURE.—The Secretary of Defense may satisfy the disclosure requirement under subsection (a) by publishing the information, datasets, and results relating to the testing referred to in such subsection—

(1) on the publicly available website established under section 331(b) of the National Defense Authorization Act of 2020 (Public Law 116–92);

(2) on another publicly available website of the Department of Defense; or

(3) in the Federal Register.

(c) REQUIREMENTS.—The information required to be disclosed by the Secretary of Defense under subsection (a) and published under subsection (b) shall—

(1) constitute a record for the purposes of chapter 21, 29, 31, and 33 of title 44, United States Code; and

(2) include any underlying datasets or additional information of interest to the public, as determined by the Secretary of Defense.

(d) LOCAL NOTIFICATION.—Prior to conducting any testing for perfluoroalkyl or polyfluoroalkyl substances, the Secretary of Defense shall provide to the managers

of the public water system and the publicly owned treatment works serving the areas located immediately adjacent to the military installation where such testing is to occur notice in writing of the testing.

(e) DEFINITIONS.—In this section:

(1) The term ''formerly used defense site'' means any site formerly used by the Department of Defense or National Guard eligible for environmental restoration by the Secretary of Defense funded under the ''Environmental Restoration Account, Formerly Used Defense Sites'' account established under section 2703(a)(5) of title 10, United States Code.

(2) The term ''military installation'' has the meaning given such term in section 2801(c)(4) of title 10, United States Code.

(3) The term ''perfluoroalkyl or polyfluoroalkyl substance'' means any per or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

(4) The term ''public water system'' has the meaning given such term under section 1401(4) of the Safe Drinking Water Act (42 U.S.C. 300f(4)).

(5) The term ''treatment works'' has the meaning given such term in section 212(2) of the Federal Water Pollution Control Act (33 U.S.C. 1292(2)).

Subtitle C—Logistics and Sustainment

SEC. 351. NATIONAL DEFENSE SUSTAINMENT AND LOGISTICS REVIEW.

(a) IN GENERAL.—Chapter 2 of title 10, United States Code, is amended by inserting after section 118 the following new section:

"§ 118a. National Defense Sustainment and Logistics Review

''(a) QUADRENNIAL REVIEW REQUIRED.—Two years after the submittal of each national defense strategy under section 113(g) of this title, the Secretary of Defense shall conduct a comprehensive review of the sustainment and logistics requirements necessary to support the force structure, force modernization, infrastructure, and other elements of the defense program and policies of the United States during the subsequent 5-, 10-, and 25-year periods. Each such review shall be known as the 'National Defense Sustainment and Logistics Review'. Each such review shall be conducted in consultation with the Secretaries of the military departments, the chief of the armed services, the Commander of United States Transportation Com-

mand, and the Commander of the Defense Logistics Agency.

"(b) REPORT TO CONGRESS.—(1) Not later than the first Monday in February of the year following the fiscal year during which the review required by subsection (a) is submitted, the Secretary shall submit to the congressional defense committees a report on the review. Each such report shall include each of the following:

"(A) An assessment of the strategic and tactical maritime logistics force (including non-military assets provided by Military Sealift Command and through the Voluntary Intermodal Sealift Agreement) required to support sealift and at sea logistics requirements of forces to meet steady state and contingency requirements.

"(B) An assessment of the strategic and tactical airlift and tankers (including non-military assets provided by the Civil Reserve Air Fleet and through the Voluntary Tanker Agreement) required to support movement of forces to meet steady state and contingency requirements.

"(C) An assessment of the location, configuration, and inventory of prepositioned materiel and equipment programs required to meet steady state and contingency requirements.

"(D) An assessment of the location, infrastructure, and storage capacity for petroleum, oil, and lubricant products, as well as the ability to distribute such products from storage supply points to deployed military forces, required to meet steady state and contingency requirements.

"(E) An assessment of the capabilities, capacity, and infrastructure of the Department of Defense organic industrial base and private sector industrial base required to meet steady-state and surge software and depot maintenance requirements.

"(F) An assessment of the production capability, capacity, and infrastructure, of the Department of Defense organic industrial base and private sector industrial base required to meet steady-state and surge production requirements for ammunition and other military munitions.

"(G) An assessment of the condition, capacity, and location of military infrastructure required to project military forces to meet steady-state and contingency requirements.

"(H) An assessment of the cybersecurity risks to military and commercial logistics networks and information technology systems.

"(I) An assessment of the gaps between the requirements identified under subparagraphs (A) through (H) compared to the actual force structure and infrastructure capabilities, capacity, and posture and the risks associated with each gap as it relates to the ability to meet the national defense strategy.

"(J) A discussion of the identified mitigations being pursued to address each gap and risk identified under subparagraph (I) as well as the initiatives and resources planned to address such gaps, as included in the Department of Defense budget request submitted during the same year as the report and the applicable future-years defense program.

"(K) An assessment of the extent to which wargames conducted by the Department of Defense, Joint Staff, geographic combatant commands, and military departments incorporate logistics capabilities and threats and a description of the logistics constraints to operations identified through such wargames.

"(L) Such other matters the Secretary of Defense considers appropriate.

"(2) The report required under this subsection shall be submitted in classified form and shall include an unclassified summary.

"(c) COMPTROLLER GENERAL REVIEW.—Not later than 180 days after the date on which Secretary submits each report required under subsection (b), the Comptroller General shall submit to the congressional defense committees a report that includes an assessment of each of the following:

"(1) Whether the report includes each of the elements referred to in subsection (b).

"(2) The strengths and weaknesses of the approach and methodology used in conducting the review required under subsection (a) that is covered by the report.

"(3) Any other matters relating to sustainment that may arise from the report, as the Comptroller General considers appropriate.

"(d) RELATIONSHIP TO BUDGET.—Nothing in this section shall be construed to affect section 1105(a) of title 31.

"(e) TERMINATION.—The requirement to submit a report under this section shall terminate on the date that is 10 years after the date of the enactment of this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting

after the item relating to section 118 the following new item:

"118a. National Defense Sustainment and Logistics Review.".

(c) DEADLINE FOR SUBMITTAL OF FIRST REPORT.—Notwithstanding the deadline in subsection (b)(1) of section 118a of title 10, United States Code, the Secretary of Defense shall submit the first report under such section by no later than the date that is 18 months after the date of the enactment of this Act.

SEC. 352. EXTENSION OF SUNSET RELATING TO CHARTER AIR TRANSPORTATION SERVICES.

Section 9515(k) of title 10, United States Code, is amended by striking "2020" and inserting "2025".

SEC. 353. ADDITIONAL ELEMENTS FOR INCLUSION IN NAVY SHIP DEPOT MAINTENANCE BUDGET REPORT.

Section 363(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following new paragraphs:

"(6) The execution of the planned schedule, categorized by class of ship, for each of the three preceding fiscal years, including—

"(A) the actual contract award compared to the milestone;

"(B) the planned completion date compared to the actual completion date; and

"(C) each regional maintenance center's availability schedule performance for on-time availability completion.

"(7) In accordance with the findings of the Government Accountability Office (GAO 20-370)—

"(A) in 2021, an analysis plan for the evaluation of pilot program availabilities funded by the Other Procurement, Navy account; and

"(B) in 2022, a report on the Navy's progress implementing such analysis plan.".

SEC. 354. MODIFICATION TO LIMITATION ON LENGTH OF OVERSEAS FORWARD DEPLOYMENT OF NAVAL VESSELS.

Section 323(b) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 8690 note) is amended by striking "In the case of any naval vessel" and inserting "In the case of any aircraft carrier, amphibious ship, cruiser, destroyer, frigate, or littoral combat ship".

SEC. 355. INDEPENDENT ADVISORY PANEL ON WEAPON SYSTEM SUSTAINMENT.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish an independent advisory panel (in this section referred to as the "panel") on the weapon system sustainment ecosystem. The National Defense University

and the Defense Acquisition University shall sponsor the panel, including by providing administrative support.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The panel shall be comprised of nine members, of whom—

(A) five shall be appointed by the Secretary of Defense;

(B) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(C) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(D) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(E) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(2) EXPERTISE.—In making appointments under this subsection, consideration should be given to individuals with expertise in public and private-sector acquisition, sustainment, and logistics policy in aviation, ground, maritime systems, and space systems and their related components.

(3) APPOINTMENT DATE.—The appointment of the members of the panel shall be made not later than 120 days after the date of the enactment of this Act.

(c) DUTIES.—The panel shall—

(1) review the weapon system sustainment ecosystem from development, production, and sustainment of the weapon system through use in the field, depot and field-level maintenance, modification, and disposal with a goal of—

(A) maximizing the availability and mission capabilities of weapon systems;

(B) reducing overall life-cycle costs of weapon systems during fielding, operation and sustainment; and

(C) aligning weapon system sustainment functions to the most recent national defense strategy submitted pursuant to section 113 of title 10, United States Code; and

(2) using information from the review of the weapon system sustainment ecosystem, make recommendations related to statutory, regulatory, policy, or operational best practices the panel considers necessary.

(d) REPORT.—

(1) INTERIM REPORT.—Not later than one year after the date on which all members of the panel have been appointed, the panel shall provide to the Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives a briefing on the interim findings and recommendations of the panel.

(2) FINAL REPORT.—Not later than two years after the date on which all members of the panel have been appointed, the panel shall submit to the Secretary of Defense and the Committees on Armed Services of the Senate and House of Representatives a report setting for a detailed statement of the findings and conclusions the panel as a result of the review described in subsection (c), together with such recommendations related to statutory, regulatory, policy, or operational practices as the panel considers appropriate in light of the results of the review.

(e) ADMINISTRATIVE MATTERS.—

(1) IN GENERAL.—The Secretary of Defense shall provide the panel with timely access to appropriate information, data, resources, analysis, and logistics support so that the panel may conduct a

thorough and independent assessment as required under this section.

(2) EFFECT OF LACK OF APPOINTMENT BY APPOINTMENT DATE.—If any member has not been appointed by the date specified in subsection (b)(3), the authority to appoint such member under subsection (b)(1) shall expire, and the number of members of the panel shall be reduced by the number equal to the number of appointments so not made.

(3) PERIOD OF APPOINTMENT; VACANCIES.—Members of the panel shall be appointed for the duration of the panel. Any vacancy in the panel shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) CHAIR.—The panel shall select a Chair from among its members. The Chair may not be a Federal officer or employee.

(f) TERMINATION.—The panel shall terminate 90 days after the date on which the panel submits the report required under subsection (d)(2).

SEC. 356. BIANNUAL BRIEFINGS ON STATUS OF SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN.

(a) BRIEFINGS REQUIRED.—During the period beginning on July 1, 2020, and ending on July 1, 2025, the Secretary of the Navy shall provide to the congres-

sional defense committees biannual briefings on the status of the Shipyard Infrastructure Optimization Plan.

(b) ELEMENTS OF BRIEFINGS.—Each briefing under subsection (a) shall include a discussion of the status of each of the following elements:

(1) A master plan for infrastructure development, including projected military construction and capital equipment projects.

(2) A planning and design update for military construction, minor military construction, and facility sustainment projects over the subsequent five-year period.

(3) A human capital management and development plan.

(4) A workload management plan that includes synchronization requirements for each shipyard and ship class.

(5) Performance metrics and an assessment plan.

(6) A funding and authority plan that includes funding lines across the future years defense program.

SEC. 357. MATERIEL READINESS METRICS AND OBJECTIVES FOR MAJOR WEAPON SYSTEMS.

(a) IN GENERAL.—Section 118 of title 10, United States Code is amended—

(1) by amending the section heading to read as follows: "**Materiel readiness metrics and objectives for major weapon systems**";

(2) by striking "Not later than five days" and inserting the following:

"(d) BUDGET JUSTIFICATION.—Not later than five days";

(3) by inserting before subsection (d) (as designated by paragraph (2)) the following new subsections:

"(a) MATERIEL READINESS METRICS.—Each head of an element of the Department specified in paragraphs (1) through (10) of section 111(b) of this title shall establish and maintain materiel readiness metrics to enable assessment of the readiness of members of the armed forces to carry out—

"(1) the strategic framework required by section 113(g)(1)(B)(vii) of this title; and

"(2) guidance issued by the Secretary of Defense pursuant to section 113(g)(1)(B) of this title.

"(b) REQUIRED METRICS.—At a minimum, the materiel readiness metrics required by subsection (a) shall

address the materiel availability, operational availability, operational capability, and materiel reliability of each major weapon system by designated mission, design series, variant, or class.

''(c) MATERIEL READINESS OBJECTIVES.—(1) Not later than one year after the date of the enactment of this Act, each head of an element described in subsection (a) shall establish the metrics required by subsection (b) necessary to support the strategic framework and guidance referred to in paragraph (1) and (2) of subsection (a).

''(2) Annually, each head of an element described in subsection (a) shall review and revise the metrics required by subsection (b) and include any such revisions in the materials submitted to Congress in support of the budget of the President under section 1105 of title 31.'';

(4) in subsection (d) (as designated by paragraph (2))—

(A) in paragraph (1)—

(i) by striking ''materiel reliability, and mean down time metrics for each major weapons system'' and inserting ''operational availability, and materiel reliability for each major weapon system''; and

(ii) by inserting ''and'' at the end;

(B) in paragraph (2), by striking ''; and'' and inserting a period at the end; and

(C) by striking paragraph (3); and

(5) by adding at the end the following new subsection:

''(e) DEFINITIONS.—In this section:

''(1) The term 'major weapon system' has the meaning given in section 2379(f) of this title.

''(2) The term 'materiel availability' means a measure of the percentage of the total inventory of a major weapon system that is operationally capable of performing an assigned mission.

''(3) The term 'materiel reliability' means the probability that a major weapon system will perform without failure over a specified interval.

''(4) The term 'operational availability' means a measure of the percentage of time a major weapon system is operationally capable.

''(5) The term 'operationally capable' means a materiel condition indicating that a major weapon system is capable of performing its assigned mission and has no discrepancies with a subsystem of a major weapon system.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 of title 10, United States

Code, is amended by striking the item relating to section 118 and inserting the following new item:

"118. Materiel readiness metrics and objectives for major defense acquisition programs.".

(c) BRIEFING.—Not later than October 1, 2021, the Secretary of Defense shall brief the congressional defense committees regarding the implementation of the materiel readiness metrics required under section 118 of title 10, United States Code, as amended by subsection (a).

Subtitle D—Munitions Safety and Oversight

SEC. 361. CHAIR OF DEPARTMENT OF DEFENSE EXPLOSIVE SAFETY BOARD.

(a) RESPONSIBILITIES.—Section 172 of title 10, United States Code, is amended by adding at the end the following new subsections:

"(c) RESPONSIBILITIES OF CHAIR.—The chair of the explosive safety board shall carry out the following responsibilities:

"(1) To act as the principal executive representative and advisor of the Secretary on explosive and chemical agent safety matters related to Department of Defense military munitions.

"(2) To perform the hazard classification approval duties assigned to the chair.

"(3) To preside over meetings of the explosive safety board.

"(4) To direct the staff of the explosive safety board.

"(5) To performs other functions relating to explosives safety management, as directed by the Assistant Secretary of Defense for Sustainment.

"(6) To provide impartial and objective advice related to explosives safety management to the Secretary of Defense and the heads of the military departments.

"(7) To serve as the principal representative and advisor of the Department of Defense on matters relating to explosives safety management.

"(8) To provide assistance and advice to the Under Secretary of Defense for Acquisition and Sustainment and the Deputy Director of Land Warfare and Munitions in munitions acquisition oversight and technology advancement for Department of Defense military munitions, especially in the areas of explosives and chemical agent safety and demilitarization.

"(9) To provide assistance and advice to the Assistant Secretary of Defense for Logistics and Material Readiness in sustainment oversight of De-

partment of Defense military munitions, especially in the areas of explosives and chemical agent safety, storage, transportation, and demilitarization.

''(10) To develop and recommend issuances to define the functions of the explosive safety board.

''(11) To establishes joint hazard classification procedures with covered components of the Department.

''(12) To make recommendations to the Under Secretary of Defense for Acquisition and Sustainment with respect to explosives and chemical agent safety tenets and requirements.

''(13) To conducts oversight of Department of Defense explosive safety management programs.

''(14) To carry out such other responsibilities as the Secretary of Defense determines appropriate.

''(d) RESPONSIBILITIES OF EXECUTIVE DIRECTOR AND CIVILIAN MEMBERS.—The executive director and civilian members of the explosive safety board shall—

''(1) provide assistance to the chair in carrying out the responsibilities specified in subsection (c); and

''(2) carry out such other responsibilities as the chair determines appropriate.

"(e) MEETINGS.—(1) The explosive safety board shall meet not less frequently than quarterly.

"(2) The chair shall submit to the congressional defense committees an annual report describing the activities conducted at the meetings of the board.

"(f) EXCLUSIVE RESPONSIBILITIES.—The explosive safety board shall have exclusive responsibility within the Department of Defense for—

"(1) recommending new and updated explosive and chemical agent safety regulations and standards to the Assistant Secretary of Defense for Energy Installations and Environment for submittal to the Under Secretary of Defense for Acquisition and Sustainment; and

"(2) acting as the primary forum for coordination among covered components of the Department on all matters related to explosive safety management.

"(g) COVERED COMPONENTS.—In this section, the covered components of the Department are each of the following:

"(1) The Office of the Secretary of Defense.

"(2) The military departments.

"(3) The Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands.

"(4) The Office of the Inspector General of the Department.

"(5) The Defense Agencies.

"(6) The Department of Defense field activities.

"(7) All other organizational entities within the Department.".

(b) DEADLINE FOR APPOINTMENT.—By not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall take such steps as may be necessary to ensure that the explosive safety board of the Department of Defense, as authorized under section 172 of title 10, United States Code, has a chair who is a military officer and whose responsibilities include the day-to-day management of the explosive safety board and the responsibilities provided in subsection (c) of such section.

(c) LIMITATION ON USE OF FUNDS.—Of the amounts authorized to be appropriated or otherwise made available in this Act for the Office of the Under Secretary of Defense for Acquisition and Sustainment for fiscal year 2021, not more than 75 percent may be obligated or expended until the date on which the Under Secretary of Defense certifies to the congressional defense committees

that all board member positions, including the chair, of the Department of Defense explosive safety board, as authorized under section 172 of title 10, United States Code, as amended by this section, have been filled by military officers as required by such section.

SEC. 362. EXPLOSIVE ORDNANCE DISPOSAL DEFENSE PROGRAM.

(a) ROLES, RESPONSIBILITIES, AND AUTHORITIES.—Section 2284(b) of title 10, United States Code, as amended by section 1052 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in paragraph (1)(A)—

(A) by inserting ''and'' before ''integration''; and

(B) by striking ''an Assistant Secretary of Defense'' and inserting ''the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict'';

(2) in paragraph (2), by striking ''to whom responsibility is assigned under paragraph (1)(A)'' and inserting ''for Special Operations and Low Intensity Conflict'';

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(4) by inserting after paragraph (2) the following new paragraph (3):

''(3) the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall coordinate with—

''(A) the Under Secretary of Defense for Intelligence on explosive ordnance technical intelligence;

''(B) the Under Secretary of Defense for Acquisition and Sustainment on explosive ordnance disposal research, development, and acquisition;

''(C) the Under Secretary of Defense for Research and Engineering on explosive ordnance disposal research, development, test, and evaluation; and

''(D) the Assistant Secretary of Defense for Homeland Security and Global Security on explosive ordnance disposal on defense support of civil authorities;''.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report of the Explosive Ordnance Disposal Defense Program under section

2284 of title 10, United States Code. Such report shall include each of the following:

(1) The status of the establishment and organization of the Program and the compliance with the requirements of such section, as amended by section 1052 of the National Defense Authorization Act for Fiscal Year 2020.

(2) An assessment of the feasibility and advisability of designating the Joint Program Executive Officer for Armaments and Ammunition as the joint program executive officer for the explosive ordnance disposal program or establishing a rotation of the role between an Army, Navy, and Air Force entity on a periodic basis.

(3) An assessment of the feasibility and advisability of designating the Director of the Defense Threat Reduction Agency with management responsibility for a Defense-wide program element for explosive ordnance disposal research, development, test, and evaluation transactions other than contracts, cooperative agreements, and grants related to section 2371 of title 10, United States Code, during research projects including rapid prototyping and limited procurement urgent activities and acquisition.

SEC. 363. ASSESSMENT OF RESILIENCE OF DEPARTMENT OF DEFENSE MUNITIONS ENTERPRISE.

(a) ASSESSMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall enter into an agreement with a federally-funded research and development center with relevant expertise under which such center shall conduct an assessment of the resilience of the Department of Defense munitions enterprise.

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

(1) An identification of the points of failure with respect to the munitions enterprise, including physical locations, materials, suppliers, contractors, and other relevant elements, that, if failure occurs, would have the largest negative impact on the capacity, resiliency, and safety of the enterprise.

(2) An evaluation of the efforts of the Department of Defense to address the points of failure identified under paragraph (1).

(3) Recommendation with respect to any additional efforts or actions that could be taken to provide for mitigation or solutions with respect to such points of failure.

(4) An evaluation of the capacity of the munitions enterprise to support a sudden surge in demand to support a contingency.

(5) An evaluation of the capacity of the munitions enterprise to withstand intentional disruption during a conflict.

(c) REPORT AND BRIEFINGS.—The Secretary shall—

(1) submit to the congressional defense committees a report on the results of assessment conducted under this section by not later than December 31, 2021; and

(2) provide for such committees interim briefings on such assessment upon request.

(d) POINT OF FAILURE.—In this section, the term ''point of failure'' means, with respect to the munitions enterprise, an aspect of the enterprise, that, if it were to fail or be significantly negatively impacted would cause the portion of the enterprise it supports to either fail or be significantly negatively impacted.

SEC. 364. REPORT ON SAFETY WAIVERS AND MISHAPS IN DEPARTMENT OF DEFENSE MUNITIONS ENTERPRISE.

(a) REPORT REQUIRED.—The Secretary shall include with the Department of Defense materials submitted to Congress with the budget of the President for each of fis-

cal years 2022 through 2025 (as submitted to Congress pursuant to section 1105 of title 31, United States Code), a report on safety waivers provided in the Department of Defense munitions enterprise. Each such report shall include each of the following for the year covered by the report and each of the preceding three years:

(1) A list of each waiver, exemption, and secretarial exemption or certification provided with respect to any Department of Defense munitions safety standard.

(2) For each such waiver, exemption, or certification provided—

(A) the location where the waiver, exemption, or certification was provided;

(B) a summary of the justification used for providing the waiver, exemption, or certification;

(C) the time period during which the waiver, exemption, or certification applies and the number of times such a waiver, exemption, or certification has been provided at that location; and

(D) a list of all safety-related mishaps that occurred at locations where waivers, exemptions, or certifications were in place, and for

each such mishap, whether or not a subsequent investigation determined the waiver, exemption, or certification was related or may have been related to the mishap.

(3) A list and summary of all class A-E mishaps related to the construction, storage, transportation, usage, and demilitarization of munitions.

(4) Any mitigation efforts in place at any location where a waiver, exemption, or certification has been provided or where a safety-related mishap has occurred.

(5) Such other matters as the Secretary determines appropriate.

(b) MUNITIONS DEFINED.—In this section, the term ''munitions'' includes ammunition, explosives, and chemical 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.

(4) The Secretary concerned shall ensure that any member receiving a maternity-related uniform item returns such item to the relevant office established under paragraph (1) on the date on which the Secretary concerned determines the member no longer requires such item.

(5) The Secretary concerned shall inspect, process, repair, clean, and re-stock items returned by a member pursuant to paragraph (4) for re-issuance from such relevant office.

(6) The Director, in coordination with the Secretaries concerned, may issue such guidance and regulations as necessary to carry out the pilot program.

(b) TERMINATION.—No maternity-related uniform items may be issued to a member of the Armed Forces under the pilot program after September 30, 2026.

(c) REPORT.—Not later than September 30, 2025, the Director of the Defense Logistics Agency, in coordination with the Secretaries concerned, shall submit to the congressional defense committees a report on the pilot program. Such report shall include each of the following:

(1) For each year during which the pilot program was carried out, the number of members of the Armed Forces who received a maternity-related uniform item under the pilot program.

(2) An overview of the costs associated with, and any savings realized by, the pilot program, including a comparison of the cost of maintaining a stock of maternity-related uniform items for issuance under the pilot program versus the cost of providing allowances to members for purchasing such items.

(3) A recommendation on whether the pilot program should be extended after the date of termi-

nation under subsection (b) and whether legislation is necessary for such extension.

(4) Any other matters that the Secretary of Defense determines appropriate.

(d) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for operation and maintenance, Defense-wide, for fiscal year 2021, as specified in the funding table in section 4301, $10,000,000 shall be available for implementation of the pilot program.

SEC. 372. SERVICEWOMEN'S COMMEMORATIVE PARTNERSHIPS.

(a) IN GENERAL.—The Secretary of the Army may enter into a contract, partnership, or grant with a nonprofit organization for the purpose of providing financial support for the maintenance and sustainment of infrastructure and facilities at military service memorials and museums that highlight the role of women in the military. Such a contract, partnership, or grant shall be referred to as a ''Servicewomen's Commemorative Partnership''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated for fiscal year 2021, as identified in division D of this Act, $3,000,000 shall be available for Servicewomen's Commemorative Partnerships under subsection (a).

SEC. 373. BIODEFENSE ANALYSIS AND BUDGET SUBMISSION.

(a) ANNUAL ANALYSIS.—For each fiscal year, the Director of the Office of Management and Budget shall—

(1) conduct a detailed and comprehensive analysis of Federal biodefense programs; and

(2) develop an integrated biodefense budget submission.

(b) DEFINITION OF BIODEFENSE.—In accordance with the National Biodefense Strategy, the Director shall develop and disseminate to all Federal departments and agencies a unified definition of the term ''biodefense'' to identify which programs and activities are included in annual budget submission referred to in subsection (a).

(c) REQUIREMENTS FOR ANALYSIS.—The analysis required under subsection (a) shall include—

(1) the display of all funds requested for biodefense activities, both mandatory and discretionary, by agency and categorized by biodefense enterprise element, including threat awareness, prevention, deterrence, preparedness, surveillance and detection, response, attribution (including bioforensic capabilities), recovery, and mitigation; and

(2) detailed explanations of how each program and activity included aligns with biodefense goals.

(d) SUBMITTAL TO CONGRESS.— The Director shall submit to Congress the analysis required under subsection (a) for a fiscal year concurrently with the President's annual budget request for that fiscal year.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

SEC. 401. END STRENGTHS FOR ACTIVE FORCES.

The Armed Forces are authorized strengths for active duty personnel as of September 30, 2021, as follows:

(1) The Army, 485,900.

(2) The Navy, 347,800.

(3) The Marine Corps, 184,100.

(4) The Air Force, 327,266.

(5) The Space Force, 6,434.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 485,900.

''(2) For the Navy, 347,800.

''(3) For the Marine Corps, 184,100.

''(4) For the Air Force, 327,266.

''(5) For the Space Force, 6,434.''.

SEC. 403. MODIFICATION OF THE AUTHORIZED NUMBER AND ACCOUNTING METHOD FOR SENIOR ENLISTED PERSONNEL.

(a) IN GENERAL.—Section 517 of title 10, United States Code, is amended—

(1) in the section heading, by striking "**daily average**" and inserting "**enlisted end strength**"; and

(2) in subsection (a)—

(A) by striking "daily average number of" and inserting "end strength for";

(B) by striking "in a fiscal year" and inserting "as of the last day of a fiscal year";

(C) by striking "2.5 percent" and inserting "3.0 percent"; and

(D) by striking "on the first day of that fiscal year".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 517 and inserting the following new item:

"517. Authorized enlisted end strength: members in pay grades E–8 and E–9.".

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2021, as follows:

(1) The Army National Guard of the United States, 336,500.

(2) The Army Reserve, 189,800.

(3) The Navy Reserve, 58,800.

(4) The Marine Corps Reserve, 38,500.

(5) The Air National Guard of the United States, 108,100.

(6) The Air Force Reserve, 70,300.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty

(other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

(c) END STRENGTH INCREASES.—Whenever units or individual members of the Selected Reserve of any reserve component are released from active duty during any fiscal year, the end strength prescribed for such fiscal year for the Selected Reserve of such reserve component shall be increased proportionately by the total authorized strengths of such units and by the total number of such individual members.

SEC. 412. END STRENGTHS FOR RESERVES ON ACTIVE DUTY IN SUPPORT OF THE RESERVES.

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2021, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,595.

(2) The Army Reserve, 16,511.

(3) The Navy Reserve, 10,215.

(4) The Marine Corps Reserve, 2,386.

(5) The Air National Guard of the United States, 25,333.

(6) The Air Force Reserve, 5,256.

SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS (DUAL STATUS).

The minimum number of military technicians (dual status) as of the last day of fiscal year 2021 for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 22,294.

(2) For the Army Reserve, 6,492.

(3) For the Air National Guard of the United States, 10,994.

(4) For the Air Force Reserve, 7,947.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2021, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

(1) The Army National Guard of the United States, 17,000.

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

(4) The Marine Corps Reserve, 3,000.

(5) The Air National Guard of the United States, 16,000.

(6) The Air Force Reserve, 14,000.

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in the subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2021.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

SEC. 501. AUTHORIZED STRENGTH: EXCLUSION OF CERTAIN GENERAL AND FLAG OFFICERS OF THE RESERVE COMPONENTS ON ACTIVE DUTY.

Section 526a of title 10, United States Code, is amended—

(1) by redesignating subsections (c) through (h) as subsections (d) through (i), respectively; and

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

''(c) EXCLUSION OF CERTAIN OFFICERS OF THE RESERVE COMPONENTS.—The limitations of this section do not apply to the following:

''(1) A general or flag officer of a reserve component who is on active duty—

''(A) for training; or

''(B) under a call or order specifying a period of less than 180 days.

''(2)(A) A general or flag officer of a reserve component who is authorized by the Secretary of the military department concerned to serve on active

duty for a period of at least 180 days and not longer than 365 days.

''(B) The Secretary of the military department concerned may authorize a number, determined under subparagraph (C), of officers in the reserve component of each armed force under the jurisdiction of that Secretary to serve as described in subparagraph (A).

''(C) Each number described in subparagraph (B) may not exceed 10 percent of the number of general or flag officers, as the case may be, authorized to serve in the armed force concerned under section 12004 of this title. In determining a number under this subparagraph, any fraction shall be rounded down to the next whole number that is greater than zero.

''(3)(A) A general or flag officer of a reserve component who is on active duty for a period longer than 365 days and not longer than three years.

''(B) The number of officers described in subparagraph (A) who do not serve in a position that is a joint duty assignment for purposes of chapter 38 of this title may not exceed five per armed force, unless authorized by the Secretary of Defense.''.

SEC. 502. DIVERSITY IN SELECTION BOARDS.

(a) REQUIREMENT FOR DIVERSE MEMBERSHIP OF ACTIVE DUTY SELECTION BOARDS.—

(1) OFFICERS.—Section 612(a)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: ''The members of a selection board shall represent the diversity of the armed forces to the extent practicable.''.

(2) WARRANT OFFICERS.—Section 573(b) of title 10, United States Code, is amended by adding at the end the following new sentence: ''The members of a selection board shall represent the diversity of the armed forces to the extent practicable.''.

(b) REQUIREMENT FOR DIVERSE MEMBERSHIP OF RESERVE COMPONENTS SELECTION BOARDS.—Section 14102(b) of title 10, United States Code, is amended by adding at the end the following new sentence: ''The members of a selection board shall represent the diversity of the armed forces to the extent practicable.''.

(c) OTHER SELECTION BOARDS.—

(1) IN GENERAL.—The Secretary of Defense shall ensure that the members of each selection board described in paragraph (2) represent the diversity of the armed forces to the extent practicable.

(2) SELECTION BOARD DESCRIBED.—A selection board described in this paragraph (1) is any se-

lection board used with respect to the promotion, education, or command assignments of members of the Armed Forces that is not covered by the amendments made by this section.

SEC. 503. REDACTION OF PERSONALLY IDENTIFIABLE INFORMATION FROM RECORDS FURNISHED TO A PROMOTION BOARD.

(a) ACTIVE-DUTY OFFICERS.—Section 615(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (6) as subparagraphs (A) through (F), respectively;

(2) in the matter preceding subparagraph (A), as redesignated, by inserting ''(1)'' before ''The Secretary'';

(3) in subparagraph (C), as redesignated, by striking ''whose name is furnished to the board'' and inserting ''under consideration by the board for promotion'';

(4) by striking subparagraph (B), as redesignated, and redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively; and

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

"(2) The Secretary of the military department concerned shall redact any personally identifiable information from the information furnished to a selection board under this section.".

(b) RESERVE OFFICERS.—Section 14107(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(2) in the matter preceding subparagraph (A), as redesignated, by inserting "(1)" before "The Secretary";

(3) in subparagraph (C), as redesignated, by striking "whose name is furnished to the board" and inserting "under consideration by the board for promotion";

(4) by striking subparagraph (B), as redesignated, and redesignating subparagraphs (C) through (E) as subparagraphs (B) through (D), respectively; and

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

"(2) The Secretary of the military department concerned shall redact any personally identifiable information from the information furnished to a promotion board under this section.".

(c) ENLISTED MEMBERS.—Each Secretary of a military department shall prescribe regulations that require the redaction of any personally identifiable information from the information furnished to a board that considers for promotion an enlisted member of an Armed Force under the jurisdiction of that Secretary.

Subtitle B—Reserve Component Management

SEC. 511. GRANTS TO SUPPORT STEM EDUCATION IN THE JUNIOR RESERVE OFFICERS' TRAINING CORPS.

(a) PROGRAM AUTHORITY.—

(1) IN GENERAL.—Chapter 102 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2036. Grants to support science, technology, engineering, and mathematics education

"(a) AUTHORITY.—The Secretary, in consultation with the Secretary of Education, may carry out a program to make grants to eligible entities to assist such entities in providing education in covered subjects to students in the Junior Reserve Officers' Training Corps.

"(b) COORDINATION.—In carrying out a program under subsection (a), the Secretary may coordinate with the following:

"(1) The Secretaries of the military departments.

"(2) The Secretary of Education.

"(3) The Director of the National Science Foundation.

"(4) The Administrator of the National Aeronautics and Space Administration.

"(5) The heads of such other Federal, State, and local government entities the Secretary of Defense determines to be appropriate.

"(6) Private sector organizations as the Secretary of Defense determines appropriate.

"(c) ACTIVITIES.—Activities funded with grants under this section may include the following:

"(1) Training and other support for instructors to teach courses in covered subjects to students.

"(2) The acquisition of materials, hardware, and software necessary for the instruction of covered subjects.

"(3) Activities that improve the quality of educational materials, training opportunities, and curricula available to students and instructors in covered subjects.

"(4) Development of travel opportunities, demonstrations, mentoring programs, and informal edu-

cation in covered subjects for students and instructors.

"(5) Students' pursuit of certifications in covered subjects.

"(d) PREFERENCE.—In making any grants under this section, the Secretary shall give preference to eligible entities that are eligible for assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.).

"(e) EVALUATIONS.—In carrying out a program under this section, the Secretary shall establish outcome-based metrics and internal and external assessments to evaluate the merits and benefits of the activities funded with grants under this section with respect to the needs of the Department of Defense.

"(f) AUTHORITIES.—In carrying out a program under this section, the Secretary shall, to the extent practicable, make use of the authorities under chapter 111 and sections 2601 and 2605 of this title, and other authorities the Secretary determines appropriate.

"(g) DEFINITIONS.—In this section:

"(1) The term 'eligible entity' means a local education agency that hosts a unit of the Junior Reserve Officers' Training Corps.

"(2) The term 'covered subjects' means—

"(A) science;

"(B) technology;

"(C) engineering;

"(D) mathematics;

"(E) computer science;

"(F) computational thinking;

"(G) artificial intelligence;

"(H) machine learning;

"(I) data science;

"(J) cybersecurity;

"(K) robotics;

"(L) health sciences; and

"(M) other subjects determined by the Secretary of Defense to be related to science, technology, engineering, and mathematics.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 102 of such title is amended by adding at the end the following new item:

"2036. Grants to support science, technology, engineering, and mathematics education.".

(b) REPORT.—

(1) IN GENERAL.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on any activities carried

out under section 2036 of title 10, United States Code (as added by subsection (a)).

(2) CONGRESSIONAL DEFENSE COMMITTEES DEFINED.—In this subsection, the term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

SEC. 512. MODIFICATION OF EDUCATION LOAN REPAYMENT PROGRAM FOR MEMBERS OF SELECTED RESERVE.

(a) MODIFICATION OF MAXIMUM REPAYMENT AMOUNT.—Section 16301(b) of title 10, United States Code, is amended by striking ''15 percent or $500'' and inserting ''20 percent or $1,000''.

(b) EFFECTIVE DATE AND APPLICABILITY.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply with respect to loan repayment under section 16301 of title 10, United States Code, for eligible years of service completed on or after the date of the enactment of this Act.

SEC. 513. REQUIREMENT OF CONSENT OF THE CHIEF EXECUTIVE OFFICER FOR CERTAIN FULL-TIME NATIONAL GUARD DUTY PERFORMED IN A STATE, TERRITORY, OR THE DISTRICT OF COLUMBIA.

Section 502(f)(2)(A) of title 32, United States Code, is amended by inserting ''and performed inside the United States with the consent of the chief executive officer of the State (as that term is defined in section 901 of this title)'' after ''Defense''.

SEC. 514. CONSTRUCTIVE CREDIT FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS WHO CANNOT COMPLETE MINIMUM ANNUAL TRAINING REQUIREMENTS AS A RESULT OF THE COVID-19 PANDEMIC.

(a) AUTHORITY.—Under regulations prescribed by the Secretary of Defense, the Secretary, in computing retired pay pursuant to section 12733 of title 10, United States Code, may approve constructive credit, in addition to points earned under section 12732(a)(2) of such title, for a member of the reserve components of the Armed Forces who cannot complete minimum annual training requirements due to cancellation or other extenuating circumstance arising from the covered national emergency.

(b) REPORTING.—

(1) REPORT REQUIRED.—Not later than one year after the date on which the covered national emergency ends, the Secretary of Defense shall submit to the congressional defense committees a report on the use of the authority under subsection (a).

(2) ELEMENTS.—The report under this subsection shall include, with respect to each reserve component, the following:

(A) The number of individuals granted constructive credit as a result of a training cancellation.

(B) The number of individuals granted constructive credit as a result of another extenuating circumstance.

(C) Recommendations of the Secretary whether the authority under subsection (a) should be made permanent and under what circumstances such permanent authority should apply.

(3) PUBLICATION.—Not later than 30 days after submitting the report under paragraph (1), the Secretary shall—

(A) publish the report on a publicly accessible website of the Department of Defense; and

(B) ensure that any data in the report is made available in a machine-readable format that is downloadable, searchable, and sortable.

(c) COVERED NATIONAL EMERGENCY DEFINED.—In this section, the term ''covered national emergency'' means the national emergency declared on March 13, 2020, by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to COVID–19.

SEC. 515. GUIDANCE FOR USE OF UNMANNED AIRCRAFT SYSTEMS BY THE NATIONAL GUARD.

(a) NEW GUIDANCE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall issue new guidance that provides for the expedited review of requests for the use of unmanned aircraft systems by the National Guard for covered activities within the United States.

(b) COVERED ACTIVITIES DEFINED.—In this section, ''covered activities'' means the following:

(1) Emergency operations.

(2) Search and rescue operations.

(3) Defense support to civil authorities.

(4) Support under section 502(f) of title 32, United States Code.

SEC. 516. DIRECT EMPLOYMENT PILOT PROGRAM FOR CERTAIN MEMBERS OF THE RESERVE COMPONENTS.

(a) IN GENERAL.—The Secretary of Defense may carry out a pilot program to enhance the efforts of the Department of Defense to provide job placement assistance and related employment services directly to members of the National Guard and Reserves in reserve active-status.

(b) ADMINISTRATION.—Any such pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code, or other officials in the States concerned designated by the Secretary for purposes of the pilot program.

(c) COST-SHARING REQUIREMENT.—As a condition on the provision of funds under this section to a State to support the operation of the pilot program in that State, the State must agree to contribute an amount, derived from non-Federal sources, equal to at least 50 percent of the funds provided by the Secretary to the State under this section.

(d) DEVELOPMENT.—In developing any such pilot program, the Secretary shall—

(1) incorporate elements of State direct employment programs for members of the reserve components; and

(2) use resources provided to members of the Armed Forces with civilian training opportunities through the SkillBridge transition training program administered by the Department of Defense.

(e) DIRECT EMPLOYMENT PROGRAM MODEL.—Any such pilot program shall use a job placement program model that focuses on working one-on-one with eligible members to cost-effectively provide job placement services, including—

(1) identifying unemployed and underemployed individuals;

(2) job matching services;

(3) resume editing;

(4) interview preparation; and

(5) post-employment follow up.

(f) EVALUATION.—The Secretary shall develop outcome metrics to evaluate the success of any such pilot program.

(g) REPORTING.—

(1) REPORT REQUIRED.—If the Secretary carries out the pilot Program, the Secretary of Defense shall submit to the congressional defense committees a report describing the results of the pilot program not later than March 1, 2022. The Secretary shall

prepare the report in coordination with the Chief of the National Guard Bureau.

(2) ELEMENTS.—A report under paragraph (1) shall include the following:

(A) A description and assessment of the effectiveness and achievements of the pilot program, including the number of members of the reserve components of the Armed Forces hired and the cost-per-placement of participating members.

(B) An assessment of the effects of the pilot program and increased reserve component employment on the readiness of members of the reserve components and on the retention of members.

(C) A comparison of the pilot program to other programs conducted by the Department of Defense to provide unemployment or underemployment support to members of the reserve components of the Armed Forces, including the best practices developed through and used in such programs.

(D) Any other matters the Secretary of Defense determines appropriate.

(h) DURATION; EXTENSION.—

(1) Subject to paragraph (2), the authority to carry out the pilot program expires on September 30, 2024.

(2) The Secretary may elect to extend the pilot program for not more than two additional fiscal years.

SEC. 517. TEMPORARY LIMITATION ON AUTHORITY TO TRANSFER, RELOCATE, OR DISSOLVE ELEMENTS OF THE RESERVE COMPONENTS OF THE AIR FORCE.

(a) LIMITATION.—The Secretary of the Air Force may not transfer or relocate any personnel or asset, or dissolve any unit, of the Air National Guard or Air Force Reserve until the latter of the following occurs:

(1) The day that is 180 days after the date on which the Secretary of the Air Force submits the report under subsection (b).

(2) The Chief of Space Operations certifies in writing to the Secretary of the Air Force that plans of the Secretary to establish the reserve components of the Space Force shall not diminish space capability of the Department of the Air Force.

(b) REPORT REQUIRED.—Not later than January 31, 2021, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and House

of Representatives a report regarding the plan of the Secretary to establish the reserve components of the Space Force. The report shall identify the following:

(1) The assumptions and factors used to develop the plan.

(2) The members of the team that issued recommendations regarding the organization of such reserve components.

(3) The recommendations of the Secretary regarding the mission, organization, and unit retention of such reserve components.

(4) The final organizational and integration recommendations regarding such reserve components.

(5) The proposed staffing and operational organization for such reserve components.

(6) The estimated date of implementation of the plan.

(7) Any savings or costs arising from the preservation of existing space-related force structures in the Air National Guard.

SEC. 518. PILOT PROGRAMS IN CONNECTION WITH SROTC UNITS AND CSPI PROGRAMS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.

(a) PILOT PROGRAMS REQUIRED.—The Secretary of Defense may carry out two pilot programs as follows:

(1) A pilot program, with elements as provided for in subsection (c), at covered institutions in order to assess the feasibility and advisability of mechanisms to reduce barriers to participation in the Senior Reserve Officers' Training Corps at such institutions by creating partnerships between satellite or extension Senior Reserve Officers' Training Corps units at such institutions and military installations.

(2) In consultation with the Secretary of Homeland Security, a pilot program, with elements as provided for in subsection (d), in order to assess the feasibility and advisability of the provision of financial assistance to members of the Senior Reserve Officers' Training Corps, and members of the Coast Guard College Student Pre-Commissioning Initiative, at covered institutions for participation in flight training.

(b) DURATION.—The duration of each pilot program under subsection (a) may not exceed five years.

(c) PILOT PROGRAM ON PARTNERSHIPS BETWEEN SATELLITE OR EXTENSION SROTC UNITS AND MILITARY INSTALLATIONS.—

(1) PARTICIPATING INSTITUTIONS.—The Secretary of Defense shall carry out the pilot program required by subsection (a)(1) at not fewer than five covered institutions selected by the Secretary for purposes of the pilot program.

(2) REQUIREMENTS FOR SELECTION.—Each covered institution selected by the Secretary for purposes of the pilot program under subsection (a)(1) shall—

(A) currently maintain a satellite or extension Senior Reserve Officers' Training Corps unit under chapter 103 of title 10, United States Code, that is located more than 20 miles from the host unit of such unit; or

(B) establish and maintain a satellite or extension Senior Reserve Officers' Training Corps unit that meets the requirements in subparagraph (A).

(3) PREFERENCE IN SELECTION OF INSTITUTIONS.—In selecting covered institutions under this subsection for participation in the pilot program under subsection (a)(1), the Secretary shall give

preference to covered institutions that are located within 20 miles of a military installation of the same Armed Force as the host unit of the Senior Reserve Officers' Training Corps of the covered institution concerned.

(4) PARTNERSHIP ACTIVITIES.—The activities conducted under the pilot program under subsection (a)(1) between a satellite or extension Senior Reserve Officers' Training Corps unit and the military installation concerned shall include such activities designed to reduce barriers to participation in the Senior Reserve Officers' Training Corps at the covered institution concerned as the Secretary considers appropriate, including measures to mitigate travel time and expenses in connection with receipt of Senior Reserve Officers' Training Corps instruction.

(d) PILOT PROGRAM ON FINANCIAL ASSISTANCE FOR SROTC AND CSPI MEMBERS FOR FLIGHT TRAINING.—

(1) ELIGIBILITY FOR PARTICIPATION BY SROTC AND CSPI MEMBERS.—A member of a Senior Reserve Officers' Training Corps unit, or a member of a Coast Guard College Student Pre-Commissioning Initiative program, at a covered institution may participate in the pilot program under subsection (a)(2) if the member meets such academic requirements at

the covered institution, and such other requirements, as the Secretary shall establish for purposes of the pilot program.

(2) PREFERENCE IN SELECTION OF PARTICIPANTS.—In selecting members under this subsection for participation in the pilot program under subsection (a)(2), the Secretary shall give a preference to members who will pursue flight training under the pilot program at a covered institution.

(3) FINANCIAL ASSISTANCE FOR FLIGHT TRAINING.—

(A) IN GENERAL.—The Secretary may provide any member of a Senior Reserve Officers' Training Corps unit or a College Student Pre-Commissioning Initiative program who participates in the pilot program under subsection (a)(2) financial assistance to defray, whether in whole or in part, the charges and fees imposed on the member for flight training.

(B) FLIGHT TRAINING.—Financial assistance may be used under subparagraph (A) for a course of flight training only if the course meets Federal Aviation Administration standards and is approved by the Federal Aviation

Administration and the applicable State approving agency.

(C) USE.—Financial assistance received by a member under subparagraph (A) may be used only to defray the charges and fees imposed on the member as described in that subparagraph.

(D) CESSATION OF ELIGIBILITY.—Financial assistance may not be provided to a member under subparagraph (A) as follows:

(i) If the member ceases to meet the academic and other requirements established pursuant to paragraph (1).

(ii) If the member ceases to be a member of the Senior Reserve Officers' Training Corps or the College Student Pre-Commissioning Initiative, as applicable.

(e) EVALUATION METRICS.—The Secretary of Defense shall establish metrics to evaluate the effectiveness of the pilot programs under subsection (a).

(f) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the commencement of the pilot programs under subsection (a), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate

and the House of Representatives a report on the pilot programs. The report shall include the following:

(A) A description of each pilot program, including in the case of the pilot program under subsection (a)(2) the requirements established pursuant to subsection (d)(1).

(B) The evaluation metrics established under subsection (e).

(C) Such other matters relating to the pilot programs as the Secretary considers appropriate.

(2) ANNUAL REPORT.—Not later than 90 days after the end of each fiscal year in which the Secretary carries out the pilot programs, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot programs during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(A) In the case of the pilot program required by subsection (a)(1), a description of the partnerships between satellite or extension Senior Reserve Officers' Training Corps units and military installations under the pilot program.

(B) In the case of the pilot program required by subsection (a)(2), the following:

(i) The number of members of Senior Reserve Officers' Training Corps units, and the number of members of Coast Guard College Student Pre-Commissioning Initiative programs, at covered institutions selected for purposes of the pilot program, including the number of such members participating in the pilot program.

(ii) The number of recipients of financial assistance provided under the pilot program, including the number who—

(I) completed a ground school course of instruction in connection with obtaining a private pilot's certificate;

(II) completed flight training, and the type of training, certificate, or both received;

(III) were selected for a pilot training slot in the Armed Forces;

(IV) initiated pilot training in the Armed Forces; or

(V) successfully completed pilot training in the Armed Forces.

(iii) The amount of financial assistance provided under the pilot program, broken out by covered institution, course of study, and such other measures as the Secretary considers appropriate.

(C) Data collected in accordance with the evaluation metrics established under subsection (e).

(3) FINAL REPORT.—Not later than 180 days prior to the completion of the pilot programs, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the pilot programs. The report shall include the following:

(A) A description of the pilot programs.

(B) An assessment of the effectiveness of each pilot program.

(C) A description of the cost of each pilot program, and an estimate of the cost of making each pilot program permanent.

(D) An estimate of the cost of expanding each pilot program throughout all eligible Senior Reserve Officers' Training Corps units and

College Student Pre-Commissioning Initiative programs.

(E) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot programs, including recommendations for extending or making permanent the authority for each pilot program.

(g) DEFINITIONS.—In this section:

(1) The term ''covered institution'' has the meaning given that term in section 262(g)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(2) The term ''flight training'' means a course of instruction toward obtaining any of the following:

(A) A private pilot's certificate.

(B) A commercial pilot certificate.

(C) A certified flight instructor certificate.

(D) A multi-crew pilot's license.

(E) A flight instrument rating.

(F) Any other certificate, rating, or pilot privilege the Secretary considers appropriate for purposes of this section.

(3) The term ''military installation'' means an installation of the Department of Defense for the regular components of the Armed Forces.

Subtitle C—General Service Authorities and Correction of Military Records

SEC. 521. TEMPORARY AUTHORITY TO ORDER RETIRED MEMBERS TO ACTIVE DUTY IN HIGH-DEMAND, LOW-DENSITY ASSIGNMENTS DURING WAR OR NATIONAL EMERGENCY.

Section 688a of title 10, United States Code, is amended—

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

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

''(g) EXCEPTION DURING PERIOD OF WAR OR NATIONAL EMERGENCY.—The limitations in subsections (c) and (f) shall not apply during time of war declared by Congress or of national emergency declared by the President.''.

SEC. 522. REENLISTMENT WAIVERS FOR PERSONS SEPARATED FROM THE ARMED FORCES WHO COMMIT ONE MISDEMEANOR CANNABIS OFFENSE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall prescribe regulations that permit any Secretary of a military department to grant a reenlistment waiver to a covered person if the Secretary determines that the reenlistment of that covered person is vital to the national interest.

(b) DEFINITIONS.—In this section:

(1) The term ''covered person'' means an individual—

(A) who has been separated, discharged, dismissed, or released from the Armed Forces; and

(B) who has admitted to or been convicted by a court of competent jurisdiction of a single violation—

(i) of any law of a State or the United States relating to the use or possession of cannabis;

(ii) that constitutes a misdemeanor; and

(iii) that occurred while that individual was not performing active service.

(2) The terms ''active service'' and ''military department'' have the meanings given such terms in section 101 of title 10, United States Code.

SEC. 523. REVIEW OF SEAMAN TO ADMIRAL-21 PROGRAM; CREDIT TOWARDS RETIREMENT.

(a) REVIEW.—The Secretary of the Navy shall review personnel records of all participants in the Seaman to Admiral-21 program during fiscal years 2010 through 2014 to determine whether each participant acknowledged, before entering a baccalaureate degree program, that service during the baccalaureate degree program would not be included when computing years of service for retirement.

(b) CREDIT.—For each participant described in subsection (a) for whom the Secretary cannot find evidence of an acknowledgment described in that subsection, the Secretary shall include service during the baccalaureate degree program when computing—

(1) years of service; and

(2) retired or retainer pay.

(c) REPORT REQUIRED.—The Secretary shall submit a report to the Committees on Armed Services of the Senate and House of Representatives regarding the results of the review under subsection (a) and the number of participants credited with service under subsection (b).

(d) DEADLINE.—The Secretary of the Navy shall carry out this section not later than 180 days after the date of the enactment of this Act.

Subtitle D—Military Justice and Other Legal Matters

SEC. 531. PUNITIVE ARTICLE ON VIOLENT EXTREMISM.

(a) VIOLENT EXTREMISM.—

(1) IN GENERAL.—Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 916 (article 116 of the Uniform Code of Military Justice) the following new section (article):

"§ 916a. Art. 116a. Violent extremism

''(a) PROHIBITION.—Any person subject to this chapter who—

''(1) knowingly commits a covered offense against—

''(A) the Government of the United States; or

''(B) any person or class of people;

''(2)(A) with the intent to intimidate or coerce any person or class of people; or

''(B) with the intent to influence, affect, or retaliate against the policy or conduct of the Government of the United States or any State; and

"(3) does so—

"(A) to achieve political, ideological, religious, social, or economic goals; or

"(B) in the case of an act against a person or class of people, for reasons relating to the race, religion, color, ethnicity, sex, age, disability status, national origin, sexual orientation, or gender identity of the person or class of people concerned;

is guilty of violent extremism and shall be punished as a court-martial may direct.

"(b) ATTEMPTS, SOLICITATION, AND CONSPIRACY.—Any person who attempts, solicits, or conspires to commit an offense under this section shall be punished in the same manner as a person who completes the offense.

"(c) DEFINITIONS.—In this section:

"(1) COVERED OFFENSE.—The term 'covered offense' means—

"(A) loss, damage, destruction, or wrongful disposition of military property of the United States, in violation of section 908 of this title (article 108);

"(B) waste, spoilage, or destruction of property other than military property of the

United States, in violation of section 909 of this title (article 109);

''(C) communicating threats, in violation of section 915 of this title (article 115);

''(D) riot or breach of peace, in violation of section 916 of this title (article 116);

''(E) provoking speech or gestures, in violation of section 917 of this title (article 117);

''(F) murder, in violation of section 918 of this title (article 118);

''(G) manslaughter, in violation of section 919 of this title (article 119);

''(H) larceny or wrongful appropriation, in violation of section 921 of this title (article 121);

''(I) robbery, in violation of section 922 of this title (article 122);

''(J) kidnapping, in violation of section 925 of this title (article 125);

''(K) assault, in violation of section 928 of this title (article 128);

''(L) conspiracy to commit an offense specified in any of subparagraphs (A) through (K), as punishable under section 881 of this title (article 81);

"(M) solicitation to commit an offense specified in any of subparagraphs (A) through (K), as punishable under section 882 of this title (article 82); or

"(N) an attempt to commit an offense specified in any of subparagraphs (A) through (K), as punishable under section 880 of this title (article 80).

"(2) STATE.—The term 'State' includes any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other possession or territory of the United States.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 916 (article 116) the following new item:

"916a. 116a. Violent extremism.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to offenses committed on or after such date.

SEC. 532. PRESERVATION OF COURT-MARTIAL RECORDS.

Section 940a of title 10, United States Code (article 140a of the Uniform Code of Military Justice), is amended by adding at the end the following new subsection:

"(d) PRESERVATION OF COURT-MARTIAL RECORDS WITHOUT REGARD TO OUTCOME.—The standards and criteria prescribed by the Secretary of Defense under subsection (a) shall provide for the preservation of general and special court-martial records, without regard to the outcome of the proceeding concerned, for not fewer than 15 years.".

SEC. 533. ELECTRONIC NOTARIZATION FOR MEMBERS OF THE ARMED FORCES.

Section 1044a of title 10, United States Code, is amended by adding at the end the following new subsection:

"(e)(1) A person named in subsection (b) may exercise the powers described in subsection (a) through electronic means, including under circumstances where the individual with respect to whom such person is performing the notarial act is not physically present in the same location as such person.

"(2) A determination of the authenticity of a notarial act authorized in this section shall be made without regard to whether the notarial act was performed through electronic means.

"(3) A log or journal of a notarial act authorized in this section shall be considered for evidentiary purposes

without regard to whether the log or journal is in electronic form.''.

SEC. 534. CLARIFICATIONS REGARDING SCOPE OF EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES.

(a) CLARIFICATION REGARDING DEFINITION OF RIGHTS AND BENEFITS.—Section 4303(2) of title 38, United States Code, is amended—

(1) by inserting ''(A)'' before ''The term''; and

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

''(B) Any procedural protections or provisions set forth in this chapter shall also be considered a right or benefit subject to the protection of this chapter.''.

(b) CLARIFICATION REGARDING RELATION TO OTHER LAW AND PLANS FOR AGREEMENTS.—Section 4302 of such title is amended by adding at the end the following:

''(c)(1) Pursuant to this section and the procedural rights afforded by subchapter III of this chapter, any agreement to arbitrate a claim under this chapter is unenforceable, unless all parties consent to arbitration after a complaint on the specific claim has been filed in court or with the Merit Systems Protection Board and all parties

knowingly and voluntarily consent to have that particular claim subjected to arbitration.

''(2) For purposes of this subsection, consent shall not be considered voluntary when a person is required to agree to arbitrate an action, complaint, or claim alleging a violation of this chapter as a condition of future or continued employment, advancement in employment, or receipt of any right or benefit of employment.''.

SEC. 535. ABSENTEE BALLOT TRACKING PROGRAM.

(a) ESTABLISHMENT AND OPERATION OF PROGRAM.—Section 102(h) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20302(h)) is amended to read as follows:

''(h) ABSENTEE BALLOT TRACKING PROGRAM.—

''(1) REQUIRING ESTABLISHMENT AND OPERATION OF PROGRAM.—The chief State election official, in coordination with local election jurisdictions, shall establish and operate an absentee ballot tracking program described in paragraph (2) for the use of absent uniformed services voters and overseas voters.

''(2) PROGRAM DESCRIBED.—

''(A) INFORMATION ON TRANSMISSION AND RECEIPT OF ABSENTEE BALLOTS.—An absentee

1 ballot tracking program described in this para-
2 graph is a program under which—
3 ''(i) the State or local election official
4 responsible for the transmission of absen-
5 tee ballots in an election for Federal office
6 operates procedures to track and confirm
7 the transmission of such ballots and to
8 make information on the transmission of
9 such a ballot available by means of online
10 access using the Internet site of the offi-
11 cial's office; and
12 ''(ii) the State or local election official
13 responsible for the receipt of absentee bal-
14 lots in an election for Federal office oper-
15 ates procedures to track and confirm the
16 receipt of such ballots and (subject to sub-
17 paragraph (B)) to make information on
18 the receipt of such a ballot available by
19 means of online access using the Internet
20 site of the official's office.
21 ''(B) SPECIFIC INFORMATION ON RECEIPT
22 OF VOTED ABSENTEE BALLOTS.—The informa-
23 tion required to be made available under clause
24 (ii) of subparagraph (A) with respect to the re-
25 ceipt of a voted absentee ballot in an election

for Federal office shall include information regarding whether the vote cast on the ballot was counted, and, in the case of a vote which was not counted, the reasons therefor. The appropriate State or local election official shall make the information described in the previous sentence available during the 30-day period that begins on the date on which the results of the election are certified, or during such earlier 30-day period as the official may provide.

''(3) USE OF TOLL-FREE TELEPHONE NUMBER BY OFFICIALS WITHOUT INTERNET SITE.—A program established and operated by a State or local election official whose office does not have an Internet site may meet the requirements of paragraph (2) if the official has established and operates a toll-free telephone number that may be used to obtain the information on the transmission or receipt of the absentee ballot which is required under such paragraph.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to an election held during 2022 or any succeeding year.

SEC. 536. TRACKING MECHANISM AND REPORTING REQUIREMENTS FOR SUPREMACIST, EXTREMIST, AND CRIMINAL GANG ACTIVITY IN THE ARMED FORCES.

(a) PROCESS REQUIRED.—The Secretary of Defense shall develop and implement a process to track investigations, criminal and administrative actions, and final determinations with respect to conduct of members of the covered Armed Forces that is prohibited under Department of Defense Instruction 1325.06, titled ''Handling Dissident and Protest Activities Among Members of the Armed Forces'', or any successor instruction.

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

(1) A mechanism that military criminal investigative organizations may use—

(A) to track criminal investigations into the prohibited conduct described in subsection (a), including a mechanism to track those investigations that are forwarded to commanders for administrative action;

(B) to provide relevant information from criminal investigations and administrative actions to civilian law enforcement agencies; and

(C) to track final administrative actions taken with respect to investigations that are referred to commanders.

(2) A mechanism commanders may use to provide information to military criminal investigative organizations on any serious conduct under consideration for administrative action or any final administrative actions taken with respect to the prohibited conduct described in subsection (a).

(3) A standardized database, shared among the covered Armed Forces, to ensure that the tracking required under subsection (a) is carried out in the same manner across such Armed Forces.

(c) REPORT.—Not later than December 1 of each year beginning after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report on the process implemented under subsection (a). Each report shall include—

(1) the number of investigations, criminal and administrative actions, and final determinations tracked over the preceding year; and

(2) of the actions enumerated under paragraph (1), the number of instances in which information on the conduct of a member of the covered Armed

Forces was referred to civilian law enforcement agencies as a result of the investigation or action.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on the Judiciary and the Committee on Armed Services of the Senate; and

(B) the Committee on the Judiciary and the Committee on Armed Services of the House of Representatives.

(2) The term ''covered Armed Forces'' means the Army, the Navy, the Air Force, and the Marine Corps.

SEC. 537. MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE AND RELATED INFORMATION COLLECTION ACTIVITIES.

(a) MILITARY-CIVILIAN TASK FORCE ON DOMESTIC VIOLENCE.—

(1) ESTABLISHMENT.—The Secretary of Defense shall establish a military-civilian task force on domestic violence (in this section, referred to as the ''Task Force'').

(2) DUTIES.—The duties of the Task Force shall be to analyze and develop recommendations,

for implementation by the Secretary, with respect to each of the following:

(A) The risk of domestic violence at various stages of military service, including identification of—

(i) stages at which there is a higher than average risk of domestic violence; and

(ii) stages at which the implementation of domestic violence prevention strategies may have the greatest preventive effect.

(B) The use and dissemination of domestic violence prevention resources throughout the stages of military service including providing new service members with training in domestic violence prevention.

(C) How to best target prevention resources to address those with a higher risk of domestic violence.

(D) The implementation of strategies to prevent domestic violence by training, educating, and assigning prevention-related responsibilities to—

(i) commanders;

(ii) medical, behavioral, and mental health service providers;

(iii) family advocacy representatives;

(iv) Military Family Life Consultants; and

(v) other individuals and entities with responsibilities that may be relevant to addressing domestic violence.

(E) The efficacy of providing survivors of domestic violence with the option to request expedited transfers, and the effects of such transfers.

(F) Improvements to procedures for reporting appropriate legal actions to the National Crime Information Center and the efficacy of such procedures.

(G) The effects of domestic violence on—

(i) housing for military families;

(ii) the education of military dependent children;

(iii) servicemember work assignments and careers; and

(iv) the health of servicemembers and their families, including short-term and

long-term health effects and effects on mental health.

(H) Age-appropriate training and education programs for students attending schools operated by the Department of Defense Education Activity that are designed to assist such students in learning positive relationship behaviors in families and with intimate partners.

(I) The potential effects of requiring military protective orders to be issued by a military judge and whether such a requirement would increase the enforcement of military protective orders by civilian law enforcement agencies outside the boundaries of military installations.

(J) Whether prevention of domestic violence would be enhanced by raising the disposition authority for offenses of domestic violence to an officer who is—

(i) in the grade of 0–6 or above;

(ii) in the chain of command of the accused; and

(iii) authorized by chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) to convene special courts martial.

(K) Consideration of any other matters that the Task Force determines to be relevant to—

(i) decreasing the frequency of domestic violence committed by or upon members of the covered Armed Forces and their dependents; and

(ii) reducing the severity of such violence.

(3) MEMBERSHIP.—The Task Force shall be composed of the following members:

(A) One or more representatives of family advocacy programs of the Department of Defense.

(B) One or more representatives of the Defense Advisory Committee on Women in the Services.

(C) One or more medical personnel of the Department of Defense.

(D) One or more Judge Advocates General.

(E) One or more military police or other law enforcement personnel of the covered Armed Forces.

(F) One or more military commanders.

(G) One or more individuals whose duties include planning, executing, and evaluating training of the covered Armed Forces.

(H) Civilians who are experts on domestic violence or who provide services relating to domestic violence, including—

(i) not fewer than two representatives from the national domestic violence resource center and the special issue resource centers referred to in section 310 of the Family Violence Prevention and Services Act (42 U.S.C. 10410);

(ii) not fewer than two representatives from national domestic violence organizations;

(iii) not fewer than two representatives from State domestic violence and sexual assault coalitions; and

(iv) not fewer than two domestic violence service providers who provide services in communities located near military installations.

(I) One or more representatives who are subject matter experts on—

(i) scientific and other research relating to domestic violence; and

(ii) science-based strategies for the prevention, intervention, and response to domestic violence.

(J) Civilian law enforcement personnel.

(K) One or more representatives from the Office on Violence Against Women of the Department of Justice.

(L) One or more representatives of the Family Violence Prevention and Services Program of the Department of Health and Human Services.

(M) One or more representatives from the Centers for Disease Control and Prevention.

(4) APPOINTMENT BY SECRETARY OF DEFENSE.—

(A) IN GENERAL.—The Secretary of Defense shall appoint the members of the Task Force specified in subparagraphs (A) through (M) of paragraph (3).

(B) CONSULTATION.—

(i) CONSULTATION WITH ATTORNEY GENERAL.—In appointing members under subparagraph (K) of paragraph 3, the Sec-

retary of Defense shall consult with the Attorney General.

(ii) CONSULTATION WITH SECRETARY OF HHS.—In appointing members under subparagraphs (L) and (M) of such paragraph, the Secretary shall consult with the Secretary of Health and Human Services

(C) INCLUSION OF CERTAIN PERSONNEL.—The Secretary shall ensure that the members appointed by the Secretary under this subparagraph include—

(i) representatives of the Office of the Secretary of Defense;

(ii) general and flag officers;

(iii) noncommissioned officers; and

(iv) other enlisted personnel of the covered Armed Forces.

(5) TOTAL NUMBER OF MEMBERS.—The total number of members appointed to the Task Force shall be not more than 25.

(6) CHAIRPERSON.—

(A) NOMINEE LIST.—On an annual basis, the Task Force shall submit to the Secretary a 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
7 as the chairperson of the Task Force.
8 (C) TERM.—The chairperson designated
9 by the Secretary under subparagraph (B) shall
10 serve for a term of one year and may serve for
11 additional terms of one year if redesignated as
12 the chairperson by the Secretary under such
13 subparagraph.
14 (7) MEETINGS.—The first meeting of the Task
15 Force shall convene not later than 180 days after
16 the date of the enactment of this Act. Thereafter,
17 the task Force shall meet in plenary session not less
18 frequently 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
23 covered Armed Forces or an officer or employee of
24 the United States, as the case may be), but shall be
25 allowed travel expenses, including per diem in lieu of

subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular places of business in the performance of services for the Task Force.

(9) SITE VISITS.—In the carrying out the duties described in paragraph (2), members of the Task Force shall—

(A) on an annual basis, visit one or more military installations outside the United States; and

(B) on a semiannual basis, visit one or more military installations within the United States.

(10) OVERSIGHT AND ADMINISTRATION.—The Secretary of Defense shall designate an appropriate organization within the Office of the Secretary of Defense to—

(A) provide oversight of the Task Force;

(B) provide the Task Force with the personnel, facilities, and other administrative support that is necessary for the performance of the Task Force's duties; and

(C) on a rotating basis, direct the Secretary of each military department to—

(i) coordinate visits of the Task Force to military installations; and

(ii) provide administrative, logistical, and other support for the meetings of the Task Force.

(11) REPORTS.—

(A) REPORTS TO SECRETARY.—

(i) INITIAL REPORT.—Not later than one year after the date on which the members of the Task Force are appointed under paragraph (3), the Task Force shall submit to the Secretary of Defense recommendations with respect to each matter described in paragraph (2).

(ii) SUBSEQUENT REPORTS.—After submitting the initial report under subparagraph (A), the Task Force shall, from time to time, submit to the Secretary of Defense such analyses and recommendations as the Task Force considers appropriate to improve the effectiveness of the covered Armed Forces in responding to and preventing domestic violence.

(B) REPORTS TO CONGRESS.—On an annual basis until the date on which the Task

Force terminates under paragraph (12), the Task Force shall submit to Congress a report that includes—

(i) a description of any improvements in the response of the covered Armed Forces to domestic violence over the preceding year;

(ii) an explanation of any pending research on domestic violence that may be relevant to domestic violence involving members of the covered Armed Forces; and

(iii) such analyses and recommendations as the Task Force considers appropriate to improve the effectiveness of the covered Armed Forces in responding to and preventing domestic violence

(12) TERMINATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Task Force shall terminate on the date that is five years after the date of the first meeting of the Task Force.

(B) CONTINUATION.—

(i) IN GENERAL.—Subject to clause (ii), the Secretary of Defense may continue

the Task Force for a period of up to two years after the termination date applicable under subparagraph (A) if the Secretary determines that continuation of the Task Force is advisable and appropriate.

(ii) NOTICE TO CONGRESS.—If the Secretary determines to continue the Task Force under clause (i), not later than 90 days before the termination date applicable under subparagraph (A) and annually thereafter until the new date of the termination of the Task Force, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice describing the reasons for the continuation and confirming the new termination date.

(13) IMPLEMENTATION OF RECOMMENDATIONS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), not later than 180 days after the date on which the Secretary of Defense receives the initial report of the Task Force under paragraph (11)(A)(i), the Secretary shall, in consultation with the Task

Force, implement the recommendations of the Task Force with respect to each matter described in paragraph (2).

(B) WAIVER.—The Secretary of Defense may waive the requirement under subparagraph (A) with respect to a recommendation of the Task force by submitting to the Committees on Armed Services of the Senate and the House of Representatives a written notification setting forth the reasons for the Secretary's decision not to implement the recommendation.

(b) INFORMATION COLLECTION AND REPORTING.—

(1) INFORMATION COLLECTION.—

(A) REGULAR INFORMATION COLLECTION.—Using the mechanism developed under subparagraph (B), the Secretary of Defense shall regularly collect information to measure the prevalence of domestic violence involving members of the covered Armed Forces, their intimate partners, and immediate family members.

(B) MECHANISM TO MEASURE DOMESTIC VIOLENCE.—The Secretary of Defense, in coordination with the Centers for Disease Control and civilian organizations with expertise in con-

ducting informational surveys, shall develop a mechanism to carry out the information collection required under subparagraph (A).

(2) ANNUAL REPORT ON DOMESTIC VIOLENCE.—

(A) REPORT REQUIRED.—On an annual basis, the Secretary of Defense shall submit to the congressional defense committees a report on domestic violence in the covered Armed Forces.

(B) ELEMENTS.—The report required under subparagraph (A) shall include, with respect to the year covered by the report, the following:

(i) Based on the information collected under paragraph (1), an assessment of the prevalence of domestic violence involving members of the covered Armed Forces, their intimate partners, and immediate family members.

(ii) The number of convictions under section 928b of title 10, United States Code (article 128b of the Uniform Code of Military Justice).

(iii) The recidivism rate for members of the covered Armed Forces convicted of domestic violence offenses.

(iv) The number instances in which a member of the covered Armed Forces received an administrative discharge as a result of the member's involvement in a domestic violence incident.

(v) The number of instances in which a member of the covered Armed Forces was prohibited from possessing firearms as a result of the member's conviction for a domestic violence offense.

(vi) Of the incidents described in clause (v), the number of instances in which the member received a waiver of such prohibition or was otherwise allowed to access firearms for duty purposes.

(vii) An explanation of the status of data sharing between the Department of Defense and civilian law enforcement agencies on matters relating to domestic violence.

(c) COVERED ARMED FORCES DEFINED.—In this section, the term ''covered Armed Forces'' means the Army, the Navy, the Air Force, and the Marine Corps.

SEC. 538. ACTIONS TO ADDRESS MILITARY-CONNECTED CHILD ABUSE.

(a) IN GENERAL.—Consistent with the recommendations of the Government Accountability Office in the report titled ''Increased Guidance and Collaboration Needed to Improve DOD's Tracking and Response to Child Abuse'' (GAO–20–110), the Secretary of Defense shall carry out activities to improve the ability of the Department of Defense to effectively prevent, track, and respond to military-connected child abuse.

(b) ACTIVITIES REQUIRED.—The activities carried out under subsection (a) shall include the following:

(1) The Secretary of Defense shall expand the scope of the Department of Defense's centralized database on problematic sexual behavior in children and youth to track information on all incidents involving child abuse reported to a Family Advocacy Program or investigated by a military law enforcement organization, regardless of whether the perpetrator of the abuse is another child, an adult, or a person in a noncaregiving role at the time of the incident.

(2) The Secretary of Defense, in consultation with the Secretary of each military department, shall ensure—

(A) that each Family Advocacy Program records, in a database of the Program, the date on which the Program notified a military law enforcement organization of a reported incident of child abuse; and

(B) that each military law enforcement organization records, in a database of the organization, the date on which the organization notified a Family Advocacy Program of a reported incident of child abuse.

(3) The Secretary of Defense, in consultation with the Secretary of each military department, shall issue guidance that clarifies the process through which the Family Advocacy Program of a covered Armed Force will receive, and incorporate into the Program's central registry, information regarding child abuse allegations involving members of that a covered Armed Force and dependents of such members in cases in which such allegations were previously recorded by the Family Advocacy Program of another covered Armed Force. Such guidance shall

include a mechanism for monitoring the process to ensure that the process is carried out consistently.

(4) Each covered Armed Force shall develop a process to monitor how reported incidents of child abuse are screened at military installations to help ensure that all reported child abuse incidents that should be presented to an Incident Determination Committee are consistently presented and tracked.

(5) The Secretary of Defense shall ensure that the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of the Department of Defense Education Activity, clarifies Department of Defense Education Activity guidance to define what types of child abuse incidents must be reported as serious incidents to help ensure that all serious incidents of which Department of Defense Education Activity leadership needs to be informed are accurately and consistently reported by school administrators.

(6) The Secretary of Defense, in consultation with the Secretaries of the military departments, shall—

(A) expand the voting membership of each Incident Determination Committee to include

medical personnel with requisite knowledge and experience; and

(B) ensure, to the extent practicable, that voting membership of a Committee includes medical personnel with expertise in pediatric medicine in cases in which a reported incident of child abuse is under review by the Committee.

(7) Each covered Armed Force shall implement procedures to provide the families of child abuse victims with comprehensive information on how reported incidents of child abuse will be addressed. Such practices may include the development of a guide that—

(A) explains the processes the Family Advocacy Program and military law enforcement organizations will follow to address the report; and

(B) identifies services and other resources available to victims and their families.

(8) The Secretary of Defense, in consultation with the Secretaries of the military departments, shall issue guidance to clarify the circumstances under which military commanders may exercise the authority to remove a child from a potentially unsafe

home on a military installation outside the United States.

(9) The Secretary of Defense shall ensure that the Under Secretary of Defense for Personnel and Readiness, in consultation with the Director of the Defense Health Agency, establishes processes that help ensure children who are sexually abused outside the United States have timely access to a certified pediatric sexual assault forensic examiner to conduct an examination. Such processes may include certifying pediatricians, or adult sexual assault forensic examiners who have pediatric sexual assault nurse examiner training in a multidisciplinary team setting, as pediatric examiners during mandatory training or establishing shared regional assets.

(10) The Secretary of Defense, in consultation with the Deputy Attorney General, shall establish procedures for military criminal investigative organizations to communicate with United States Attorneys, State Attorneys General, and local prosecutors for relevant cases involving child victims, including establishing protocols that—

(A) ensure that military investigators are notified when a prosecution is declined;

(B) provide notice to victims of the status of prosecutions and, as applicable, the reasons for the declination to prosecute;

(C) arrange for specialized victim services outside of the Department of Defense to be provided to juvenile victims to the extent possible;

(D) facilitate legal assistance or other civil legal aid services to juvenile victims; and

(E) ensure that juveniles accused of crimes are, to the extent possible, provided defense counsel who are trained in representing juveniles.

(11) The Secretary of each military department shall seek to develop a memorandum of understanding with the National Children's Alliance that makes children's advocacy center services and protocols available to all military installations of the department and increases awareness of those services across the department.

(c) DEADLINE.—The Secretary of Defense shall carry out the activities described in subsection (b) not later than one year after the date of the enactment of this Act.

(d) DEFINITIONS.—In this section:

(1) The term ''child abuse'' means any abuse of a child (including physical abuse, sexual abuse, emotional abuse, and neglect) regardless of whether the perpetrator of the abuse is another child, an adult, or a person in a noncaregiving role.

(2) The term ''covered Armed Forces'' means the Army, Navy, Air Force, Marine Corps, and Space Force.

(3) The term ''Incident Determination Committee'' means a committee established at a military installation that is responsible for reviewing reported incidents of child abuse and determining whether such incidents constitute child abuse according to the applicable criteria of the Department of Defense.

(4) The term ''military-connected'', when used with respect to child abuse, means child abuse occurring on a military installation or involving a dependent of a member of the covered Armed Forces.

SEC. 539. MULTIDISCIPLINARY BOARD TO EVALUATE SUICIDE EVENTS.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall issue guidance that requires each suicide event involving of a member of a covered Armed Force to be reviewed by a multidisciplinary board established at the command or installation level. Such guidance shall require

that, for each suicide event reviewed by such a board, the board will—

(1) clearly define the objective, purpose, and outcome of the review;

(2) take a multidisciplinary appraoch to the review and include, as part of the review process, leaders of military units, medical and mental health professionals, and representatives of military criminal investigative organizations;

(3) obtain the data necessary to make a comprehensive Department of Defense suicide event report submission; and

(4) take appropriate steps to protect and share information obtained from ongoing investigations into the event (such as medical and law enforcement reports).

(b) IMPLEMENTATION BY COVERED ARMED FORCES.—Not later than 90 days after the date on which the guidance is issued under subsection (a), the chiefs of the covered Armed Forces shall implement the guidance.

(c) PROGRESS REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Secretary in implementing the guidance required under subsection (a).

(d) COVERED ARMED FORCES DEFINED.—In this section, the term ''covered Armed Forces'' means the Army, Navy, Air Force, Marine Corps, and Space Force.

Subtitle E—Sexual Assault

SEC. 541. PROTECTION OF ATTORNEY-CLIENT PRIVILEGE BETWEEN VICTIMS AND SPECIAL VICTIMS' COUNSEL.

(a) SPECIAL VICTIMS' COUNSEL.—Subsection (c) of section 1044e of title 10, United States Code, is amended to read as follows:

''(c) NATURE OF RELATIONSHIP.—

''(1) ATTORNEY-CLIENT RELATIONSHIP.—The relationship between a Special Victims' Counsel and a victim in the provision of legal advice and assistance shall be the relationship between an attorney and client.

''(2) TESTIMONY IN LEGAL PROCEEDINGS.—During any criminal legal proceeding in which a Special Victims' Counsel is asked to testify or give evidence, the Special Victims' Counsel shall be given the same consideration as counsel for the Government and counsel for the accused.''.

(b) REVISION TO MILITARY RULES OF EVIDENCE.—Not later than 180 days after the date of the enactment of this Act, Rule 502 of the Military Rules of Evidence

shall be modified to provide that the privilege between a Special Victims' Counsel and a client shall be the same as lawyer-client privilege.

SEC. 542. AUTHORITY OF MILITARY JUDGES AND MILITARY MAGISTRATES TO ISSUE MILITARY COURT PROTECTIVE ORDERS.

(a) JUDGE-ISSUED MILITARY COURT PROTECTIVE ORDERS.—Chapter 80 of title 10, United Stated Code, is amended by adding at the end the following new section

"§ 1567b. Authority of military judges and military magistrates to issue military court protective orders

''(a) AUTHORITY TO ISSUE MILITARY COURT PROTECTIVE ORDERS.—The President shall prescribe regulations authorizing military judges and military magistrates to issue protective orders in accordance with this section. A protective order issued in accordance with this section shall be known as a 'military court protective order'. Under the regulations prescribed by the President, military judges and military magistrates shall have exclusive jurisdiction over the issuance, appeal, renewal, and termination of military court protective orders and such orders may not be issued, appealed, renewed, or terminated by State, local, territorial, or tribal courts.

''(b) ENFORCEMENT BY CIVILIAN AUTHORITIES.—

"(1) IN GENERAL.—In prescribing regulations for military court protective orders, the President shall seek to ensure that the protective orders are issued in a form and manner that is enforceable by State, local, territorial, and tribal civilian law enforcement authorities.

"(2) FULL FAITH AND CREDIT.—Any military court protective order, should be accorded full faith and credit by the court of a State, local, territorial, or tribal jurisdiction (the enforcing jurisdiction) and enforced by the court and law enforcement personnel of that jurisdiction as if it were the order of the enforcing jurisdiction.

"(3) RECIPROCITY AGREEMENTS.—Consistent with paragraphs (1) and (2), the Secretary of Defense shall seek to enter into reciprocity agreements with State, local, territorial, and tribal civilian law enforcement authorities under which—

"(A) such authorities agree to enforce military court protective orders; and

"(B) the Secretary agrees to enforce protective orders issued by such authorities that are consistent with section 2265(b) of title 18.

"(c) PURPOSE AND FORM OF ISSUANCE.—A military court protective order may be issued for the purpose of

protecting a victim of an alleged sex or domestic violence offense, or a family member or associate of the victim, from a person subject to chapter 47 of this title (the Uniform Code of Military Justice) who is alleged to have committed such an offense.

"(d) TIMING AND MANNER OF ISSUANCE.—A military court protective order may be issued—

"(1) by a military magistrate, before referral of charges and specifications to court-martial for trial, at the request of—

"(A) a victim of an alleged sex or domestic violence offense; or

"(B) a Special Victims' Counsel or other qualified counsel acting on behalf of the victim; or

"(2) by a military judge, after referral of charges and specifications to court-martial for trial, at the request of qualified counsel, which may include a Special Victims' Counsel acting on behalf of the victim or trial counsel acting on behalf of the prosecution.

"(e) DURATION AND RENEWAL OF PROTECTIVE ORDER.—

"(1) DURATION.—A military court protective order shall be issued for an initial period of thirty

days and may be reissued for one or more additional periods of thirty days in accordance with paragraph (2).

"(2) EXPIRATION AND RENEWAL.—Before the expiration of any 30 day period during which a military court protective order is in effect, a military judge or military magistrate shall review the order to determine whether the order will terminate at the expiration of such period or be reissued for an additional period of 30 days.

"(3) NOTICE TO PROTECTED PERSONS.—If a military judge or military magistrate determines under paragraph (2) that a military court protective order will terminate, the judge or magistrate concerned shall provide to each person protected by the order reasonable, timely, and accurate notification of the termination.

"(f) REVIEW OF MAGISTRATE-ISSUED ORDERS.—

"(1) REVIEW.—A military judge, at the request of the person subject to a military court protective order that was issued by a military magistrate, may review the order to determine if the order was properly issued by the magistrate.

"(2) STANDARDS OF REVIEW.—A military judge who reviews an order under paragraph (1)

shall terminate the order if the judge determines that—

"(A) the military magistrate's decision to issue the order was an abuse of discretion, and there is not sufficient information presented to the military judge to justify the order; or

"(B) information not presented to the military magistrate establishes that the military court protective order should be terminated.

"(g) DUE PROCESS.—

"(1) PROTECTION OF DUE PROCESS.—Except as provided in paragraph (2), a protective order authorized under subsection (a) may be issued only after reasonable notice and opportunity to be heard, directly or through counsel, is given to the person against whom the order is sought sufficient to protect that person's right to due process.

"(2) EMERGENCY ORDERS.—A protective order on an emergency basis may be issued on an ex parte basis under such rules and limitations as the President shall prescribe. In the case of ex parte orders, notice and opportunity to be heard must be provided within a reasonable time after the order is issued, sufficient to protect the respondent's due process rights.

1 ''(h) RIGHTS OF VICTIM.—The victim of an alleged
2 sex or domestic violence offense who seeks a military court
3 protective order has, in addition to any rights provided
4 under section 806b (article 6b), the following rights with
5 respect to any proceeding involving the protective order:
6 ''(1) The right to reasonable, accurate, and
7 timely notice of the proceeding and of any change in
8 the status of the protective order resulting from the
9 proceeding.
10 ''(2) The right to be reasonably heard at the
11 proceeding.
12 ''(3) The right to appear in person, with or
13 without counsel, at the proceeding.
14 ''(4) The right be represented by qualified
15 counsel in connection with the proceeding, which
16 may include a Special Victims' Counsel.
17 ''(5) The reasonable right to confer with a rep-
18 resentative of the command of the accused and
19 counsel representing the government at the pro-
20 ceeding, as applicable.
21 ''(6) The right to submit a written statement,
22 directly or through counsel, for consideration by the
23 military judge or military magistrate presiding over
24 the proceeding.
25 ''(i) RESTRICTIONS ON ACCESS TO FIREARMS.—

"(1) IN GENERAL.—Notwithstanding any other provision of law—

"(A) a military court protective order issued on an ex parte basis shall restrain a person from possessing, receiving, or otherwise accessing a firearm; and

"(B) a military court protective order issued after the person to be subject to the order has received notice and opportunity to be heard on the order, shall restrain such person from possessing, receiving, or otherwise accessing a firearm in accordance with section 922 of title 18.

"(2) NOTICE TO ATTORNEY GENERAL.—Not later than 72 hours after the issuance of an order described in paragraph (1), the Secretary of Defense shall submit to the Attorney General a record of the order.

"(j) TREATMENT AS LAWFUL ORDER.—A military court protective order shall be treated as a lawful order for purposes of the application of section 892 (article 92) and a violation of such an order shall be punishable under such section (article).

"(k) COMMAND MATTERS.—

"(1) INCLUSION IN PERSONNEL FILE.—Any military court protective order against a member shall be placed and retained in the military personnel file of the member.

"(2) NOTICE TO CIVILIAN LAW ENFORCEMENT OF ISSUANCE.—Any military court protective order against a member shall be treated as a military protective order for purposes of section 1567a including for purposes of mandatory notification of issuance to civilian law enforcement as required by that section.

"(l) RELATIONSHIP TO OTHER AUTHORITIES.—Nothing in this section may be construed as prohibiting—

"(1) a commanding officer from issuing or enforcing any otherwise lawful order in the nature of a protective order to or against members of the officer's command;

"(2) pretrial restraint in accordance with Rule for Courts-Martial 304 (as set forth in the Manual for Courts-Martial, 2019 edition, or any successor rule); or

"(3) pretrial confinement in accordance with Rule for Courts-Martial 305 (as set forth in the Manual for Courts-Martial, 2019 edition, or any successor rule)

1 ''(m) DELIVERY TO CERTAIN PERSONS.—A physical
2 and electronic copy of any military court protective order
3 shall be provided, as soon as practicable after issuance,
4 to the following:
5 ''(1) The person or persons protected by the
6 protective order or to the guardian of such a person
7 if such person is under the age of 18 years.
8 ''(2) The person subject to the protective order.
9 ''(3) To such commanding officer in the chain
10 of command of the person subject to the protective
11 order as the President shall prescribe for purposes
12 of this section.
13 ''(n) DEFINITIONS.—In this section:
14 ''(1) CONTACT.—The term 'contact' includes
15 contact in person or through a third party, or
16 through gifts,
17 ''(2) COMMUNICATION.—The term 'communica-
18 tion' includes communication in person or through a
19 third party, and by telephone or in writing by letter,
20 data fax, or other electronic means.
21 ''(3) COVERED SEX OR DOMESTIC VIOLENCE
22 OFFENSE.—The term 'covered sex or domestic vio-
23 lence offense' means—
24 ''(A) an alleged sex-related offense (as de-
25 fined in section 1044e(h)); or

"(B) an alleged offense of domestic violence under section 928b of this title (article 128b of the Uniform Code of Military Justice) or an attempt to commit such an offense that is punishable under section 880 of this title (article 80 of the Uniform Code of Military Justice).

"(4) MILITARY JUDGE AND MILITARY MAGISTRATE.—The terms 'military judge' and 'military magistrate' mean a commissioned officer of the armed forces who is a member of the bar of a Federal court or a member of the bar of the highest court of a State and who is certified to be qualified, by reason of education, training, experience, and judicial temperament, for duty as a military judge or magistrate by the Judge Advocate General of the armed force of which the officer is a member.

"(5) PROTECTIVE ORDER.—The term 'protective order' means an order that—

"(A) restrains a person from harassing, stalking, threatening, or otherwise contacting or communicating with a victim of an alleged sex or domestic violence offense, or a family member or associate of the victim, or engaging in other conduct that would place such other per-

son in reasonable fear of bodily injury to any such other person;

"(B) by its terms, explicitly prohibits—

"(i) the use, attempted use, or threatened use of physical force by the person against a victim of an alleged sex or domestic violence offense, or a family member or associate of the victim, that would reasonably be expected to cause bodily injury;

"(ii) the initiation by the person restrained of any contact or communication with such other person; or

"(iii) actions described by both clauses (i) and (ii).

"(6) SPECIAL VICTIMS' COUNSEL.—The term 'Special Victims Counsel' means a Special Victims' Counsel described in section 1044e and includes a Victims' Legal Counsel of the Navy.".

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

"1567b. Authority of military judges and military magistrates to issue military court protective orders.".

(c) IMPLEMENTATION.—The President shall prescribe regulations implementing section 1567b of title 10,

United States Code, not later than one year after the date of the enactment of this Act.

SEC. 543. ADDITIONAL BASES FOR PROVISION OF ADVICE BY THE DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

Section 550B(c)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by redesignating subparagraph (C) as subparagraph (E); and

(2) by inserting after subparagraph (B) the following new subparagraphs:

"(C) Efforts among private employers to prevent sexual assault and sexual harassment among their employees.

"(D) Evidence-based studies on the prevention of sexual assault and sexual harassment in the Armed Forces, institutions of higher education, and the private sector.".

SEC. 544. MODIFICATION OF REPORTING AND DATA COLLECTION ON VICTIMS OF SEXUAL OFFENSES.

Section 547 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 1561 note) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''accused of'' and inserting ''suspected of''; and

(ii) by striking ''assault'' and inserting ''offense'';

(B) in paragraph (2), by striking ''accused of'' and inserting ''suspected of''; and

(C) in paragraph (3)—

(i) by striking ''assaults'' and inserting ''offenses''; and

(ii) by striking ''an accusation'' and inserting ''suspicion of'';

(2) by redesignating subsection (b) as subsection (c);

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

''(b) GUIDANCE REQUIRED.—The Secretary of Defense shall issue guidance to ensure the uniformity of the data collected by each Armed Force for purposes of subsection (a). At a minimum, such guidance shall establish—

''(1) standardized methods for the collection of the data required to be reported under such subsection; and

"(2) standardized definitions for the terms 'sexual offense', 'collateral miconduct', and 'adverse action'."; and

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

"(c) DEFINITIONS.—In this section:

"(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.

"(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).".

SEC. 545. MODIFICATION OF ANNUAL REPORT REGARDING SEXUAL ASSAULTS INVOLVING MEMBERS OF THE ARMED FORCES.

(a) SUBMISSION TO CONGRESS.—Section 1631(d) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by inserting ''and the Committees on Veterans' Affairs of the Senate and the House of Representatives'' after ''House of Representatives''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to reports required to be submitted under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) on or after such date.

SEC. 546. COORDINATION OF SUPPORT FOR SURVIVORS OF SEXUAL TRAUMA.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretaries of Defense and Veterans Affairs shall jointly develop, implement, and maintain a standard of coordinated care for members of the Armed Forces who are survivors of sexual trauma. Such standard shall include the following:

(b) MINIMUM ELEMENTS.—The standard developed and implemented under subsection (a) by the Secretaries

of Defense and Veterans Affairs shall include the following:

(1) INFORMATION FOR MEMBERS OF THE ARMED FORCES.—The Secretary of Defense shall ensure that—

(A) Sexual Assault Response Coordinators and Uniformed Victim Advocates receive annual training on resources of the Department of Veterans Affairs regarding sexual trauma;

(B) information regarding services furnished by the Secretary of Veterans Affairs to survivors of sexual trauma is provided to each such survivor; and

(C) information described in subparagraph (B) is posted in the following areas in each facility of the Department of Defense:

(i) An office of the Family Advocacy Program.

(ii) An office of a mental health care provider.

(iii) Each area in which sexual assault prevention staff normally post notices or information.

(iv) High-traffic areas (including dining facilities).

(2) COORDINATION BETWEEN STAFF OF THE DEPARTMENTS.—The Secretaries shall ensure that a Sexual Assault Response Coordinator or Uniformed Victim Advocate of the Department of Defense who receives a report of an instance of sexual trauma connects the survivor to the Military Sexual Trauma Coordinator of the Department of Veterans Affairs at the facility of that Department nearest to the residence of that survivor if that survivor is a member separating or retiring from the Armed Forces.

(c) REPORTS.—

(1) REPORT ON RESIDENTIAL TREATMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretaries of Defense and Veterans Affairs shall provide a report to the appropriate committees of Congress regarding the availability of residential treatment programs for survivors of sexual trauma, including—

(A) barriers to access for such programs; and

(B) resources required to reduce such barriers.

(2) INITIAL REPORT.—Upon implementation of the standard under subsection (a), the Secretaries of Defense and Veterans Affairs shall jointly submit to

the appropriate committees of Congress a report on the standard.

(3) PROGRESS REPORTS.—Not later than 180 days after submitting the initial report under paragraph (2), and on December 1 of each subsequent year, the Secretaries of Defense and Veterans Affairs shall jointly submit to the appropriate committees of Congress a report on the progress of the Secretaries in implementing and improving the standard.

(4) UPDATES.—Whenever the Secretaries of Defense and Veterans Affairs update the standard developed under subsection (a), the Secretaries shall jointly submit to the appropriate committees of Congress a report on such update, including a comprehensive and detailed description of such update and the reasons for such update.

(d) DEFINITIONS.—In this section:

(1) The term ''sexual trauma'' means psychological trauma described in section 1720D(a)(1) of title 38, United States Code.

(2) The term ''appropriate committees of Congress'' means—

(A) the Committees on Veterans' Affairs of the House of Representatives and the Senate; and

(B) the Committees on Armed Services of the House of Representatives and the Senate.

SEC. 547. POLICY ON SEPARATION OF VICTIM AND ACCUSED AT MILITARY SERVICE ACADEMIES.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments and the Superintendent of each military service academy, prescribe in regulations a policy under which a cadet or midshipman of a military service academy who is the alleged victim of a sexual assault and a cadet or midshipman who is the alleged perpetrator of such assault shall, to the extent practicable, each be given the opportunity to complete their course of study at the academy without—

(1) taking classes together; or

(2) otherwise being in close proximity to each other during mandatory activities.

(b) ELEMENTS.—The Secretary of Defense shall ensure that the policy developed under subsection (a)—

(1) protects the alleged victim as necessary, including by prohibiting retaliatory harassment;

(2) allows both the victim and the accused to complete their course of study at the institution with minimal disruption;

(3) protects the privacy of both the victim and the accused by ensuring that information about the alleged sexual assault and the individuals involved is not revealed to third parties who are not specifically authorized to receive such information in the course of performing their regular duties, except that such policy shall not preclude the alleged victim or the alleged perpetrator from making such disclosures to third parties; and

(4) minimizes the burden on the alleged victim when taking steps to separate the alleged victim and alleged perpetrator.

(c) SPECIAL RULE.—The policy developed under subsection (a) shall not preclude a military service academy from taking other administrative or disciplinary action when appropriate.

(d) MILITARY SERVICE ACADEMY DEFINED.—In this section, the term ''military service academy'' means the following:

(1) The United States Military Academy.

(2) The United States Naval Academy.

(3) The United States Air Force Academy.

SEC. 548. SAFE-TO-REPORT POLICY APPLICABLE ACROSS THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, prescribe in regulations a safe-to-report policy described in subsection (b) that applies with respect to all members of the covered Armed Forces (including members of the reserve components of the covered Armed Forces) and cadets and midshipmen at the military service academies.

(b) SAFE-TO-REPORT POLICY.—The safe-to-report policy described in this subsection is a policy that prescribes the handling of minor collateral misconduct involving a member of the covered Armed Forces who is the alleged victim of sexual assault.

(c) AGGRAVATING CIRCUMSTANCES.—The regulations under subsection (a) shall specify aggravating circumstances that increase the gravity of minor collateral misconduct or its impact on good order and discipline for purposes of the safe-to-report policy.

(d) TRACKING OF COLLATERAL MISCONDUCT INCIDENTS.—In conjunction with the issuance of regulations under subsection (a), Secretary shall develop and implement a process to track incidents of minor collateral misconduct that are subject to the safe-to-report policy.

(e) DEFINITIONS.—In this section:

(1) The term ''covered Armed Forces'' has the meaning given the term ''armed forces'' in section 101(a)(4) of title 10, United States Code, except such term does not include the Coast Guard.

(2) The term ''military service academy'' means the following:

(A) The United States Military Academy.

(B) The United States Naval Academy.

(C) The United States Air Force Academy.

(3) The term ''minor collateral misconduct'' means any minor misconduct that is potentially punishable under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that—

(A) is committed close in time to or during the sexual assault, and directly related to the incident that formed the basis of the sexual assault allegation;

(B) is discovered as a direct result of the report of sexual assault or the ensuing investigation into the sexual assault; and

(C) does not involve aggravating circumstances (as specified in the regulations prescribed under subsection (c)) that increase the gravity of the minor misconduct or its impact on good order and discipline.

SEC. 549. QUESTION IN WORKPLACE AND GENDER RELATIONS SURVEYS REGARDING PROSECUTIONS OF SEXUAL ASSAULT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall include in the covered surveys a question regarding whether a member of an Armed Force under the jurisdiction of the Secretary of a military department would be more willing to report a sexual assault if prosecution decisions were made by lawyers and not commanders.

(b) COVERED SURVEYS DEFINED.—In this section, the term ''covered surveys'' means the workplace and gender relations surveys and focus groups administered by the Office of People Analytics of the Department of Defense, including—

(1) the Workplace and Gender Relations Survey of Active Duty Members;

(2) the Workplace and Gender Relations Survey of Reserve Component Members;

(3) the Military Service Gender Relations Focus Group; and

(4) any successor survey or focus group.

SEC. 549A. PILOT PROGRAM ON PROSECUTION OF SPECIAL VICTIM OFFENSES COMMITTED BY ATTENDEES OF MILITARY SERVICE ACADEMIES.

(a) PILOT PROGRAM.—Beginning not later than January 1, 2021, the Secretary of Defense shall carry out a pilot program (referred to in this Act as the ''Pilot Program'') under which the Secretary shall establish, in accordance with this section, an independent authority to—

(1) review each covered special victim offense; and

(2) determine whether such offense shall be referred to trial by an appropriate court-martial convening authority.

(b) OFFICE OF THE CHIEF PROSECUTOR.—

(1) ESTABLISHMENT.—As part of the Pilot Program, the Secretary shall establish, within the Office of the Secretary of Defense, an Office of the Chief Prosecutor.

(2) HEAD OF OFFICE.—The head of the Office shall be known as the Chief Prosecutor. The Secretary shall appoint as the Chief Prosecutor a commissioned officer in the grade of O–7 or above who—

(A) has significant experience prosecuting sexual assault trials by court-martial; and

(B) is outside the chain of command of any cadet or midshipman described in subsection (f)(2).

(3) RESPONSIBILITIES.—The Chief Prosecutor shall exercise the authorities described in subsection (c) but only with respect to covered special victim offenses.

(4) SPECIAL RULE.—Notwithstanding any other provision of law, the military service from which the Chief Prosecutor is appointed is authorized an additional billet for a general officer or a flag officer for each year in the two year period beginning with the year in which the appointment is made.

(5) TERMINATION.—The Office of the Chief Prosecutor shall terminate on the date on which the Pilot Program terminates under subsection (e).

(c) REFERRAL TO OFFICE OF THE CHIEF PROSECUTOR.—

(1) INVESTIGATION PHASE.—

(A) NOTICE AND INFORMATION.—A military criminal investigative organization that receives an allegation of a covered special victim offense shall provide to the Chief Prosecutor and the commander of the military service academy concerned—

(i) timely notice of such allegation; and

(ii) any information and evidence obtained as the result a subsequent investigation into the allegation.

(B) TRIAL COUNSEL.—A trial counsel assigned to a case involving a covered special victim offense shall, during the investigative phase of such case, provide the Chief Prosecutor with the information necessary to enable the Chief Prosecutor to make the determination required under paragraph (3).

(2) REFERRAL TO CHIEF PROSECUTOR.—In the case of a charge relating to a covered special victim offense, in addition to referring the charge to the staff judge advocate under subsection (a) or (b) of section 834 of title 10, United States Code (article 34 of the Uniform Code of Military Justice), the convening authority of the Armed Force of which the accused is a member shall refer, as soon as reasonably practicable, the charge to the Chief Prosecutor to make the determination required by paragraph (3).

(3) PROSECUTORIAL DETERMINATION.—The Chief Prosecutor shall make a determination regard-

ing whether a charge relating to a covered special victim offense shall be referred to trial. If the Chief Prosecutor makes a determination that the charge shall be tried by court-martial, the Chief Prosecutor also shall determine whether the charge shall be tried by a general court-martial convened under section 822 of title 10, United States Code (article 22 of the Uniform Code of Military Justice) or a special court-martial convened under section 823 of such title (article 23 of the Uniform Code of Military Justice). The determination of whether to try a charge relating to a covered special victim offense by court-martial shall include a determination of whether to try any known offenses, including any lesser included offenses.

(4) EFFECT OF DETERMINATION AND APPEALS PROCESS.—

(A) DETERMINATION TO PROCEED TO TRIAL.—Subject to subparagraph (C), a determination to try a charge relating to a covered special victim offense by court-martial under paragraph (3), and the determination as to the type of court-martial, shall be binding on any convening authority under chapter 47 of title 10, United States Code (the Uniform Code of

Military Justice) for a trial by court-martial on the charge.

(B) DETERMINATION NOT TO PROCEED TO TRIAL.—Subject to subparagraph (C), a determination under paragraph (3) not to proceed to trial on a charge relating to a covered special victim offense by general or special court-martial shall be binding on any convening authority under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) except that such determination shall not operate to terminate or otherwise alter the authority of the convening authority—

(i) to proceed to trial by court-martial on charges of collateral misconducted related to the special victim offense; or

(ii) to impose non-judicial punishment in connection with the conduct covered by the charge as authorized by section 815 of such title (article 15 of the Uniform Code of Military Justice).

(C) APPEAL.—In a case in which a convening authority and the staff judge advocate advising such authority disagree with the determination of the Chief Prosecutor under para-

graph (3), the convening authority and staff judge advocate may jointly appeal the determination to the General Counsel of the Department of Defense. The determination of the General Counsel with respect to such appeal shall be binding on the Chief Prosecutor and the convening authority concerned.

(5) TRIAL BY RANDOMIZED JURY.—After the Chief Prosecutor makes a determination under paragraph (3) to proceed to trial on a charge relating to a covered special victim offense, the matter shall be tried by a court-martial convened within the Armed Force of which the accused is a member in accordance with the applicable provisions of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) except that, when convening a court-martial that is a general or special court-martial involving a covered special victim offense in which the accused elects a jury trial, the convening authority shall detail members of the Armed Forces as members thereof at random unless the obtainability of members of the Armed Forces for such court-martial prevents the convening authority from detailing such members at random.

(6) UNLAWFUL INFLUENCE OR COERCION.—The actions of the Chief Prosecutor under this subsection whether or not to try charges by court-martial shall be free of unlawful or unauthorized influence or coercion.

(d) EFFECT ON OTHER LAW.—This section shall supersede any provision of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), that is inconsistent with this section, but only to the extent of the inconsistency.

(e) TERMINATION AND TRANSITION.—

(1) TERMINATION.—The authority of the Secretary to carry out the Pilot Program shall terminate four years after the date on which the Pilot Program is initiated.

(2) TRANSITION.—The Secretary shall take such actions as are necessary to ensure that, on the date on which the Pilot Program terminates under paragraph (1), any matter referred to the Chief Prosecutor under subsection (c)(2), but with respect to which the Chief Prosecutor has not made a determination under subsection (c)(3), shall be transferred to the appropriate convening authority for consideration.

(f) DEFINITIONS.—In this Act:

(1) The term ''Armed Force'' means an Armed Force under the jurisdiction of the Secretary of a military department.

(2) The term ''covered special victim offense'' means a special victim offense—

(A) alleged to have been committed on or after the date of the enactment of this Act by a cadet of the United States Military Academy or the United States Air Force Academy, without regard to the location at which the offense was committed; or

(B) alleged to have been committed on or after the date of the enactment of this Act by a midshipman of the United States Naval Academy, without regard to the location at which the offense was committed.

(3) The term ''Secretary'' means the Secretary of Defense.

(4) The term ''special victim offense'' means any of the following:

(A) An offense under section 917a, 920, 920b, 920c, or 930 of title 10, United States Code (article 117a, 120, 120b, 120c, or 130 of the Uniform Code of Military Justice).

(B) A conspiracy to commit an offense specified in subparagraph (A) as punishable under section 881 of such title (article 81 of the Uniform Code of Military Justice).

(C) A solicitation to commit an offense specified in subparagraph (A) as punishable under section 882 of such title (article 82 of the Uniform Code of Military Justice).

(D) An attempt to commit an offense specified in subparagraph (A) as punishable under section 880 of such title (article 80 of the Uniform Code of Military Justice).

SEC. 549B. REPORT ON STATUS OF INVESTIGATIONS OF ALLEGED SEX-RELATED OFFENSES.

(a) REPORTS REQUIRED.—Not later than one year after the date of the enactment of this Act, and annually thereafter through December 31, 2025, the Secretary of each military department shall submit to the congressional defense committees a report on the status of investigations into alleged sex-related offenses.

(b) ELEMENTS.—Each report under subsection (a) shall include, with respect to investigations into alleged sex-related offenses carried out by military criminal investigative organizations under the jurisdiction of the Secretary concerned during the preceding year, the following:

(1) The total number of investigations.

(2) For each investigation—

(A) the date the investigation was initiated; and

(B) an explanation of whether the investigation is in-progress or complete as of the date of the report and, if complete, the date on which the investigation was completed.

(3) The total number of investigations that are complete as of the date of the report.

(4) The total number of investigations that are in-progress as of the date of the report.

(5) For investigations lasting longer than 180 days, an explanation of the primary reasons for the extended duration of the investigation.

(c) DEFINITIONS.—In this section:

(1) The term ''alleged sex-related offense'' has the meaning given that term in section 1044(e)(h) of title 10, United States Code.

(2) The term ''complete'' when used with respect to an investigation of an alleged sex-related offense, means the active phase of the investigation is sufficiently complete to enable the appropriate authority to reach a decision with respect to the disposition of charges for the offense.

Subtitle F—Member Education, Training, and Transition

SECTION 551. COUNSELING IN THE TRANSITION ASSISTANCE PROGRAM REGARDING SEXUAL ASSAULT, SEXUAL OR GENDER HARASSMENT, AND INTIMATE PARTNER VIOLENCE.

Section 1142(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(20) Information concerning health care (including mental health care) furnished by the Secretary of Veterans Affairs to veterans and members of the Armed Forces who have survived sexual assault, sexual or gender harassment, or intimate partner violence.".

SEC. 552. ESTABLISHMENT OF MENTORING AND CAREER COUNSELING PROGRAM.

(a) IN GENERAL.—Chapter 107 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 2158. Mentoring and career counseling program

"(a) ESTABLISHMENT; OBJECTIVES.—The Secretary of Defense, in coordination with the Secretaries of the military departments and the Chief Diversity Officer, shall

implement a program for mentoring and career counseling that—

"(1) ensures that all military occupational specialties and career fields reflect the demographics of the armed forces; and

"(2) ensures that members in all ranks and grades reflect the demographics of the armed forces.

"(b) PROGRAM DESCRIPTION AND COMPONENTS.—The program under subsection (a) shall—

"(1) include mentoring and career counseling efforts that start prior to the initial career field decision point and continue throughout the career of each participating member;

"(2) provide guidance on accession into the military occupational specialties and career fields that experience the highest rates and greatest number of promotions to a grade above O–6; and

"(3) promote information regarding career choices, including opportunities in the reserve components, to optimize the ability of a participating member to make informed career choices from accession to retirement.

"(c) EVALUATION METRICS.—The Secretary of Defense shall establish and maintain metrics to evaluate the effectiveness of the program under this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 of such title is amended by at the end the following new item:

"2158. Mentoring and career counseling program.".

(c) INTERIM REPORT.—

(1) REPORT REQUIRED.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees on Armed Services of the Senate and the House of Representatives a report on the implementation of section 2158 of title 10, United States Code, as added by subsection (a).

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

(A) A description and assessment of the manner in which the Department of Defense shall implement the program under subsection (a) of such section 2158.

(B) The initial evaluation metrics developed under subsection (c) of such section 2158.

(C) An explanation of whether the program will be carried out as part of another program of the Department or through the establishment of a separate program.

(D) A comprehensive description of the additional personnel, resources, and training that

will be required to implement the program, including identification of the specific number of additional billets that will be needed to staff the program.

(E) Recommendations of the Secretary for additional legislation that the Secretary determines e necessary to effectively and efficiently implement the program.

(d) ANNUAL REPORT.—

(1) REPORT REQUIRED.—Not later than October 1, 2021, and annually thereafter for three years, the Secretary of Defense shall submit to the congressional defense committees on Armed Services of the Senate and the House of Representatives a report on the program under section 2158 of title 10, United States Code, as added by subsection (a).

(2) ELEMENTS.—Each report under paragraph (1) shall include, disaggregated by Armed Force, the following:

(A) The latest evaluation metrics developed under subsection (c) of such section 2158.

(B) The number of individuals, disaggregated by grade, ethnicity, race, and gender, who were eligible for participation in the program.

(C) The number of individuals, disaggregated by grade, ethnicity, race, and gender, who opted out of participation in the program.

(D) An assessment of the effectiveness of the program in advancing the careers of minority commissioned officers.

(e) PUBLICATION.—The Secretary of Defense shall—

(1) publish on an appropriate publicly available website of the Department of Defense the reports required under subsections (c) and (d); and

(2) ensure that any data included with each such report is made available in a machine-readable format that is downloadable, searchable, and sortable.

(f) IMPLEMENTATION DATE.—The Secretary of Defense shall implement the program under section 2158 of title 10, United States Code, as added by subsection (a), not later than one year after the date of the enactment of this Act.

(g) DEFINITIONS.—In this section:

(1) The term ''minority person'' means any individual who is a citizen of the United States and who is—

(A) Asian American;

(B) Native Hawaiian;

(C) a Pacific Islander;

(D) African American;

(E) Hispanic;

(F) Puerto Rican;

(G) Native American;

(H) an Alaska Native; or

(I) female.

(2) The term ''minority commissioned officer'' means any commissioned officer who is a minority person.

(3) The term ''machine-readable'' has the meaning given that term in section 3502(18) of title 44, United States Code.

SEC. 553. DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER.

(a) AUTHORITY TO AWARD BACHELOR'S DEGREES.—Section 2168 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**Associate**'' and inserting ''**Associate or Bachelor**''; and

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

"(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer—

"(1) an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree; or

"(2) a Bachelor of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 108 of title 10, United States Code, is amended by striking the item relating to section 2168 and inserting the following new item:

"2168. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.".

SEC. 554. DEFENSE LANGUAGE INSTITUTE FOREIGN LANGUAGE CENTER.

(a) AUTHORITY TO AWARD BACHELOR'S DEGREES.—Section 2168 of title 10, United States Code, is amended—

(1) in the section heading, by striking "**Associate**" and inserting "**Associate or Bachelor**"; and

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

"(a) Subject to subsection (b), the Commandant of the Defense Language Institute may confer—

"(1) an Associate of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree; or

"(2) a Bachelor of Arts degree in a foreign language upon any graduate of the Foreign Language Center of the Institute who fulfills the requirements for that degree.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 108 of title 10, United States Code, is amended by striking the item relating to section 2168 and inserting the following new item:

"2168. Defense Language Institute Foreign Language Center: degree of Associate or Bachelor of Arts in foreign language.".

SEC. 555. INCREASE IN NUMBER OF PERMANENT PROFESSORS AT THE UNITED STATES AIR FORCE ACADEMY.

Section 9431(b)(4) of title 10, United States Code, is amended by striking "23" and inserting "25".

SEC. 556. INFORMATION ON NOMINATIONS AND APPLICATIONS FOR MILITARY SERVICE ACADEMIES.

(a) CONGRESSIONAL NOMINATIONS PORTAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Sec-

retary, in consultation with the Superintendents of the military service academies, shall ensure that there is a uniform online portal for all military service academies that enables Members of Congress to nominate individuals for appointment to each academy through a secure website.

(2) INFORMATION COLLECTION AND REPORTING.—The online portal established under paragraph (1) shall—

(A) collect, from each Member of Congress, the demographic information described in subsection (b) for each individual nominated by the Member; and

(B) collect the information required to be included in each annual report of the Secretary under subsection (c) in a manner that enables the Secretary to automatically compile such information when preparing the report.

(3) AVAILABILITY OF INFORMATION.—The portal shall allow Members of Congress and their designees to view past nomination records for all application cycles.

(b) STANDARD CLASSIFICATIONS FOR COLLECTION OF DEMOGRAPHIC DATA.—

(1) STANDARDS REQUIRED.—The Secretary, in consultation with the Superintendents of the military service academies, shall establish standard classifications that cadets, midshipmen, and applicants to the academies may use to self-identify gender, race, and ethnicity and to provide other demographic information in connection with admission to or enrollment in an academy.

(2) CONSISTENCY WITH OMB GUIDANCE.—The standard classifications established under paragraph (1) shall be consistent with the standard classifications specified in Office of Management and Budget Directive No. 15 (pertaining to race and ethnic standards for Federal statistics and administrative reporting) or any successor directive.

(3) INCORPORATION INTO APPLICATIONS AND RECORDS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall incorporate the standard classifications established under paragraph (1) into—

(A) applications for admission to the military service academies; and

(B) the military personnel records of cadets and midshipmen enrolled in such academies.

(c) ANNUAL REPORT ON THE DEMOGRAPHICS MILITARY SERVICE ACADEMY APPLICANTS.—

(1) REPORT REQUIRED.—Not later than September 30 of each year beginning after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the demographics of applicants to military service academies for the most recently concluded application year.

(2) ELEMENTS.—Each report under paragraph (1) shall include, with respect to each military service academy, the following:

(A) The number of individuals who submitted an application for admission to the academy in the application year covered by the report.

(B) Of the individuals who submitted an application for admission to the academy in such year—

(i) the overall demographics of applicant pool, disaggregated by the classifications established under subsection (b) and by Member of Congress;

(ii) the number and percentage who received a nomination, disaggregated by

the classifications established under subsection (b) and by Member of Congress;

(iii) the number and percentage who received an offer for appointment to the academy, disaggregated by the classifications established under subsection (b) and by Member of Congress; and

(iv) the number and percentage who accepted an appointment to the academy, disaggregated by the classifications established under subsection (b) and by Member of Congress.

(3) CONSULTATION.—In preparing each report under paragraph (1), the Secretary shall consult with the Superintendents of the military service academies.

(4) AVAILABILITY OF REPORTS AND DATA.—The Secretary shall—

(A) make the results of each report under paragraph (1) available on a publicly accessible website of the Department of Defense; and

(B) ensure that any data included with the report is made available in a machine-readable format that is downloadable, searchable, and sortable.

(d) DEFINITIONS.—In this section:

(1) The term ''application year'' means the period beginning on January 1 of one year and ending on June 1 of the following year.

(2) The term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(3) The term ''machine-readable'' has the meaning given that term in section 3502(18) of title 44, United States Code.

(4) The term ''military service academy'' means—

(A) the United States Military Academy;

(B) the United States Naval Academy; and

(C) the United States Air Force Academy.

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

SEC. 557. TRANSFORMATION OF THE PROFESSIONAL MILITARY EDUCATION ENTERPRISE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that--

(1) professional military education is foundational to the development of ethical and effective military leaders and vital to national security;

(2) oversight of professional military education is an essential part of Congress' constitutional responsibilities to regulate and maintain the Armed Forces of the United States;

(3) reform of the professional military education system, as directed by the congressional defense committees, has played a central role in the institutionalization of jointness as envisioned by the Goldwater-Nichols Department of Defense Reorganization Act of 1986 (Public Law 99–433);

(4) the Goldwater-Nichols professional military education model has served the Nation well since the end of the Cold War by enabling successful joint military operations across the spectrum of conflict;

(5) recent changes in the national security environment require that the professional military education enterprise adapt to prepare the joint force to successfully defend American interests in evolving areas of strategic competition;

(6) the Department of Defense must transform the professional military education enterprise to meet these challenges by emphasizing focused and rigorous intellectual study reflecting the hard won strategic insights of history, while leveraging advancements in the modern learning environment.

(b) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be obligated or expended consolidate, close, or significantly change the curriculum of the National Defense University or any institution of professional military education of an Armed Force until a period of 120 days has elapsed following the date on which the Under Secretary of Defense for Personnel and Readiness submits the report required under subsection (c).

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Under Secretary of Defense for Personnel and Readiness, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the status of the professional military education enterprise.

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

(A) A consolidated summary that—

(i) lists all components of the professional military education enterprise of the Department of Defense, including all asso-

ciated schools, programs, research centers, and support activities; and

(ii) for each such component, identifies the assigned personnel strength, annual student throughput, and budget details covering the period of three fiscal years preceding the date of the report.

(B) An assessment of the effectiveness and shortfalls of the existing professional military education enterprise as measured against graduate utilization, post-graduate evaluations, and the education and force development requirements of the Chairman of the Joint Chiefs of Staff and the Chiefs of the Armed Forces.

(C) Recommendations to improve the intellectual readiness of the joint force through reforms designed to—

(i) improve the warfighting readiness, intellectual fitness and cognitive ingenuity of military leaders;

(ii) promote development of strategic thinkers capable of developing integrated political-military and cross-domain strategies and new doctrinal concepts;

(iii) enhance the effectiveness, coherence, and efficiency of individual service approaches to professional military education;

(iv) improve the depth and rigor of professional military education curriculum in alignment with national defense strategy pacing threats while enhancing strategic relationships and operational integration with key allies and international security partners; and

(v) foster the deliberate development of world-class faculty through increasing the value of faculty assignments and other appropriate measures.

SEC. 558. COLLEGE OF INTERNATIONAL SECURITY AFFAIRS OF THE NATIONAL DEFENSE UNIVERSITY.

(a) PROHIBITION.—The Secretary of Defense may not eliminate, divest, downsize, or reorganize the College of International Security Affairs, nor its satellite program, the Joint Special Operations Masters of Arts, of the National Defense University, or seek to reduce the number of students educated at the College, or its satellite program, until 30 days after the date on which the congres-

1 sional defense committees receive the report required by
2 subsection (c).
3 (b) ASSESSMENT, DETERMINATION, AND REVIEW.—
4 The Under Secretary of Defense for Policy, in consultation
5 with the Under Secretary of Defense for Personnel and
6 Readiness, the Assistant Secretary of Defense for Special
7 Operations/Low-Intensity Conflict , the Deputy Assistant
8 Secretary of Defense for Counternarcotics and Global
9 Threats, the Deputy Assistant Secretary of Defense for
10 Stability and Humanitarian Affairs, the Deputy Assistant
11 Secretary of Defense for Special Operations and Com-
12 bating Terrorism, the Chief Financial Officer of the De-
13 partment, the Chairman of the Joint Chiefs of Staff, and
14 the Commander of United States Special Operations Com-
15 mand, shall—
16 (1) assess requirements for joint professional
17 military education and civilian leader education in
18 the counterterrorism, irregular warfare, and asym-
19 metrical domains to support the Department and
20 other national security institutions of the Federal
21 Government;
22 (2) determine whether the importance, chal-
23 lenges, and complexity of the modern counterter-
24 rorism environment and irregular and asymmetrical
25 domains warrant—

(A) a college at the National Defense University, or a college independent of the National Defense University whose leadership is responsible to the Office of the Secretary of Defense; and

(B) the provision of resources, services, and capacity at levels that are the same as, or decreased or enhanced in comparison to, those resources, services, and capacity in place at the College of International Security Affairs on January 1, 2019;

(3) review the plan proposed by the National Defense University for eliminating the College of International Security Affairs and reducing and restructuring the counterterrorism, irregular, and asymmetrical faculty, course offerings, joint professional military education and degree and certificate programs, and other services provided by the College; and

(4) assess the changes made to the College of International Security Affairs since January 1, 2019, and the actions necessary to reverse those changes, including relocating the College and its associated budget, faculty, staff, students, and facilities outside of the National Defense University.

(c) REPORT REQUIRED.—Not later than February 1, 2021, the Secretary shall submit to the congressional defense committees a report on—

(1) the findings of the Secretary with respect to the assessments, determination, and review conducted under subsection (b); and

(2) such recommendations as the Secretary may have for higher education in the counterterrorism, irregular, and asymmetrical domains.

SEC. 559. PUBLIC-PRIVATE CONSORTIUM TO IMPROVE PROFESSIONAL MILITARY EDUCATION.

(a) ESTABLISHMENT.—The Secretary of Defense, acting through the Chairman of the Joint Chiefs of Staff and in consultation with the Under Secretary of Defense for Personnel and Readiness, shall establish and maintain a public-private consortium (referred to in this section as the ''Consortium'') to improve and broaden professional military education for military officers and civilian employees of the Federal Government.

(b) DIRECTORS.—

(1) IN GENERAL.—The President of the National Defense University and the head of a civilian institution of higher education appointed in accordance with paragraph (3) shall serve as co-directors of the Consortium.

(2) RESPONSIBILITIES OF CO-DIRECTORS.—The co-directors shall be responsible for—

(A) the administration and management of the Consortium; and

(B) developing a common curriculum for professional military education using input received from members of the Consortium.

(3) APPOINTMENT OF CO-DIRECTOR FROM CIVILIAN INSTITUTION.—Not later than June 1, 2021, the Secretary of Defense shall appoint an individual who is the President or Chancellor of a civilian institution of higher education to serve as co-director of the Consortium as described in paragraph (1).

(4) TERM OF CO-DIRECTOR.—The co-director appointed under paragraph (3) shall serve an initial term of five years. The Secretary of Defense may reappoint such co-director for one or more additional terms of not more than five years, as the Secretary determines appropriate.

(5) AUTHORITY.—In the event that a conflict arises between co-directors of the Consortium, the conflict shall be resolved by the Director for Joint Force Development of the Joint Chiefs of Staff (J-7).

(c) ACTIVITIES OF CONSORTIUM.—The Consortium shall carry out the following activities:

(1) Bring the military education system (including military service academies, institutions that provide professional military education, and other institutions the provide military education) together with a broad group of civilian institutions of higher education, policy research institutes, and the commercial sector to develop and continually update a research-based curriculum to prepare early career, mid-career, and senior military officers and civilian employees of the Federal Government to succeed in an era that will be predominantly defined by great power competition and in which security challenges will transcend the traditional areas of defense expertise, becoming more complex and inter-related than before, with disruptions that will manifest rapidly and with little warning.

(2) Train military officers and civilian educators serving in the joint professional military education system to implement the curriculum developed under paragraph (2) at the institutions they serve.

(3) On a regular basis, make recommendations to the Secretary about how the joint professional military education system should be modified to

meet the challenges of apparent or possible future defense, national security, and international environments.

(d) MEMBERS.—The Consortium shall be composed of representatives selected by the Secretary of Defense from the following organizations:

(1) Organizations within the joint professional military education system.

(2) Military service academies.

(3) Other institutions of the Federal Government that provide military education.

(4) Civilian institutions of higher education.

(5) Private sector and government policy research institutes.

(6) Organizations in the commercial sector, including organizations from the industrial, finance, and technology sectors.

(e) ANNUAL REPORT.—Not later than September 30, 2022, and annually thereafter, the co-directors of the Consortium shall submit to the Secretary of Defense and the congressional defense committees a report that describes the activities carried out by the Consortium during the preceding year.

(f) CIVILIAN INSTITUTION DEFINED.—In this section, the term ''civilian institution of higher education''

means an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that is not owned or controlled by the Federal Government.

Subtitle G—Military Family Readiness and Dependents' Education

SECTION 561. FAMILY READINESS: DEFINITIONS; COMMUNICATION STRATEGY; REPORT.

(a) DEFINITIONS.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall define the terms ''military family readiness'' and ''military family resiliency''.

(b) COMMUNICATION STRATEGY.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall establish and implement a strategy regarding communication with military families. The strategy shall include the following:

(1) The use of a variety of modes of communication to ensure the broadest means of communicating with military families.

(2) Updating an existing annual standardized survey that assesses military family readiness to address the following issues:

(A) Communication with beneficiaries.

(B) Child care.

(C) Education,

(D) Spousal employment.

(E) The Exceptional Family Member Program.

(F) Financial literacy.

(G) Financial stress.

(H) Health care (including copayments, network adequacy, and the availability of appointments with health care providers).

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the feasibility of implementing the recommendations in—

(1) chapter 3 of the report of the Inspector General of the Department of Defense for fiscal year 2020, ''Ensuring Wellness and Wellbeing of Service-Members and their Families''; and

(2) the report, dated July 2019, of the National Academies of Science, Engineering and Medicine, titled ''Strengthening the Military Family Readiness System for a Changing American Society''.

SEC. 562. SUPPORT SERVICES FOR MEMBERS OF SPECIAL OPERATIONS FORCES AND IMMEDIATE FAMILY MEMBERS.

(a) IN GENERAL.—Section 1788a of title 10, United States Code, is amended—

(1) in the heading—

(A) by striking "**Family support**" and inserting "**Support**";

(B) by striking "**immediate family members of**"; and

(C) by adding "**; immediate family members**" at the end;

(2) in subsection (a), by striking "for the immediate family members of members of the armed forces assigned to special operations forces";

(3) in subsection (b)(1)—

(A) by striking "the immediate family members"; and

(B) by inserting "and the immediate family members of such members" before the semicolon;

(4) in subsection (d)(2)—

(A) in subparagraph (A)—

(i) by striking "family members of"; and

(ii) by inserting ''and immediate family members of such members'' before the period;

(B) in subparagraph (B)—

(i) by striking ''and on family members of'' and inserting a comma; and

(ii) by inserting '', and immediate family members of such members'' before the period; and

(5) in subsection (e)(4)—

(A) by inserting ''psychological support, spiritual support, and'' before ''costs'';

(B) by striking ''immediate family members of'';

(C) by inserting ''(including the reserve components)'' after ''members of the armed forces''; and

(D) by inserting '', and immediate family members of such members,'' before ''while''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 88 of title 10, United States Code, is amended by striking the item relating to section 1788a and inserting the following:

''1788a. Support programs: members of special operations forces; immediate family members''.

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.

(a) AUTHORITY.—Section 1798 of title 10, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting ", or to an in-home child care provider," after "youth program services";

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

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

"(c) ELIGIBLE IN-HOME CHILD CARE PROVIDERS.—The Secretary may determine that an in-home child care provider is eligible for financial assistance under this section.".

(b) IN-HOME CHILD CARE PROVIDER DEFINED.—Section 1800 of such title is amended by adding at the end the following:

"(5) The term 'in-home child care provider' means an individual (including a nanny, babysitter, or au pair) who provides child care services in the home of the child.".

(c) REGULATIONS.—Not later than July 1, 2021, the Secretary of Defense shall prescribe regulations that establish eligibility requirements and amounts of financial assistance for an in-home child care provider under subsection (c) of section 1798 of title 10, United States Code, as amended by subsection (a).

SEC. 564. EXPANSION OF FINANCIAL ASSISTANCE UNDER MY CAREER ADVANCEMENT ACCOUNT PROGRAM.

Section 580F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by inserting ''or maintenance (including continuing education courses)'' after ''pursuit''; and

(2) by adding at the end the following: ''Such financial assistance may be applied to the costs of national tests that may earn a participating military spouse course credits required for a degree approved under the program (including the College Level Examination Program tests and the Subject Standardized Tests of the Defense Activity for Non-Traditional Education Support Division of the Department of Defense).''

SEC. 565. CHILD CARE.

(a) 24-HOUR CHILD CARE.—If the Secretary of Defense determines it feasible, the Secretary shall furnish child care to each child of a member of the Armed Forces or employee of the Department of Defense while that member or employee works on rotating shifts at a military installation.

(b) METRICS.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense shall develop and implement metrics to evaluate the effectiveness of the child care priority system of the Department of Defense, including—

(1) the speed of placement for children of members of the Armed Forces on active duty;

(2) the type of child care offered;

(3) available spaces in such system, if any; and

(4) other metrics to monitor the child care priority system determined by the Secretary.

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report regarding the results of a study that evaluates—

(1) the sufficiency of the stipend furnished by the Secretary to members of the Armed Forces for civilian child care; and

(2) whether the amount of such stipend should be based on—

(A) cost of living in the applicable locale; and

(B) the capacity of licensed civilian child care providers in the local market.

SEC. 566. CONTINUATION OF PAID PARENTAL LEAVE UPON DEATH OF CHILD.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall amend the regulations prescribed pursuant to subsections (i) and (j) of section 701 of title 10, United States Code, to provide that the eligibility of primary and secondary caregivers for paid parental leave that has already been approved shall not terminate upon the death of the child for whom such leave is taken.

SEC. 567. STUDY AND REPORT ON THE PERFORMANCE OF THE DEPARTMENT OF DEFENSE EDUCATION ACTIVITY.

(a) STUDY.—The Secretary of Defense shall conduct a study on the performance of the Department of Defense Education Activity.

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

(1) A review of the curriculum relating to health, resiliency, and nutrition taught in schools operated by the Department of Defense Education Activity and a comparison of such curriculum to appropriate education benchmarks.

(2) An analysis of the outcomes experienced by students in such schools, as measured by—

(A) the performance of such students on the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622(b)(3)); and

(B) any other methodologies used by the Department of Defense Education Activity to measure individual student outcomes.

(3) An assessment of the effectiveness of the School Liaison Officer program of the Department of Defense Education Activity in achieving the goals of the program with an emphasis on goals relating to special education and family outreach.

(c) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that in-

cludes the findings of the study conducted under subsection (a).

SEC. 568. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON THE STRUCTURAL CONDITION OF DEPARTMENT OF DEFENSE EDUCATION ACTIVITY SCHOOLS.

(a) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report setting forth an assessment by the Comptroller General of the structural condition of schools of the Department of Defense Education Activity, both within the continental United States (CONUS) and outside the continental United States (OCONUS).

(b) VIRTUAL SCHOOLS.—The report shall include an assessment of the virtual infrastructure or other means by which students attend Department of Defense Education Activity schools that have no physical structure, including the satisfaction of the military families concerned with such infrastructure or other means.

SEC. 569. PILOT PROGRAM TO EXPAND ELIGIBILITY FOR ENROLLMENT AT DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) PILOT PROGRAM AUTHORIZED.—Beginning not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall carry out a pilot program under which a dependent of a full-time, active-duty member of the Armed Forces may enroll in a covered DODEA school at the military installation to which the member is assigned, on a space-available basis as described in subsection (c), without regard to whether the member resides on the installation as described in 2164(a)(1) of title 10, United States Code.

(b) PURPOSES.—The purposes of the pilot program under this section are—

(1) to evaluate the feasibility and advisability of expanding enrollment in covered DODEA schools; and

(2) to determine how increased access to such schools will affect military and family readiness.

(c) ENROLLMENT ON SPACE-AVAILABLE BASIS.—A student participating in the pilot program under this section may be enrolled in a covered DODEA school only if the school has the capacity to accept the student, as determined by the Director of the Department of Defense Education Activity.

(d) LOCATIONS.—The Secretary of Defense shall carry out the pilot program under this section at not more than four military installations at which covered DODEA schools are located. The Secretary shall select military installations for participation in the program based on—

(1) the readiness needs of the Secretary of a the military department concerned; and

(2) the capacity of the DODEA schools located at the installation to accept additional students, as determined by the Director of the Department of Defense Education Activity.

(e) TERMINATION.—The authority to carry out the pilot program under this section shall terminate four years after the date of the enactment of this Act.

(f) COVERED DODEA SCHOOL DEFINED.—In this Section, the term ''covered DODEA school'' means a domestic dependent elementary or secondary school operated by the Department of Defense Education Activity that—

(1) has been established on or before the date of the enactment of this Act; and

(2) is located in the continental United States.

SEC. 569A. CONTINUED ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2021 in division D of this Act and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301 of this Act, $40,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.—Of the amount authorized to be appropriated for fiscal year 2021 in division D of this Act and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301 of this Act, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 20 U.S.C. 7703a).

(c) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Ele-

mentary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 569B. STANDARDIZATION OF THE EXCEPTIONAL FAMILY MEMBER PROGRAM.

(a) POLICY.—Not later than six months after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretaries of the military departments, shall, to the extent practicable, standardize the Exceptional Family Member Program (in this section referred to as the ''EFMP'') across the military departments.

(b) ELEMENTS.—The EFMP, standardized under subsection (a), shall include the following:

(1) Processes for the identification and enrollment of dependents of covered members with special needs.

(2) A process for the permanent change of orders for covered members, to ensure seamless continuity of services at the new permanent duty station.

(3) A review process for installations to ensure that health care furnished through the TRICARE program, special needs education programs, and installation-based family support programs are available to military families enrolled in the EFMP.

(4) A standardized respite care benefit across the covered Armed Forces, including the number of hours available under such benefit to military families enrolled in the EFMP.

(5) Outcomes and metrics to evaluate the EFMP.

(6) A requirement that the Secretary of each military department provide a dedicated EFMP attorney, who specializes in education law, at each military installation—

(A) the Secretary determines is a primary receiving installation for military families with special needs; and

(B) in a State that the Secretary determines has historically not supported families enrolled in the EFMP.

(7) The option for a family enrolled in the EFMP to continue to receive all services under that program and the bachelor allowance for housing if—

(A) the covered member receives a new permanent duty station; and

(B) the covered member and family elect for the family not to relocate with the covered member.

(8) A process to discuss policy challenges and opportunities, best practices adopted across the covered Armed Forces, a forum period for discussion with members of military families with special needs, and other matters the Secretary of Defense determines appropriate.

(c) CASE MANAGEMENT.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall develop an EFMP case management model, including the following:

(1) A single EFMP office, located at the headquarters of each covered Armed Force, to oversee implementation of the EFMP and coordinate health care services, permanent change of station order processing, and educational support services for that covered Armed Force.

(2) An EFMP office at each military installation with case managers to assist each family of a covered member in the development of a plan that addresses the areas specified in subsection (b)(1).

(d) REPORT.—Not later than 180 days after the date of the enactment of the Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the implementation of the items identified under subsections (a),

(b), and (c), including any recommendations of the Secretary regarding legislation.

(e) GAO REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on—

(1) whether military families have higher rates of disputes and loss of free and appropriate public education under section 504 of the Rehabilitation Act of 1973 (Public Law 93–112; 29 U.S.C. 794) than civilian counterparts; and

(2) an analysis of the number of due process hearings that were filed by school districts against children of members of the Armed Forces.

(f) DEFINITIONS.—In this section:

(1) The term ''covered Armed Force'' means an Armed Force under the jurisdiction of the Secretary of a military department.

(2) The term ''covered member'' means a member—

(A) of a covered Armed Force; and

(B) with a dependent with special needs.

Subtitle H—Diversity and Inclusion

SEC. 571. DIVERSITY AND INCLUSION REPORTING REQUIREMENTS.

(a) STANDARD DIVERSITY METRICS AND ANNUAL REPORTING REQUIREMENT.—Section 113 of title 10, United States Code is amended—

(1) in subsection (c)—

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

(B) by inserting after paragraph (1), the following new paragraph (2):

''(2) a report from each military department on the goals, barriers, and status of diversity and inclusion of that military department;''; and

(2) in subsection (g)(1)(B), by inserting after clause (vi), the following new clause (vii):

''(vii) Strategic metrics and benchmarks evaluating how the officer and enlisted corps reflects the eligible United States population across all armed forces and ranks.'';

(3) by redesignating subsections (m) and (n) as subsections (n) and (o), respectively; and

(4) by inserting after subsection (k), the following new subsections (l) and (m):

''(l)(1) The Secretary of Defense shall establish and maintain a standard set of strategic metrics and benchmarks toward objectives of:

''(A) an officer and enlisted corps that reflects the eligible U.S. population across all armed forces and ranks; and

''(B) a military force that is able to prevail in its wars, prevent and deter conflict, defeat adversaries and succeed in a wide range of contingencies, and preserve and enhance the all-volunteer force.

''(2) In implementing the requirement in paragraph (1), the Secretary shall—

''(A) establish a universal data collection system to ensure comparability across each military department;

''(B) establish standard definitions of demographic groups, a common methodology, and a common reporting structure across each military department;

''(C) conduct annual barrier analyses to review demographic diversity patterns across the military life cycle, starting with accessions; and

"(D) each year meet with the Secretaries of the military departments, the Chiefs of Staff of the armed forces, and the Chairman of the Joint Chiefs of Staff to assess progress towards the objective under paragraph (1) and establish recommendations to meet such objective.

"(m) The Secretary shall include in each national defense strategy under subsection (g)—

"(1) the demographics, disaggregated by grade, ethnicity, race, gender, and military occupational specialty, for—

"(A) accession into the armed forces;

"(B) the enlisted corps;

"(C) the commissioned officers;

"(D) graduates of the military service academies;

"(E) the rate of promotion in the promotion zone;

"(F) the rate of promotion below the zone for promotion;

"(G) the rates of retention;

"(H) command selection;

"(I) special assignments;

"(J) career broadening assignments;

"(K) aides to general officers and flag officers; and

"(L) any other matter the Secretary determines appropriate;

"(2) an analysis of assignment patterns by ethnicity, race, and gender;

"(3) an analysis of attitudinal survey data by ethnicity, race, and gender;

"(4) an assessment of the available pool of qualified of Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates for pay grades O–9 and O–10;

"(5) identification of persistent, group-specific deviations from overall averages and plans to investigate underlying causes; and

"(6) summaries of progress made on previous actions.".

(b) NATIONAL GUARD DIVERSITY REPORTING.—Section 10504 of title 10, United States Code is amended by adding at the end the following new subsection (d):

"(d) REPORT ON DIVERSITY AND INCLUSION.—

"(1) IN GENERAL.—Not less than once every four years, the Chief of the National Guard Bureau shall report in writing to the Secretary of Defense

and the Congress on the status of diversity in each State, Territory, and the District of Columbia for all ranks of the Army and Air National Guard.

"(2) ELEMENTS.—Each report under paragraph (1) shall include—

"(A) the demographics, disaggregated by State, grade, ethnicity, race, gender, and military occupational specialty, for—

"(i) accession into the National Guard;

"(ii) the enlisted corps;

"(iii) the commissioned officers;

"(iv) the rate of promotion in the promotion zone;

"(v) the rate of promotion below the zone for promotion;

"(vi) the rates of retention;

"(vii) command selection;

"(viii) special assignments;

"(ix) career broadening assignments;

"(x) aides to a general officer; and

"(xi) any other matter the Chief of the National Guard Bureau determines appropriate;

"(B) an analysis of assignment patterns by ethnicity, race, and gender;

"(C) an analysis of attitudinal survey data by ethnicity, race, and gender;

"(D) an assessment of the available pool of qualified of Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates for pay grades O–9 and O–10;

"(E) identification of persistent, group-specific deviations from overall averages and plans to investigate underlying causes; and

"(F) summaries of progress made on previous actions.

"(3) PUBLIC AVAILABILITY.—The Chief of the National Guard Bureau shall—

"(A) publish on an appropriate publicly available website of the National Guard the reports required under paragraph (1); and

"(B) ensure that any data included with the report is made available in a machine-readable format that is downloadable, searchable, and sortable.".

(c) COAST GUARD DIVERSITY REPORTING.—Section 5101 of title 14, United States Code is amended—

(1) in subsection (b)—

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

(B) by inserting after paragraph (1), the following new paragraph (2):

''(2) the goals, barriers, and status of diversity and inclusion;''; and

(3) by adding at the end the following new subsection (c):

''(c) Not less than once every four years, the Secretary shall include in the annual request under subsection (a)—

''(1) the demographics, disaggregated by grade, ethnicity, race, gender, and military occupational specialty, for—

''(A) accession into the Coast Guard;

''(B) the enlisted corps;

''(C) the commissioned officers;

''(D) graduates of the Coast Guard Academy;

''(E) the rate of promotion in the promotion zone;

"(F) the rate of promotion below the zone for promotion;

"(G) the rates of retention;

"(H) command selection;

"(I) special assignments;

"(J) career broadening assignments;

"(K) aides to a flag officer; and

"(L) any other matter the Secretary determines appropriate;

"(2) an analysis of assignment patterns by ethnicity, race, and gender;

"(3) an analysis of attitudinal survey data by ethnicity, race, and gender;

"(4) an assessment of the available pool of qualified of Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates for pay grades O–9 and O–10;

"(5) identification of persistent, group-specific deviations from overall averages and plans to investigate underlying causes; and

"(6) summaries of progress made on previous actions.".

(d) REQUIREMENT TO CONSIDER MINORITY OFFICERS FOR O–9 AND O–10 GRADES.—

(1) ARMY, NAVY, AIR FORCE, MARINE CORPS, AND SPACE FORCE.—Section 601 of title 10, United States Code is amended by adding at the end the following new subsections:

''(e) The Chairman of the Joint Chiefs of Staff shall consider all Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates prior to recommending to the President an initial appointment to the grade of lieutenant general or vice admiral, or an initial appointment to the grade of general or admiral.

''(f) When seeking the advice and consent of the Senate under subsection (a), the President shall submit to the Committee on Armed Services of the Senate a certification that—

''(1) all Asian American, Native Hawaiian, Pacific Islander, African American, Hispanic, Puerto Rican, Native American, Alaska Native and female candidates were considered for appointment; and

''(2)(A) none of the candidates under subparagraph (A) met the qualifications needed by an officer serving in that position or office to carry out effectively the duties and responsibilities of that position or office; or

1 ''(B) the officers in the positions designated
2 under subsection (a) represent the diversity of the
3 armed forces to the extent practicable.''.
4 (2) COAST GUARD.—Section 305(a) of title 14,
5 United States Code, is amended by adding at the
6 end the following new paragraphs:
7 ''(4) The Commandant shall consider all Asian Amer-
8 ican, Native Hawaiian, Pacific Islander, African Amer-
9 ican, Hispanic, Puerto Rican, Native American, Alaska
10 Native and female candidates prior to recommending to
11 the President an initial appointment to the grade of vice
12 admiral, or an initial appointment to the grade of admiral.
13 ''(5) When seeking the advice and consent of the Sen-
14 ate under subsection (a), the President shall submit to the
15 committee of the Senate with jurisdiction over the depart-
16 ment in which the Coast Guard is operating a certification
17 that—
18 ''(A) all Asian American, Native Hawaiian, Pa-
19 cific Islander, African American, Hispanic, Puerto
20 Rican, Native American, Alaska Native and female
21 candidates were considered for appointment; and
22 ''(B)(i) none of the candidates under subpara-
23 graph (A) met the qualifications needed by an offi-
24 cer serving in that position or office to carry out ef-

fectively the duties and responsibilities of that position or office; or

"(ii) the officers in the positions designated under subsection (a) represent the diversity of the armed forces to the extent practicable.".

SEC. 572. ESTABLISHMENT OF DIVERSITY AND INCLUSION ADVISORY COUNCIL OF THE DEPARTMENT OF DEFENSE.

(a) ESTABLISHMENT.—Chapter 7 of title 10, United States Code, is amended by inserting before section 187 the following:

"§ 186. Diversity and Inclusion Advisory Council

"(a) ESTABLISHMENT.—The Secretary of the Department of Defense (referred to in this section as the 'Secretary') shall establish a council to be known as the 'Diversity and Inclusion Advisory Council of the Department of Defense' (referred to in this section as the 'Council').

"(b) DUTIES.—The Council shall provide advice and recommendations to the Secretary on matters concerning diversity and inclusion in the Department of Defense, relating to the following:

"(1) Aligning diversity and inclusion with the strategic goals of the Department of Defense.

"(2) Conducting strategic outreach efforts to identify, attract, and recruit individuals that represent the demographic diversity of the United States.

"(3) Developing, mentoring, and retaining a diverse and inclusive Armed Forces.

"(4) Encouraging leadership development through diversity and inclusion practices and processes.

"(c) MEMBERSHIP.—

"(1) IN GENERAL.—The Council shall be composed of not fewer than 22 members, including the Federal officials and officers specified in paragraph (2), and not fewer than 12 members appointed by the Secretary from nongovernmental positions described in paragraph (3).

"(2) FEDERAL OFFICIALS AND OFFICERS.—The Federal officials and officers specified in this paragraph are the following:

"(A) The Chief Diversity Officer of the Department of Defense.

"(B) The Under Secretary of Defense for Personnel and Readiness.

"(C) The Chief of Staff of the Army.

"(D) The Chief of Naval Operations.

"(E) The Chief of Staff of the Air Force.

"(F) The Chief of Space Operations.

"(G) The Chief of Staff of the Air Force.

"(H) The Commandant of the Marine Corps.

"(I) The Commandant of the Coast Guard.

"(J) The Chief of the National Guard Bureau.

"(3) NONGOVERNMENTAL POSITIONS.—Nongovernmental positions described in this paragraph are the following:

"(A) Five presidents or chancellors of institutions of higher education, including private and public institutions representing diverse areas of the United States.

"(B) Senior leaders of the defense industries of the United States.

"(C) Senior leaders of veterans or military service organizations.

"(D) Veterans (as defined in section 101 of title 38).

"(E) Others determined appropriate by the Secretary.

"(4) TIMING OF APPOINTMENTS.—Appointments to the Council shall be made not later than

for months after the date of the enactment of this Act.

"(5) TERMS.—

"(A) IN GENERAL.—Each member shall be appointed for a term of two years.

"(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that term until a successor has been appointed.

"(6) CHAIRPERSON AND VICE CHAIRPERSON.—

"(A) CHAIRPERSON.—The Chairperson of the Council shall be the Chief Diversity Officer of the Department of Defense.

"(B) VICE CHAIRPERSON.—The Vice Chairperson shall be designated by the Secretary at the time of the appointment of the members pursuant to paragraph (4), and when a vacancy of the Vice Chairperson occurs, as the case may be.

"(d) MEETING.—

"(1) MEETINGS.—The Council shall meet not fewer than four times each year at the call of the Chairperson or Vice Chairperson.

"(2) QUORUM.—Twelve members of the Council, including six appointed under subsection (c)(2) and six appointed under subsection (c)(3), shall constitute a quorum.

"(e) COMPENSATION.—

"(1) PROHIBITION ON COMPENSATION.—Except as provided in paragraph (2), members of the Council may not receive additional pay, allowances, or benefits by reason of their service on the Council.

"(2) TRAVEL EXPENSES.—Each member shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57 of title 5.

"(f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Council, the Secretary shall provide to the Council, on a reimbursable basis, the administrative support services necessary for the Council to carry out its responsibilities under this Act.

"(g) REPORTS.—Not later than 180 days after the date on which the Council holds its initial meeting under subsection (d) and annually thereafter, the Council shall submit to the congressional defense committees a report

1 containing a detailed statement of the advice and rec-
2 ommendations of the Council pursuant to subsection (b).''.
3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 7 of title 10, United States
5 Code, is amended by inserting before the item relating to
6 section 187 the following:

''186. Diversity and Inclusion Advisory Council.''.

7 **SEC. 573. ESTABLISHMENT OF SPECIAL INSPECTOR GEN-**
8 **ERAL FOR RACIAL AND ETHNIC DISPARITIES**
9 **IN THE ARMED FORCES; AMENDMENTS TO IN-**
10 **SPECTOR GENERAL ACT.**

11 (a) SPECIAL INSPECTOR GENERAL FOR RACIAL AND
12 ETHNIC DISPARITIES IN THE ARMED FORCES.—
13 (1) PURPOSES.—The purposes of this section
14 are the following:
15 (A) To provide for the independent and ob-
16 jective conduct and supervision of audits and
17 investigations relating to racial and ethnic dis-
18 parities in military personnel and military jus-
19 tice systems, and white supremacy among mili-
20 tary personnel.
21 (B) To provide recommendations to the
22 Secretary of Defense and to Congress on ac-
23 tions necessary to eliminate racial and ethnic
24 disparities in military personnel and military
25 justice systems.

(2) OFFICE OF INSPECTOR GENERAL.—To carry out the purposes of paragraph (1), there is hereby established, in the Department of Defense, the Office of the Special Inspector General for Racial and Ethnic Disparities in the Armed Forces.

(3) APPOINTMENT OF INSPECTOR GENERAL.—

(A) NOMINATION; APPOINTMENT.—The head of the Office of the Special Inspector General for Racial and Ethnic Disparities is the Special Inspector General for Racial and Ethnic Disparities (in this section referred to as the ''Inspector General''), who shall be appointed by the President, by and with the advice and consent of the Senate.

(B) QUALIFICATIONS.—The appointment of the Inspector General shall be made solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(C) DEADLINE FOR NOMINATION.—The nomination of an individual as Inspector General shall be made not later than 90 days after the date of the enactment of this Act.

(D) COMPENSATION.—The annual rate of basic pay of the Inspector General shall be the annual rate of basic pay provided for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(E) PROHIBITION ON POLITICAL ACTIVITIES.—For purposes of section 7324 of title 5, United States Code, the Inspector General shall not be considered an employee who determines policies to be pursued by the United States in the nationwide administration of Federal law.

(F) REMOVAL.—The Inspector General shall be removable from office in accordance with the provisions of section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).

(4) ASSISTANT INSPECTORS GENERAL.—The Inspector General shall, in accordance with applicable laws and regulations governing the civil service, appoint an Assistant Inspector General for Military Justice who shall have the responsibility for auditing and investigation activities relating to racial and ethnic disparities within the military justice system.

(5) SUPERVISION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the Inspector General shall

report directly to, and be under the general supervision of the Secretary of Defense.

(B) INDEPENDENCE TO CONDUCT INVESTIGATIONS AND AUDITS.—No officer of the Department of Defense shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation related to racial and ethnic disparities or from issuing any subpoena during the course of any such audit or investigation.

(6) DUTIES.—

(A) OVERSIGHT OF MILITARY JUSTICE.—It shall be the duty of the Inspector General to conduct, supervise, and coordinate audits and investigations of—

(i) the effect of military justice policies and practices on racial and ethnic disparities, including overrepresentation of minorities in actions related to investigations, courts-martial, nonjudicial punishments, and other military justice actions as determined by the Inspector General;

(ii) the effect of military personnel policies and practices, including recruiting, accessions, and promotions, on racial and

ethnic disparities, including underrepresentation of minorities among members of the Armed Forces under the jurisdiction of the Secretary of a military department in grades above E–7;

(iii) the scope and efficacy of existing diversity and inclusion offices and programs within the Department of Defense; and

(iv) white supremacist activities among military personnel and any other issues, determined by the Inspector General, necessary to address racial and ethnic disparities within the Armed Forces under the jurisdiction of the Secretary of a military department.

(B) OTHER DUTIES RELATED TO OVERSIGHT.—The Inspector General shall establish, maintain, and oversee such systems, procedures, and controls as the Inspector General considers appropriate to discharge the duties under subparagraph (A).

(C) DUTIES AND RESPONSIBILITIES UNDER INSPECTOR GENERAL ACT OF 1978.—In addition to the duties specified in subpara-

graphs (A) and (B), the Inspector General shall also have the duties and responsibilities of inspectors general under the Inspector General Act of 1978.

(D) COORDINATION OF EFFORTS.—In carrying out the duties, responsibilities, and authorities of the Inspector General under this section, the Inspector General shall coordinate with, and receive the cooperation of each of the following:

(i) The Inspector General of the Department of Defense.

(ii) The Inspector General of the Army.

(iii) The Inspector General of the Navy.

(iv) The Inspector General of the Air Force.

(7) POWERS AND AUTHORITIES.—

(A) AUTHORITIES UNDER INSPECTOR GENERAL ACT OF 1978.—In carrying out the duties specified in paragraph (6), the Inspector General shall have the authorities provided in section 6 of the Inspector General Act of 1978.

(B) AUDIT STANDARDS.—The Inspector General shall carry out the duties specified in paragraph (6)(A) in accordance with section 4(b)(1) of the Inspector General Act of 1978.

(8) PERSONNEL, FACILITIES, AND OTHER RESOURCES.—

(A) PERSONNEL.—The Inspector General may select, appoint, and employ such officers and employees as may be necessary for carrying out the duties of the Inspector General, subject to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates.

(B) EMPLOYMENT OF EXPERTS AND CONSULTANTS.—The Inspector General may obtain services as authorized by section 3109 of title 5, United States Code, at daily rates not to exceed the equivalent rate prescribed for grade GS–15 of the General Schedule by section 5332 of such title.

(C) CONTRACTING AUTHORITY.—To the extent and in such amounts as may be provided

in advance by appropriations Acts, the Inspector General may enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Inspector General.

(D) RESOURCES.—The Secretary of Defense, as appropriate, shall provide the Inspector General with appropriate and adequate office space at appropriate locations of the Department of Defense, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of such offices, and shall provide necessary maintenance services for such offices and the equipment and facilities located therein.

(E) ASSISTANCE FROM FEDERAL AGENCIES.—

(i) IN GENERAL.—Upon request of the Inspector General for information or assistance from any department, agency, or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any

existing law, furnish such information or assistance to the Inspector General, or an authorized designee.

(ii) REPORTING OF REFUSED ASSISTANCE.—Whenever information or assistance requested by the Inspector General is, in the judgment of the Inspector General, unreasonably refused or not provided, the Inspector General shall report the circumstances to the Secretary of Defense, as appropriate, and to the appropriate congressional committees without delay.

(9) REPORTS.—

(A) QUARTERLY REPORTS.—Not later than 30 days after the end of each fiscal-year quarter, the Inspector General shall submit quarterly reports to the Secretary of Defense and the congressional defense committees summarizing the activities of the Inspector General for the previous quarter.

(B) ANNUAL REPORTS.—The Inspector General shall submit annual reports to the Secretary of Defense and the congressional defense committees presenting recommendations for changes to policy, practice, regulation, and stat-

ute to eliminate disparities within the military personnel and military justice systems and to eliminate white supremacist activities among military personnel.

(C) OCCASIONAL REPORTS.—The Inspector General shall, from time to time, submit additional reports containing findings and recommendations at the discretion of the Inspector General.

(D) ONLINE PUBLICATION.—The Inspector General shall publish each report under this paragraph on a publicly available website not later than seven days after submission to the Secretary of Defense and the congressional defense committees.

(10) FUNDING.—This section shall be carried out using not more than $10,000,000 of funds authorized to be appropriated in this Act for Operation and Maintenance, Defense-wide, and no additional amounts are authorized to be appropriated to carry out this section.

(b) AMENDMENTS TO THE INSPECTOR GENERAL ACT.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b)—

(A) by inserting ''(1)'' before ''An Inspector General'';

(B) by inserting after the first sentence the following: ''An Inspector General may only be removed by the President before the expiration of the term of the Inspector General for permanent incapacity, neglect of duty, malfeasance, conviction of a felony or conduct involving moral turpitude, knowing violation of a law, gross mismanagement, gross waste of funds, or abuse of authority.''; and

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

''(2) If an Inspector General is removed by the President under paragraph (1) fewer than 30 days after the President has communicated in writing the reasons for such removal pursuant to paragraph (1), the Inspector General shall submit to the Council of the Inspectors General on Integrity and Efficiency a report that includes the following information:

''(A) A description of the facts and circumstances of each investigation involving a senior government employee (as defined in section 5 of this Act) being conducted by that Inspector General at the time of such removal.

1 ''(B) Any other matter that the Inspector Gen-
2 eral determines to include.
3 ''(3) Any individual serving as the head of an Office
4 of Inspector General, after the removal of an Inspector
5 General under paragraph (1), shall issue to the Council
6 of the Inspectors General on Integrity and Efficiency a
7 report identifying any instances in which an investigation
8 or matter described in paragraph (2) is closed prior to
9 its completion, with a description of the reasons for closing
10 the investigation or matter.''; and
11 (2) in section 8G(e), by adding at the end the
12 following new paragraph:
13 ''(3) In the event of the removal of an Inspector Gen-
14 eral, the Council of the Inspectors General on Integrity
15 and Efficiency shall—
16 ''(A) investigate the reasons for removal pro-
17 vided by the President;
18 ''(B) publish a report including the determina-
19 tion of the Council whether the reasons described in
20 subparagraph (A) are in accordance with the rel-
21 evant provisions relating to for cause removal;
22 ''(C) review any investigation that was being
23 conducted by the Inspector General at the time of
24 such removal; and

"(D) submit, to the congressional committees the Council determine to be relevant, a report that includes the determination of the Council whether an investigation described in subparagraph (C) motivated such removal.".

SEC. 574. QUESTIONS REGARDING RACISM, ANTI-SEMITISM, AND SUPREMACISM IN WORKPLACE SURVEYS ADMINISTERED BY THE SECRETARY OF DEFENSE.

Section 593 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, in paragraph (1), by inserting ", racist, anti-Semitic, or supremacist" after "extremist".

SEC. 575. REPORT ON DEMOGRAPHICS OF OFFICERS APPOINTED TO CERTAIN GRADES.

Not later than the first October 1 to occur after the date of the enactment of this Act, and annually thereafter, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and House of Representatives a report summarizing the gender and race of each individual who received an appointment under section 531 or 601 of title 10, United States Code, during the immediately preceding fiscal year.

SEC. 576. PLANS TO INCREASE FEMALE AND MINORITY REPRESENTATION IN THE ARMED FORCES.

(a) PLANS REQUIRED.—The Secretary of Defense and each Secretary of a military department shall develop plans to increase, with respect to female and minority members of the Armed Forces under the jurisdiction of that Secretary, the following:

(1) Recruitment.

(2) Retention.

(3) Representation in grades above E–7.

(b) ELEMENTS.—Each plan developed under this section shall include clearly defined goals, performance measures, and timeframes.

(c) GOALS.—A goal under subsection (b) shall be to exceed, by not less than 100 percent, the rate at which the number of members described in subsection (a)(3) increased during the five years immediately preceding the date of the enactment of this Act.

(d) SUBMITTAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and each Secretary of a military department shall submit to the committees on Armed Services of the Senate and the House of Representatives a copy of each plan developed under this section by that Secretary.

(e) REPORT.—Three months after submitting a plan under subsection (d) and quarterly thereafter for five

years, the Secretary of Defense and each Secretary of a military department shall submit to the committees on Armed Services of the Senate and the House of Representatives a report indicating the number of female and minority members in grades above E–7 in each Armed Force under the jurisdiction of that Secretary.

SEC. 577. EVALUATION OF BARRIERS TO MINORITY PARTICIPATION IN CERTAIN UNITS OF THE ARMED FORCES.

(a) STUDY REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Under Secretary of Defense for Personnel and Readiness shall seek to enter into an agreement with a federally funded research and development center with relevant expertise to conduct an evaluation of the barriers to minority participation in covered units of the Armed Forces.

(2) ELEMENTS.—The evaluation required under paragraph (1) shall include the following elements:

(A) A description of the racial, ethnic, and gender composition of covered units.

(B) A comparison of the participation rates of minority populations in covered units to

1 participation rates of the general population as
2 members and as officers of the Armed Forces.
3 (C) A comparison of the percentage of mi-
4 nority officers in the grade of O–7 or higher
5 who have served in each covered unit to such
6 percentage for all such officers in the Armed
7 Force of that covered unit.
8 (D) An identification of barriers to minor-
9 ity participation in the accession, assessment,
10 and training processes.
11 (E) The status and effectiveness of the re-
12 sponse to the recommendations contained in the
13 report of the RAND Corporation titled ''Bar-
14 riers to Minority Participation in Special Oper-
15 ations Forces'' and any follow-up recommenda-
16 tions.
17 (F) Recommendations to increase the num-
18 bers of minority officers in the Armed Forces.
19 (G) Recommendations to increase minority
20 participation in covered units.
21 (H) Any other matters the Secretary deter-
22 mines appropriate.
23 (3) REPORT TO CONGRESS.—The Secretary
24 shall—

(A) submit to the congressional defense committees a report on the results of the study by not later than January 1, 2022; and

(B) provide interim briefings to such committees upon request.

(b) DESIGNATION.—The study conducted under subsection (a) shall be known as the ''Study on Reducing Barriers to Minority Participation in Elite Units in the Armed Services''.

(c) IMPLEMENTATION REQUIRED.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than March 1, 2023, the Secretary of Defense shall commence the implementation of each recommendation included in the final report submitted under subsection (a)(3).

(2) EXCEPTIONS.—

(A) DELAYED IMPLEMENTATION.—The Secretary of Defense may commence implementation of a recommendation described paragraph (1) later than March 1, 2023, if—

(i) the Secretary submits to the congressional defense committees, not later than January 1, 2023, written notice of the intent of the Secretary to delay implementation of the recommendation; and

(ii) includes, as part of such notice, a specific justification for the delay in implementing the recommendation.

(B) NONIMPLEMENTATION.—The Secretary of Defense may elect not to implement a recommendation described in paragraph (1), if—

(i) the Secretary submits to the congressional defense committees, not later than January 1, 2023, written notice of the intent of the Secretary not to implement the recommendation; and

(ii) includes, as part of such notice—

(I) the reasons for the Secretary's decision not to implement the recommendation; and

(II) a summary of alternative actions the Secretary will carry out to address the purposes underlying the recommendation.

(3) IMPLEMENTATION PLAN.—For each recommendation that the Secretary implements under this subsection, the Secretary shall submit to the congressional defense committees an implementation plan that includes—

(A) a summary of actions the Secretary has carried out, or intends to carry out, to implement the recommendation; and

(B) a schedule, with specific milestones, for completing the implementation of the recommendation.

(d) COVERED UNITS DEFINED.—In this section, the term ''covered units'' means the following:

(1) Army Special Forces.

(2) Army Rangers.

(3) Navy SEALs.

(4) Air Force Combat Control Teams.

(5) Air Force Pararescue.

(6) Air Force Special Reconnaissance.

(7) Marine Raider Regiments.

(8) Marine Corps Force Reconnaissance.

(9) Coast Guard Maritime Security Response Team.

(10) Any other forces designated by the Secretary of Defense as special operations forces.

(11) Pilot and navigator military occupational specialties.

Subtitle I—Decorations and Awards

SEC. 581. ESTABLISHMENT OF THE ATOMIC VETERANS SERVICE MEDAL.

(a) SERVICE MEDAL REQUIRED.—The Secretary of Defense shall design and produce a military service medal, to be known as the ''Atomic Veterans Service Medal'', to honor retired and former members of the Armed Forces who are radiation-exposed veterans (as such term is defined in section 1112(c)(3) of title 38, United States Code).

(b) DISTRIBUTION OF MEDAL.—

(1) ISSUANCE TO RETIRED AND FORMER MEMBERS.—At the request of a radiation-exposed veteran, the Secretary of Defense shall issue the Atomic Veterans Service Medal to the veteran.

(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a radiation-exposed veteran who is deceased, the Secretary may provide for issuance of the Atomic Veterans Service Medal to the next-of-kin of the person.

(3) APPLICATION.—The Secretary shall prepare and disseminate as appropriate an application by which radiation-exposed veterans and their next-of-

kin may apply to receive the Atomic Veterans Service Medal.

SEC. 582. AUTHORIZATION FOR AWARD OF THE DISTINGUISHED-SERVICE CROSS FOR RAMIRO F. OLIVO FOR ACTS OF VALOR DURING THE VIETNAM WAR.

(a) AUTHORIZATION.—Notwithstanding the time limitations specified in section 7274 of title 10, United States Code, or any other time limitation with respect to the awarding of certain medals to persons who served in the United States Armed Forces, the President of the United States is authorized to award the Distinguished-Service Cross under section 7272 of such title to Ramiro F. Olivo for the acts of valor during the Vietnam War described in subsection (b).

(b) ACTS OF VALOR DESCRIBED.—The acts of valor described in this subsection are the actions of Ramiro F. Olivo on May 9, 1968, as a member of the Army while serving in the Republic of Vietnam with Company C, 1st Battalion, 5th Cavalry Regiment, 1st Cavalry Division.

Subtitle J—Miscellaneous Reports and Other Matters

SEC. 591. EXPANSION OF DEPARTMENT OF DEFENSE STARBASE PROGRAM.

(a) IN GENERAL.—Section 2193b of title 10, United States Code, is amended—

(1) in the section heading, by striking "**science, mathematics, and technology**" and inserting "**science, technology, engineering, art and design, and mathematics**";

(2) in subsection (a), by striking "science, mathematics, and technology" and inserting "science, technology, engineering, art and design, and mathematics"; and

(3) in subsection (b), by striking "mathematics, science, and technology" and inserting "science, technology, engineering, art and design, and mathematics".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 111 of title 10, United States Code, is amended by striking the item relating to section 2193b and inserting the following new item:

"2193b. Improvement of education in technical fields: program for support of elementary and secondary education in science, technology, engineering, art and design, and mathematics.".

SEC. 592. INCLUSION OF CERTAIN OUTLYING AREAS IN THE DEPARTMENT OF DEFENSE STARBASE PROGRAM.

Section 2193b(h) of title 10, United States Code, is amended by inserting ''the Commonwealth of the Northern Mariana Islands, American Samoa,'' before ''and Guam''.

SEC. 593. PROHIBITION ON CHARGING FOR OR COUNTING CERTAIN ACRONYMS ON HEADSTONES OF INDIVIDUALS INTERRED AT ARLINGTON NATIONAL CEMETERY.

The Secretary of the Army shall prescribe regulations or establish policies that, with regards to the headstone for an individual interred at Arlington National Cemetery, prohibit the charging of a fee for, or counting towards character or line count, the following acronyms:

(1) ''KIA'' for an individual killed in action.

(2) ''MIA'' for an individual who was missing in action.

(3) ''POW'' for an individual who was a prisoner of war.

SEC. 594. REPORT ON PLACEMENT OF MEMBERS OF THE ARMED FORCES IN ACADEMIC STATUS WHO ARE VICTIMS OF SEXUAL ASSAULT ONTO NON-RATED PERIODS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the feasibility and advisability, and current practice (if any), of the Department of Defense of granting requests by members of the Armed Forces who are in academic status (whether at the military service academies or in developmental education programs) and who are victims of sexual assault to be placed on a Non-Rated Period for their performance report.

SEC. 595. SENSE OF CONGRESS REGARDING ADVERTISING RECRUITING EFFORTS.

It is the Sense of Congress that the Chiefs of the Armed Forces, in coordination with the Recruiting Commands of the Armed Forces, should give all due consideration to the use of local broadcasting and traditional news publishers when advertising.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. INCREASE IN BASIC PAY.

Effective on January 1, 2021, the rates of monthly basic pay for members of the uniformed services are increased by 3.0 percent.

SEC. 602. BASIC NEEDS ALLOWANCE FOR LOW-INCOME REGULAR MEMBERS.

(a) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 402a the following new section:

"§ 402b. Basic needs allowance for low-income regular members

"(a) ALLOWANCE REQUIRED.—(1) Subject to paragraph (2), the Secretary of Defense shall pay to each covered member a basic needs allowance in the amount determined for such member under subsection (b).

"(2) In the event a household contains two or more covered members entitled to receive the allowance under this section in a given year, only one allowance may be paid for that year to a covered member among such covered members whom such covered members shall jointly elect.

"(b) AMOUNT OF ALLOWANCE FOR A COVERED MEMBER.—(1) The amount of the monthly allowance payable to a covered member under subsection (a) for a year shall be the aggregate amount equal to—

"(A) the aggregate amount equal to—

"(i) 130 percent of the Federal poverty guidelines of the Department of Health and Human Services for the location and number of persons in the household of the covered member for such year; minus

"(ii) the gross household income of the covered member during the preceding year; and

"(B) divided by 12.

"(2) The monthly allowance payable to a covered member for a year shall be payable for each of the 12 months following March of such year.

"(c) NOTICE OF ELIGIBILITY.—(1)(A) Not later than December 31 each year, the Director of the Defense Finance and Accounting Service shall notify, in writing, each individual whom the Director estimates will be a covered member during the following year of the potential entitlement of that individual to the allowance described in subsection (a) for that following year.

"(B) The preliminary notice under subparagraph (A) shall include information regarding financial management

and assistance programs administered by the Secretary of Defense for which a covered member is eligible.

"(2) Not later than January 31 each year, each individual who seeks to receive the allowance for such year (whether or not subject to a notice for such year under paragraph (1)) shall submit to the Director such information as the Director shall require for purposes of this section in order to determine whether or not such individual is a covered member for such year.

"(3) Not later than February 28 each year, the Director shall notify, in writing, each individual the Director determines to be a covered member for such year.

"(d) ELECTION NOT TO RECEIVE ALLOWANCE.—(1) A covered member otherwise entitled to receive the allowance under subsection (a) for a year may elect, in writing, not to receive the allowance for such year. Any election under this subsection shall be effective only for the year for which made. Any election for a year under this subsection is irrevocable.

"(2) A covered member who does not submit information described in subsection (d)(2) for a year as otherwise required by that subsection shall be deemed to have elected not to receive the allowance for such year.

"(e) DEFINITIONS.—In this section:

1 ''(1) The term 'covered member' means a reg-
2 ular member of an armed force under the jurisdic-
3 tion of the Secretary of a military department—
4 ''(A) who has completed initial entry train-
5 ing;
6 ''(B) whose gross household income during
7 the most recent year did not exceed an amount
8 equal to 130 percent of the Federal poverty
9 guidelines of the Department of Health and
10 Human Services for the location and number of
11 persons in the household of the covered member
12 for such year; and
13 ''(C) who does not elect under subsection
14 (d) not to receive the allowance for such year.
15 ''(2) The term 'gross household income' of a
16 covered member for a year for purposes of para-
17 graph (1)(B) does not include any basic allowance
18 for housing received by the covered member (and
19 any dependents of the covered member in the house-
20 hold of the covered member) during such year under
21 section 403 of this title.
22 ''(f) REGULATIONS.—The Secretary of Defense shall
23 prescribe regulations for the administration of this section.
24 Subject to subsection (e)(2), such regulations shall specify
25 the income to be included in, and excluded from, the gross

household income of individuals for purposes of this section.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of such title is amended by inserting after the item relating to section 402a the following new item:

''402b. Basic needs allowance for low-income regular members.''.

SEC. 603. REORGANIZATION OF CERTAIN ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.

(a) PER DIEM FOR DUTY OUTSIDE THE CONTINENTAL UNITED STATES.—

(1) TRANSFER TO CHAPTER 7.—Section 475 of title 37, United States Code, is transferred to chapter 7 of such title, inserted after section 403b, and redesignated as section 405.

(2) REPEAL OF TERMINATION PROVISION.—Section 405 of title 37, United States Code, as added by paragraph (1), is amended by striking subsection (f).

(b) ALLOWANCE FOR FUNERAL HONORS DUTY.—

(1) TRANSFER TO CHAPTER 7.—Section 495 of title 37, United States Code, is transferred to chapter 7 of such title, inserted after section 433a, and redesignated as section 435.

(2) REPEAL OF TERMINATION PROVISION.—Section 435 of title 37, United States Code, as added by paragraph (1), is amended by striking subsection (c).

(c) CLERICAL AMENDMENTS.—

(1) CHAPTER 7.—The table of sections at the beginning of chapter 7 of title 37, United States Code, is amended—

(A) by inserting after the item relating to section 403b the following new item:

"405. Travel and transportation allowances: per diem while on duty outside the continental United States."; and

(B) by inserting after the item relating to section 433a the following new item:

"435. Funeral honors duty: allowance.".

(2) CHAPTER 8.—The table of sections at the beginning of chapter 8 of title 37, United States Code, is amended by striking the items relating to sections 475 and 495.

Subtitle B—Bonuses and Special Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN EXPIRING BONUS AND SPECIAL PAY AUTHORITIES.

(a) AUTHORITIES RELATING TO RESERVE FORCES.—Section 910(g) of title 37, United States Code, relating to income replacement payments for reserve com-

ponent members experiencing extended and frequent mobilization for active duty service, is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(b) TITLE 10 AUTHORITIES RELATING TO HEALTH CARE PROFESSIONALS.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2020'' and inserting ''December 31, 2021'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(c) AUTHORITIES RELATING TO NUCLEAR OFFICERS.—Section 333(i) of title 37, United States Code, is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(d) AUTHORITIES RELATING TO TITLE 37 CONSOLIDATED SPECIAL PAY, INCENTIVE PAY, AND BONUS AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2020'' and inserting ''December 31, 2021'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

(2) Section 332(g), relating to general bonus authority for officers.

(3) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(4) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(5) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(6) Section 351(h), relating to hazardous duty pay.

(7) Section 352(g), relating to assignment pay or special duty pay.

(8) Section 353(i), relating to skill incentive pay or proficiency bonus.

(9) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

(e) AUTHORITY TO PROVIDE TEMPORARY INCREASE IN RATES OF BASIC ALLOWANCE FOR HOUSING.—Section 403(b)(7)(E) of title 37, United States Code, is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

SEC. 612. INCREASE IN CERTAIN HAZARDOUS DUTY INCENTIVE PAY FOR MEMBERS OF THE UNIFORMED SERVICES.

Section 351(b) of title 37, United States Code, is amended by striking ''$250'' both places it appears and inserting ''$275''.

SEC. 613. STANDARDIZATION OF PAYMENT OF HAZARDOUS DUTY INCENTIVE PAY FOR MEMBERS OF THE UNIFORMED SERVICES.

(a) IN GENERAL.—Section 351(c) of title 37, United States Code, is amended to read as follows:

''(c) PAYMENT.—Hazardous duty pay shall be paid on a monthly basis.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2020, and shall apply with respect to duty performed in any month beginning on or after that date.

SEC. 614. CLARIFICATION OF 30 DAYS OF CONTINUOUS DUTY ON BOARD A SHIP REQUIRED FOR FAMILY SEPARATION ALLOWANCE FOR MEMBERS OF THE UNIFORMED SERVICES.

Section 427(a)(1)(B) of title 37, United States Code, is amended by inserting ''(or under orders to remain on board the ship while at the home port)'' after ''of the ship''.

SEC. 615. EXPANSION OF REIMBURSABLE STATE LICENSURE AND CERTIFICATION COSTS FOR A MILITARY SPOUSE ARISING FROM RELOCATION.

Section 476(p)(5) of title 37, United States Code, is amended in the matter preceding subparagraph (A), by striking ''and'' and inserting ''fees, continuing education courses, and''.

Subtitle C—Family and Survivor Benefits

SEC. 621. EXPANSION OF AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE TO CIVILIAN PROVIDERS OF CHILD CARE SERVICES OR YOUTH PROGRAM SERVICES FOR SURVIVORS OF MEMBERS OF THE ARMED FORCES WHO DIE IN THE LINE OF DUTY.

Section 1798(a) of title 10, United States Code, is amended by striking ''in combat-related incidents''.

SEC. 622. EXPANSION OF DEATH GRATUITY FOR ROTC GRADUATES.

Section 623(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''the date of the enactment of this Act'' and inserting ''May 1, 2017''.

SEC. 623. RECALCULATION OF FINANCIAL ASSISTANCE FOR PROVIDERS OF CHILD CARE SERVICES AND YOUTH PROGRAM SERVICES FOR DEPENDENTS.

(a) IN GENERAL.—Not later than July 1, 2021, the Secretary of Defense shall develop a method by which to determine appropriate amounts of financial assistance under section 1798 of title 10, United States Code. In such development, the Secretary shall take into consideration the following:

(1) Grades of members of the Armed Forces.

(2) The cost of living in an applicable locale.

(3) Whether a military installation has a military child development center, including any wait list length.

(4) Whether a military child development center has vacant child care employee positions.

(5) The capacity of licensed civilian child care providers in an applicable locale.

(6) The average cost of licensed civilian child care services available in an applicable locale.

(b) REPORT.—Not later than August 1, 2021, the Secretary shall submit a report the Committees on Armed Services of the Senate and the House of Representatives on the method developed under this section.

(c) DEFINITIONS.—In this section, the terms ''child care employee'' and ''military child development center'' have the meanings given those terms in section 1800 of title 10, United States Code.

SEC. 624. PRIORITY FOR CERTAIN MILITARY FAMILY HOUSING TO A MEMBER OF THE ARMED FORCES WHOSE SPOUSE AGREES TO PROVIDE FAMILY HOME DAY CARE SERVICES.

(a) PRIORITY.—If the Secretary of a military department determines that not enough child care employees are employed at a military child development center on a military installation under the jurisdiction of that Secretary to adequately care for the children of members of the Armed Forces stationed at that military installation, the Secretary, to the extent practicable, may give priority for covered military family housing to a member whose spouse is an eligible military spouse.

(b) NUMBER OF PRIORITY POSITIONS.—A Secretary of a military department may grant priority under subsection (a) only to the minimum number of eligible military spouses that the Secretary determines necessary to provide adequate child care to the children of members stationed at a military installation described in subsection (a).

(c) LIMITATION.—Nothing in this section may be construed to require the Secretary of a military department to provide covered military family housing that has been adapted for disabled individuals to a member under this section instead of to a member with one more dependents enrolled in the Exceptional Family Member Program.

(d) RESULT OF FAILURE TO PROVIDE FAMILY HOME DAY CARE SERVICES OR LOSS OF ELIGIBILITY.—The Secretary of the military department concerned may remove a household provided covered military family housing under this section therefrom if the Secretary determines the spouse of that member has failed to abide by an agreement described in subsection (e)(3) or has ceased to be an eligible military spouse. Such removal may not occur sooner than 60 days after the date of such determination.

(e) DEFINITIONS.—In this section:

(1) The terms ''child care employee'', ''family home day care'', and ''military child development center'' have the meanings given those terms in section 1800 of title 10, United States Code.

(2) The term ''covered military family housing'' means military family housing—

(A) located on a military installation described in subsection (a); and

(B) that the Secretary of the military department concerned determines is large enough to provide family home day care services to no fewer than six children (not including children in the household of the eligible military spouse).

(3) The term ''eligible military spouse'' means a military spouse who—

(A) is eligible for military family housing;

(B) is eligible to provide family home day care services;

(C) has provided family home day care services for at least one year; and

(D) agrees in writing to provide family home day care services in covered military family housing for a period determined by the Secretary of the military department concerned.

SEC. 625. STUDY ON FEASIBILITY OF TSP CONTRIBUTIONS BY MILITARY SPOUSES.

(a) STUDY REQUIRED.—The Secretary of Defense shall conduct a study on potential enhancements to the military Thrift Savings Plan administered by the Federal Retirement Thrift Investment Board.

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

(1) An evaluation of the effect of allowing military spouses to contribute or make eligible retirement account transfers to the military Thrift Savings Plan account of the member of the Armed Forces to whom that military spouse in married.

(2) Legislation the Secretary determines necessary to permit contributions and transfers described in paragraph (1).

(3) An evaluation of whether and to what extent employer-funded matching of contributions described in paragraph (1) may encourage further participation in the military Thrift Savings Plan.

(c) REPORTING.—

(1) INITIAL REPORT.—Not later than February 1, 2021, the Secretary of Defense shall submit to the Federal Retirement Thrift Investment Board a report on the results of the study under subsection (a).

(2) ANALYSIS.—Not later than 60 days after receiving the report under paragraph (1), the Federal Thrift Savings Retirement Board shall analyze the report under paragraph (1), generate recommendations and comments it determines appropriate, and submit such analysis, recommendations, and comments to the Secretary.

(3) FINAL REPORT.—Not later than April 1, 2021, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives the report under paragraph (1) and the analysis, recommendations, and comments under paragraph (2).

Subtitle D—Defense Resale Matters

SEC. 631 . BASE RESPONDERS ESSENTIAL NEEDS AND DINING ACCESS.

(a) IN GENERAL.—Chapter 54 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1066. Use of commissary stores and MWR facilities: protective services civilian employees

"(a) ELIGIBILITY OF PROTECTIVE SERVICES CIVILIAN EMPLOYEES.—An individual employed as a protective services civilian employee at a military installation shall be permitted to purchase food and hygiene items at a commissary store or MWR retail facility located on that military installation.

"(b) USER FEE AUTHORITY.—(1) The Secretary of Defense shall prescribe regulations that impose a user fee on individuals who are eligible solely under this section to purchase merchandise at a commissary store or MWR retail facility.

"(2) The Secretary shall set the user fee under this subsection at a rate that the Secretary determines will offset any increase in expenses arising from this section borne by the Department of the Treasury on behalf of commissary stores associated with the use of credit or debit cards for customer purchases, including expenses related to card network use and related transaction processing fees.

"(3) The Secretary shall deposit funds collected pursuant to a user fee under this subsection in the General Fund of the Treasury.

"(4) Any fee under this subsection is in addition to the uniform surcharge under section 2484(d) of this title.

"(c) DEFINITIONS.—In this section:

"(1) The term 'MWR retail facility' has the meaning given that term in section 1063 of this title.

"(2) The term 'protective services civilian employee' means a position in any of the following series (or successor classifications) of the General Schedule:

"(A) Security Administration (GS–0080).

"(B) Fire Protection and Prevention (GS–0081).

"(C) Police (GS–0083).

"(D) Security Guard (GS–0085).

"(E) Emergency Management (GS–0089).".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 54 of title 10, United States Code, is amended by adding at the end the following new item:

"1066. Use of commissary stores and MWR facilities: protective services civilian employees.".

SEC. 632. FIRST RESPONDER ACCESS TO MOBILE EXCHANGES.

Section 1146 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(d) EMERGENCY RESPONSE PROVIDERS DURING A DECLARED MAJOR DISASTER OR EMERGENCY.—The Secretary of Defense shall prescribe regulations to allow an emergency response provider (as that term is defined in section 2 of the Homeland Security Act of 2002 (Public Law 107–296; 6 U.S.C. 101)) to use a mobile commissary or exchange store deployed to an area covered by a declaration of a major disaster or emergency under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).".

SEC. 633. UPDATED BUSINESS CASE ANALYSIS FOR CONSOLIDATION OF THE DEFENSE RESALE SYSTEM.

(a) IN GENERAL.—Not later than March 1, 2021, the Chief Management Officer of the Department of Defense, in coordination with the Undersecretary of Defense for Personnel and Readiness, shall update the study titled ''Study to Determine the Feasibility of Consolidation of the Defense Resale Entities'' and dated December 4, 2018, to include a new business case analysis that—

(1) establishes new baselines for—

(A) savings from the costs of goods sold;

(B) costs of new information technology required for such consolidation; and

(C) costs of headquarters relocation arising from such consolidation; and

(2) addresses each recommendation for executive action in the Government Accountability Office report GAO–20–418SU.

(b) REVIEW AND COMMENT.—Not later than April 1, 2021, the Secretary of Defense shall make the updated business case analysis (in this section referred to as the ''updated BCA'') available to the Secretaries of the military departments for comment.

(c) SUBMITTAL TO CONGRESSIONAL COMMITTEES.—Not later than June 1, 2021, the Secretary of Defense

shall make any comments made under subsection (b) and the updated BCA available to the Committees on Armed Services of the Senate and the House of Representatives.

(d) DELAY OF CONSOLIDATION.—The Secretary of Defense may not take any action to consolidate military exchanges and commissaries until the Committees on Armed Services of the Senate and the House of Representatives notify the Secretary in writing of receipt and acceptance of the updated BCA.

Subtitle E—Other Personnel Benefits

SEC. 641. MAINTENANCE OF FUNDING FOR STARS AND STRIPES.

(a) FUNDING.—

(1) OPERATION AND MAINTENANCE.—Of the amounts authorized to be appropriated for fiscal year 2021 in Division D of this Act and available for operations and maintenance for Defense-wide activities as specified in the funding table in section 4301 of this Act, $9,000,000 shall be made available for the purpose of maintaining the operations and publication of Stars and Stripes.

(2) CONTINGENCY OPERATIONS.—Of the amounts authorized to be appropriated for fiscal year 2021 in Division D of this Act and available for

overseas contingency operations for Defense-wide activities as specified in the funding tables in section 4301 of this Act, $6,000,000 shall be made available for the purpose of maintaining the operations and publication of Stars and Stripes

(b) REPORT ON BUSINESS CASE ANALYSIS.—Not later than March 1, 2021, the Secretary of Defense, in coordination with the editor of Stars and Stripes, shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives detailing the business case analysis for various options for Stars and Stripes. The report shall contain the following elements:

(1) An analysis of the pros and cons of, and business case for, continuing the operation and publication of Stars and Stripes at its current levels, including other options for the independent reporting currently provided, especially in a deployed environment.

(2) An analysis of the modes of communication used by Stars and Stripes.

(3) An analysis of potential reduced operations of Stars and Stripes.

(4) An analysis of the operation of Stars and Stripes solely as a non-appropriated entity.

(5) An analysis of operating Stars and Stripes as a category B morale, welfare, and recreation entity.

(6) An assessment of the value of the availability of Stars and Stripes (in print or an electronic version) to deployed or overseas members of the Armed Forces.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. EXPANSION OF MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES.

Section 1074m of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) MENTAL HEALTH ASSESSMENTS FOR PARTICIPATION IN CERTAIN ACTIVITIES.—(1) The Secretary shall provide to a member described in paragraph (2) mental health assessments under this section in a frequency and schedule that the Secretary determines to be as similar as practicable to the frequency and schedule for such assessments under subsection (a)(1).

''(2) A member described in this paragraph is a member who, while not deployed in support of a contingency

operation, participated in warfighting activities that had a direct and immediate impact on a combat operation or other military operation.''.

SEC. 702. MANDATORY REFERRAL FOR MENTAL HEALTH EVALUATION.

Section 1090a of title 10, United States Code, is amended—

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

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

''(e) PROCESS APPLICABLE TO MEMBER DISCLOSURE.—The regulations required by subsection (a) shall—

''(1) establish a phrase that enables a member of the armed forces to trigger a referral of the member by a commanding officer or supervisor for a mental health evaluation;

''(2) require a commanding officer or supervisor to make such referral as soon as practicable following disclosure by the member to the commanding officer or supervisor of the phrase established under paragraph (1); and

''(3) ensure that the process protects the confidentiality of the member in a manner similar to the confidentiality provided for members making re-

stricted reports under section 1565b(b) of this title.''.

SEC. 703. ASSESSMENTS AND TESTING RELATING TO EXPOSURE TO PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES.

(a) PERIODIC HEALTH ASSESSMENT.—The Secretary of Defense shall ensure that any periodic health assessment provided to a member of the Armed Forces includes an evaluation of whether the member has been—

(1) based or stationed at a military installation identified by the Department of Defense as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

(2) exposed to such substances, including by evaluating any information in the health record of the member.

(b) SEPARATION HISTORY AND PHYSICAL EXAMINATIONS.—Section 1145(a)(5) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The Secretary concerned shall ensure that each physical examination of a member under subparagraph (A) includes an assessment of whether the member was—

"(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

"(ii) exposed to such substances, including by assessing any information in the health record of the member.".

(c) DEPLOYMENT ASSESSMENTS.—Section 1074f(b)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

"(E) An assessment of whether the member was—

"(i) based or stationed at a military installation identified by the Department as a location with a known or suspected release of perfluoroalkyl substances or polyfluoroalkyl substances during the period in which the member was based or stationed at the military installation; or

"(ii) exposed to such substances, including by assessing any information in the health record of the member.".

(d) PROVISION OF BLOOD TESTING.—

(1) MEMBERS OF THE ARMED FORCES.—

(A) IN GENERAL.—If a covered evaluation of a member of the Armed Forces results in a positive determination of potential exposure to perfluoroalkyl substances or polyfluoroalkyl substances, the Secretary of Defense shall provide to that member, during that covered evaluation, blood testing to determine and document potential exposure to such substances.

(B) INCLUSION IN HEALTH RECORD.—The results of blood testing of a member of the Armed Forces conducted under subparagraph (A) shall be included in the health record of the member.

(2) COVERED EVALUATION DEFINED.—In this subsection, the term ''covered evaluation'' means—

(A) a periodic health assessment conducted in accordance with subsection (a);

(B) a separation history and physical examination conducted under section 1145(a)(5) of title 10, United States Code, as amended by subsection (b); and

(C) a deployment assessment conducted under section 1074f(b)(2) of such title, as amended by subsection (c).

SEC. 704. IMPROVEMENT TO BREAST CANCER SCREENING.

Section 1074d(b)(2) of title 10, United States Code, is amended by inserting before the period at the end the following: ", including through the use of digital breast tomosynthesis".

Subtitle B—Health Care Administration

SEC. 711. PROTECTION OF THE ARMED FORCES FROM INFECTIOUS DISEASES.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073d the following new section:

"§ 1073e. Protection of armed forces from infectious diseases

"(a) PROTECTION.—The Secretary of Defense shall ensure that the armed forces have the diagnostic equipment, testing capabilities, and personal protective equipment necessary to protect members of the armed forces from the threat of infectious diseases and to treat members who contract infectious diseases.

"(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall ensure the following:

"(1) Each military medical treatment facility has the testing capabilities described in such subsection.

"(2) Each deployed naval vessel has the testing capabilities described in such subsection.

"(3) Members of the armed forces deployed in support of a contingency operation outside of the United States have access to the testing capabilities described in such subsection, including at field hospitals, combat support hospitals, field medical stations, and expeditionary medical facilities.

"(4) The Department of Defense maintains a stock of personal protective equipment in a quantity sufficient for each member of the armed forces, including the reserve components thereof.

"(c) RESEARCH AND DEVELOPMENT.—(1) The Secretary shall include with the defense budget materials (as defined by section 231(f) of this title) for a fiscal year a plan to research and develop vaccines for infectious diseases.

"(2) The Secretary shall ensure that the medical laboratories of the Department of Defense are equipped with the technology needed to facilitate rapid research in the case of a pandemic.".

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such chapter is amended by inserting after the item relating to section 1073d the following new item:

"1073e. Protection of armed forces from infectious diseases.".

SEC. 712. INCLUSION OF DRUGS, BIOLOGICAL PRODUCTS, AND CRITICAL MEDICAL SUPPLIES IN NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) NATIONAL SECURITY STRATEGY FOR NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 2501(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(11) Providing for the provision of drugs, biological products, vaccines, and critical medical supplies (including personal protective equipment, diagnostic and testing capabilities, and lifesaving breathing apparatuses required for the treatment of severe respiratory illness and respiratory distress) required to enable combat readiness and protect the health of the armed forces.".

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of Health and Human Services, the Commissioner of Food and Drugs, and the heads of other departments and agencies of the Federal Government that the Secretary of Defense determines appropriate, shall submit to the appropriate congressional committees a report on vulnerabilities to the drugs, bio-

logical products, vaccines, and critical medical supplies of the Department of Defense.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include—

(A) an identification and origin of any finished drugs, as identified by the Secretary of Defense, and the essential components of such drugs, including raw materials, chemical components, and active pharmaceutical ingredients that are necessary for the manufacture of such drugs, whose supply is at risk of disruption during a time of war or national emergency;

(B) an identification of shortages of finished drugs, biological products, vaccines, and critical medical supplies essential for combat readiness and the protection of the health of the Armed Forces, as identified by the Secretary of Defense;

(C) an identification of the defense and geopolitical contingencies that are sufficiently likely to arise that may lead to the discontinuance, interruption or meaningful disruption in the supply of a drug, biological product, vaccine, or critical medical supply, and recommendations regarding actions the Secretary

of Defense should take to reasonably prepare for the occurrence of such contingencies;

(D) an assessment conducted by the Secretary of Defense of the resilience and capacity of the current supply chain and industrial base to support national defense upon the occurrence of the contingencies identified in subparagraph (C), including with respect to—

(i) the manufacturing capacity of the United States;

(ii) gaps in domestic manufacturing capabilities, including non-existent, extinct, threatened, and single-point-of-failure capabilities; and

(iii) supply chains with single points of failure and limited resiliency; and

(E) recommendations to enhance and strengthen the surge requirements and readiness contracts of the Department of Defense to ensure the sufficiency of the stockpile of the Department of, and the ready access by the Department to, critical medical supplies, pharmaceuticals, vaccines, counter-measure prophylaxis, and personal protective equipment, including with respect to the effectiveness of the the-

ater lead agent for medical materiel program in support of the combatant commands.

(3) FORM.—The report under paragraph (1) shall be submitted in classified form.

(4) DEFINITIONS.—In this subsection:

(A) The term ''appropriate congressional committees'' means the following:

(i) The congressional defense committees.

(ii) The Committee on Energy and Commerce and the Committee on Homeland Security of the House of Representatives.

(iii) The Committee on Health, Education, Labor, and Pensions and the Committee on Homeland Security and Governmental Affairs of the Senate.

(B) The term ''critical medical equipment'' includes personal protective equipment, diagnostic tests, testing supplies, and lifesaving breathing apparatuses required to treat severe respiratory illnesses and distress.

SEC. 713. CONTRACT AUTHORITY OF THE UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

Section 2113(g)(1) of title 10, United States Code, is amended—

(1) in subparagraph (E), by striking ''and'' at the end;

(2) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

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

''(G) notwithstanding section 2304(k) of this title, to enter into such contracts, cooperative agreements, or grants on a sole-source basis pursuant to section 2304(c)(5) of this title.''.

SEC. 714. EXTENSION OF ORGANIZATION REQUIREMENTS FOR DEFENSE HEALTH AGENCY.

Section 1073c(e) of title 10, United States Code, is amended by striking ''September 30, 2022'' and inserting ''September 30, 2025''.

SEC. 715. MODIFICATION TO LIMITATION ON THE REALIGNMENT OR REDUCTION OF MILITARY MEDICAL MANNING END STRENGTH.

Section 719 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1454) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking ''may not realign or reduce military medical end strength authorizations until'' and inserting the following: ''may not realign or reduce military medical end strength authorizations during the one-year period following the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and after such period, may not realign or reduce such authorizations unless''; and

(2) in subsection (b)(1), by inserting before the period at the end the following: '', including with respect to both the homeland defense mission and pandemic influenza''.

SEC. 716. MODIFICATIONS TO IMPLEMENTATION PLAN FOR RESTRUCTURE OR REALIGNMENT OF MILITARY MEDICAL TREATMENT FACILITIES.

Section 703(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2199) is amended—

(1) in paragraph (2), by striking subparagraph (D) and inserting the following new subparagraph:

"(D) A description of how the Secretary will carry out subsection (b), including with respect to—

"(i) the standards required for health care providers to accept and transition covered beneficiaries to the purchased care component of the TRICARE program;

"(ii) a method to monitor and report on quality benchmarks for the beneficiary population that is required to transition to such component of the TRICARE program; and

"(iii) a process by which the Defense Health Agency will ensure that such component of the TRICARE program has the required capacity."; and

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

"(4) NOTICE AND WAIT.—The Secretary may not implement the plan under paragraph (1) unless—

"(A) the Secretary has submitted the plan to the congressional defense committees; and

"(B) a one-year period elapses following the later of the date of such submission or the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.".

SEC. 717. POLICY TO ADDRESS OPIOID PRESCRIPTION ABUSE PREVENTION.

(a) REQUIREMENT.—The Secretary of Defense shall develop a policy and tracking mechanism for opioids that monitors and prohibits the over prescribing of opioids to ensure compliance with clinical practice guidelines.

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

(1) Limit the prescribing of opioids to the morphine milligram equivalent level per day specified in the guideline published by the Centers for Disease Control and Prevention titled "CDC Guideline for Prescribing Opioids for Chronic Pain—United States, 2016", or such successor guideline.

(2) Limit the supply of opioids to within clinically accepted guidelines.

(3) Develop a waiver process for specific patient categories that will require treatment beyond the limit specified in paragraph (1).

(4) Implement controls to ensure that the prescriptions in the military health system data reposi-

tory exist and that the dispense date and the metric quantity field for opioid prescriptions in liquid form are consistent among all systems.

(5) Implement opioid prescribing controls within the electronic health record system known as ''Genesis''.

(6) Develop metrics that can be used by the Defense Health Agency and each military medical treatment facility to actively monitor and limit the over prescribing of opioids.

(7) Develop a report that tracks progression toward reduced levels of opioid use.

SEC. 718. ADDITION OF BURN PIT REGISTRATION TO ELECTRONIC HEALTH RECORDS OF MEMBERS OF THE ARMED FORCES AND VETERANS.

(a) UPDATES TO ELECTRONIC HEALTH RECORDS.—Beginning not later than one year after the date of the enactment of this Act—

(1) the Secretary of Defense shall ensure that the electronic health record maintained by such Secretary of a member of the Armed Forces registered with the burn pit registry is updated with any information contained in such registry; and

(2) the Secretary of Veterans Affairs shall ensure that the electronic health record maintained by

such Secretary of a veteran registered with the burn pit registry is updated with any information contained in such registry.

(b) BURN PIT REGISTRY DEFINED.—In this section, the term ''burn pit registry'' means the registry established under section 201 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 38 U.S.C. 527 note).

Subtitle C—Matters Relating to COVID–19

SEC. 721. COVID–19 MILITARY HEALTH SYSTEM REVIEW PANEL.

(a) ESTABLISHMENT.—The Secretary of Defense shall establish a panel to be known as the ''COVID–19 Military Health System Review Panel'' (in this section referred to as the ''panel'').

(b) COMPOSITION.—

(1) MEMBERS.—The panel shall be composed of the following members:

(A) The President of the Uniformed Services University of the Health Sciences.

(B) The Director of the Defense Health Agency.

(C) The Surgeon General of the Army.

(D) The Surgeon General of the Navy.

(E) The Surgeon General of the Air Force.

(F) The Joint Staff Surgeon.

(G) The Deputy Assistant Secretary of Defense for Health Readiness Policy and Oversight.

(H) The Deputy Assistant Secretary of Defense for Health Resources Management and Policy.

(2) CHAIRPERSON.—The chairperson of the panel shall be the President of the Uniformed Services University of the Health Sciences.

(3) TERMS.—Each member shall be appointed for the life of the panel.

(c) DUTIES.—

(1) IN GENERAL.—The panel shall—

(A) review the response of the military health system to the coronavirus disease 2019 (COVID–19) and the effects of COVID–19 on such system, including by analyzing any strengths or weaknesses of such system identified as a result COVID–19; and

(B) using information from the review, make such recommendations as the panel considers appropriate with respect to any policy, practice, organization, manning level, funding

level, or legislative authority relating to the military health system.

(2) ELEMENTS OF REVIEW.—In conducting the review under paragraph (1), each member of the panel shall lead a review of at least one of the following elements, with respect to the military health system:

(A) Policy, including any policy relating to force health protection or medical standards for the appointment, enlistment, or induction of individuals into the Armed Forces.

(B) Public health activities, including any activity relating to risk communication, surveillance, or contact tracing.

(C) Research, diagnostics, and therapeutics.

(D) Logistics and technology.

(E) Force structure and manning.

(F) Governance and organization.

(G) Operational capabilities and operational support.

(H) Education and training.

(I) Health benefits under the TRICARE program.

(J) Engagement and security activities relating to global health.

(K) The financial impact of COVID–19 on the military health system.

(d) REPORT.—Not later than June 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report that includes the findings of the panel as a result of the review under subsection (c)(1)(A), together with such recommendations as the panel considers appropriate under subsection (c)(1)(B).

(e) TERMINATION.—The panel shall terminate on June 1, 2021.

SEC. 722. COVID–19 GLOBAL WAR ON PANDEMICS.

(a) STRATEGY.—The Secretary of Defense shall develop a strategy for pandemic preparedness and response that includes the following:

(1) Identification of activities necessary to be carried out prior to a pandemic to ensure preparedness and effective communication of roles and responsibilities within the Department of Defense, including—

(A) reviewing the frequency of each exercise conducted by the Department or a military department that relates to a pandemic or severe

influenza season or related force health protection;

(B) ensuring such exercises are appropriately planned, resourced, and practiced;

(C) including a consideration of the capabilities and capacities necessary to carry out the strategy under this section, and related operations for force health protection, and ensuring that these are included in each cost evaluation, Defense-wide review, or manning assessment of the Department of Defense that affects such capabilities and capacities;

(D) reviewing the placement, exploring broader utilization of global health engagement liaisons, and increasing the scope of global health activities of the Department of Defense;

(E) assessing a potential career track relating to health protection research for members of the Armed Forces and civilian employees of the Department of Defense;

(F) providing to members of the Armed Forces guidance on force health protection prior to and during a pandemic or severe influenza season, including guidance on specific behaviors or actions required, such as self-isolating, social

1 distancing, and additional protective measures
2 to be carried out after contracting a novel virus
3 or influenza;
4 (G) reviewing and updating the inventory
5 of medical supplies and equipment of the De-
6 partment of Defense that is available for oper-
7 ational support to the combatant commands
8 prior to and during a pandemic (such as vac-
9 cines, biologics, drugs, preventive medicine,
10 antiviral medicine, and equipment relating to
11 trauma support), including a review of—
12 (i) the sufficiency of prepositioned
13 stocks; and
14 (ii) the effectiveness of the
15 Warstopper Program of the Defense Logis-
16 tics Agency, or such successor program;
17 (H) reviewing and updating distribution
18 plans of the Department of Defense for critical
19 medical supplies and equipment within the in-
20 ventory of the Department of Defense, includ-
21 ing vaccines and antiviral medicines; and
22 (I) reviewing and updating research on in-
23 fectious diseases and preventive medicine con-
24 ducted by the military health system, including
25 research conducted by the Health Related Com-

1 munities of Interest of the Department of De-
2 fense, the Joint Program Committees, the over-
3 seas medical laboratories of the Department of
4 Defense, the Armed Forces Health Surveillance
5 Branch, or other elements of the Department of
6 Defense that conduct research in support of
7 members of the Armed Forces or beneficiaries
8 under the TRICARE program.
9 (2) Review of Department of Defense systems
10 for health surveillance and detection to ensure con-
11 tinuous situational awareness and early warning
12 with respect to a pandemic, including a review of—
13 (A) the levels of funding and investment,
14 and the overall value, of the Global Emerging
15 Infections Surveillance and Response System of
16 the Department of Defense, including the value
17 demonstrated by the role of such system in—
18 (i) improving the Department of De-
19 fense prevention and surveillance of, and
20 the response to, infectious diseases that
21 may impact members of the Armed Forces;
22 (ii) informing decisions relating to
23 force health protection across the geo-
24 graphic combatant commands;

(iii) ensuring laboratory readiness to support pandemic response efforts and to understand infectious disease threats to the Armed Forces; and

(iv) coordinating and collaborating with partners, such as the geographic combatant commands, other Federal agencies, and international partners;

(B) the levels of funding and investment, and the overall value, of the overseas medical laboratories of the Department of Defense, including the value demonstrated by the role of such laboratories in conducting research and forming partnerships with other elements of the Department of Defense, other Federal agencies, international partners in the country in which such laboratory is located, and, as applicable, the private sector of the United States; and

(C) the levels of funding and investment, and the overall value, of the Direct HIV/AIDS Prevention Program of the Department of Defense, including the value demonstrated by the role of such program in developing (in coordination with other Federal agencies) programs for the prevention, care, and treatment of the

human immunodeficiency virus infection and acquired immune deficiency syndrome.

(3) Identification of activities to limit the spread of an infectious disease outbreak among members of the Armed Forces and beneficiaries under the TRICARE program, including activities to mitigate the health, social, and economic impacts of a pandemic on such members and beneficiaries, including by—

(A) reviewing the role of the Department of Defense in the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) and implementing plans across the Department that leverage medical facilities, personnel, and response capabilities of the Federal Government to support requirements under such Act relating to medical surge capacity;

(B) determining the range of public health capacity, medical surge capacity, administrative capacity, and veterinary capacity necessary for the Armed Forces to—

(i) support operations during a pandemic; and

(ii) develop mechanisms to reshape force structure during such pandemic as necessary (contingent upon primary mission requirements); and

(C) determining the range of activities for operational medical support and infrastructure sustainment that the Department of Defense and other Federal agencies have the capacity to implement during a pandemic (contingent upon primary mission requirements), and develop plans for the implementation of such activities.

(b) STUDY ON RESPONSE TO COVID–19.—The Secretary shall conduct a study on the response of the military health system to the coronavirus disease 2019 (COVID–19).

(c) REPORT.—Not later than June 1, 2021, the Secretary shall submit to the congressional defense committees a report containing—

(1) the strategy under subsection (a); and

(2) the study under subsection (b), including any findings or recommendations from the study that relate to an element of the strategy under subsection (a), such as recommended changes to policy, funding, practices, manning, organization, or legislative authority.

SEC. 723. REGISTRY OF TRICARE BENEFICIARIES DIAGNOSED WITH COVID–19.

(a) ESTABLISHMENT.—Not later than June 1, 2021, the Secretary of Defense shall establish and maintain a registry of TRICARE beneficiaries who have been diagnosed with COVID–19.

(b) CONTENTS.—The registry under subsection (a) shall include, with respect to each TRICARE beneficiary included in the registry, the following:

(1) The demographic information of the beneficiary.

(2) Information on the industrial or occupational history of the beneficiary, to the extent such information is available in the records regarding the COVID–19 diagnosis of the beneficiary.

(3) Administrative information regarding the COVID–19 diagnosis of the beneficiary, including the date of the diagnosis and the location and source of the test used to make the diagnosis.

(4) Any symptoms of COVID–19 manifested in the beneficiary.

(5) Any treatments for COVID–19 taken by the beneficiary, or other medications taken by the beneficiary, when the beneficiary was diagnosed with COVID–19.

(6) Any pathological data characterizing the incidence of COVID–19 and the type of treatment for COVID–19 provided to the beneficiary.

(7) Any other information determined appropriate by the Secretary.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on establishing the registry under subsection (a), including—

(1) a plan to implement the registry;

(2) the cost of implementing the registry;

(3) the location of the registry; and

(4) any recommended legislative changes with respect to establishing the registry.

(d) TRICARE BENEFICIARY DEFINED.—In this section, the term ''TRICARE beneficiary'' means the following:

(1) An individual covered by section 1074(a) of title 10, United States Code.

(2) A covered beneficiary (as defined in section 1072 of title 10, United States Code).

Subtitle D—Reports and Other Matters

SEC. 731. MODIFICATIONS TO PILOT PROGRAM ON CIVILIAN AND MILITARY PARTNERSHIPS TO ENHANCE INTEROPERABILITY AND MEDICAL SURGE CAPABILITY AND CAPACITY OF NATIONAL DISASTER MEDICAL SYSTEM.

Section 740 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (a)—

(A) by striking ''The Secretary of Defense may'' and inserting ''Beginning not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary of Defense shall''; and

(B) by striking ''and the Secretary of Transportation'' and inserting ''the Secretary of Transportation, and the Administrator of the Federal Emergency Management Agency'';

(2) in subsection (d), by striking ''and the Secretary of Transportation'' and inserting ''the Secretary of Transportation, and the Administrator of the Federal Emergency Management Agency''; and

(3) in subsection (f)—

(A) by striking ''the Committees on Armed Services of the Senate and the House of Representatives'' each place it appears and inserting ''the appropriate congressional committees'';

(B) in paragraph (1)(B)(i), by inserting before the period the following: '', including a recommendation for at least one of the locations selected under subsection (c)''; and

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

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means the following:

''(A) The Committee on Armed Services, the Committee on Transportation and Infrastructure, the Committee on Veterans' Affairs, the Committee on Homeland Security, and the Committee on Energy and Commerce of the House of Representatives.

''(B) The Committee on Armed Services, the Committee on Commerce, Science, and Transportation, the Committee on Veterans' Affairs, the Committee on Homeland Security and Governmental Affairs, and the Committee on

Health, Education, Labor, and Pensions of the Senate.''.

SEC. 732. REPORTS ON SUICIDE AMONG MEMBERS OF THE ARMED FORCES AND SUICIDE PREVENTION PROGRAMS AND ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

Section 741(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1467) is amended—

(1) in subparagraph (B), by adding at the end the following new clause:

''(iii) The one-year period following the date on which the member returns from such a deployment.'';

(2) by redesignating subparagraphs (D) through (H) as subparagraphs (E) through (I), respectively;

(3) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) The number of suicides involving a member who was prescribed a medication to treat a mental health or behavioral health diagnosis during the one-year period preceding the death.''; and

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

"(J) A description of the programs carried out by the military departments to address and reduce the stigma associated with seeking assistance for mental health or suicidal thoughts.".

SEC. 733. CLARIFICATION OF RESEARCH UNDER JOINT TRAUMA EDUCATION AND TRAINING DIRECTORATE AND INCLUSION OF MILITARY WORKING DOGS.

(a) IN GENERAL.—Subsection (b) of section 708 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1071 note) is amended—

(1) in paragraph (7), by striking "of members of the Armed Forces" and inserting "with respect to both members of the Armed Forces and military working dogs"; and

(2) by striking paragraph (9) and inserting the following new paragraph:

"(9) To inform and advise the conduct of research on the leading causes of morbidity and mortality of members of the Armed Forces and military working dogs in combat.".

(b) VETERINARIANS IN PERSONNEL MANAGEMENT PLAN.—Subsection (d)(1) of such section is amended—

(1) by redesignating subparagraph (F) as subparagraph (G); and

(2) by inserting after subparagraph (E) the following new subparagraph:

"(F) Veterinary care.".

SEC. 734. EXTENSION OF THE JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION PROJECT.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2567), as most recently amended by section 732 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking "September 30, 2021" and inserting "September 30, 2023".

SEC. 735. INFORMATION SHARING BY SECRETARY OF DEFENSE REGARDING PREVENTION OF INFANT AND MATERNAL MORTALITY.

(a) AUTHORIZATION OF INFORMATION SHARING.—The Secretary of Defense may enter into memoranda of understanding with State and local health authorities to share the practices of, and lessons learned by, the military

health system for the prevention of infant and maternal mortality.

(b) STATE DEFINED.—In this section, the term ''State'' means each State, the District of Columbia, each commonwealth, territory or possession of the United States, and each federally recognized Indian Tribe.

SEC. 736. GRANT PROGRAM FOR INCREASED COOPERATION ON POST-TRAUMATIC STRESS DISORDER RESEARCH BETWEEN UNITED STATES AND ISRAEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense, acting through the Psychological Health and Traumatic Brain Injury Research Program, should seek to explore scientific collaboration between American academic institutions and non-profit research entities, and Israeli institutions with expertise in researching, diagnosing, and treating post-traumatic stress disorder.

(b) GRANT PROGRAM.—The Secretary of Defense, in coordination with the Secretary of Veterans Affairs and the Secretary of State, shall award grants to eligible entities to carry out collaborative research between the United States and Israel with respect to post-traumatic stress disorders. The Secretary of Defense shall carry out the grant program under this section in accordance with the agree-

1 ment titled ''Agreement Between the Government of the
2 United States of America and the Government of Israel
3 on the United States-Israel Binational Science Founda-
4 tion'', dated September 27, 1972.

5 (c) ELIGIBLE ENTITIES.—To be eligible to receive a
6 grant under this section, an entity shall be an academic
7 institution or a nonprofit entity located in the United
8 States.

9 (d) AWARD.—The Secretary shall award grants
10 under this section to eligible entities that—

11 (1) carry out a research project that—

12 (A) addresses a requirement in the area of
13 post-traumatic stress disorders that the Sec-
14 retary determines appropriate to research using
15 such grant; and

16 (B) is conducted by the eligible entity and
17 an entity in Israel under a joint research agree-
18 ment; and

19 (2) meet such other criteria that the Secretary
20 may establish.

21 (e) APPLICATION.—To be eligible to receive a grant
22 under this section, an eligible entity shall submit an appli-
23 cation to the Secretary at such time, in such manner, and
24 containing such commitments and information as the Sec-
25 retary may require.

(f) GIFT AUTHORITY.—The Secretary may accept, hold, and administer, any gift of money made on the condition that the gift be used for the purpose of the grant program under this section. Such gifts of money accepted under this subsection shall be deposited in the Treasury in the Department of Defense General Gift Fund and shall be available, subject to appropriation, without fiscal year limitation.

(g) REPORTS.—Not later than 180 days after the date on which an eligible entity completes a research project using a grant under this section, the Secretary shall submit to Congress a report that contains—

(1) a description of how the eligible entity used the grant; and

(2) an evaluation of the level of success of the research project.

(h) TERMINATION.—The authority to award grants under this section shall terminate on the date that is seven years after the date on which the first such grant is awarded.

SEC. 737. PILOT PROGRAM ON CRYOPRESERVATION AND STORAGE.

(a) PILOT PROGRAM.—The Secretary of Defense shall establish a pilot program to provide not more than 1,000 members of the Armed Forces serving on active

duty with the opportunity to cryopreserve and store their gametes prior to deployment to a combat zone.

(b) PERIOD.—

(1) IN GENERAL.—The Secretary shall provide for the cryopreservation and storage of gametes of a participating member of the Armed Forces under subsection (a), at no cost to the member, in a facility of the Department of Defense or at a private entity pursuant to a contract under subsection (d) until the date that is one year after the retirement, separation, or release of the member from the Armed Forces.

(2) CONTINUED CRYOPRESERVATION AND STORAGE.—At the end of the one-year period specified in paragraph (1), the Secretary shall authorize an individual whose gametes were cryopreserved and stored in a facility of the Department as described in that paragraph to select, including pursuant to an advance medical directive or military testamentary instrument completed under subsection (c), one of the following options:

(A) To continue such cryopreservation and storage in such facility with the cost of such cryopreservation and storage borne by the individual.

(B) To transfer the gametes to a private cryopreservation and storage facility selected by the individual.

(C) To authorize the Secretary to dispose of the gametes of the individual not earlier than the date that is 90 days after the end of the one-year period specified in paragraph (1) with respect to the individual.

(c) ADVANCE MEDICAL DIRECTIVE AND MILITARY TESTAMENTARY INSTRUMENT.—A member of the Armed Forces who elects to cryopreserve and store their gametes under this section shall complete an advance medical directive described in section 1044c(b) of title 10, United States Code, and a military testamentary instrument described in section 1044d(b) of such title, that explicitly specifies the use of their cryopreserved and stored gametes if such member dies or otherwise loses the capacity to consent to the use of their cryopreserved and stored gametes.

(d) AGREEMENTS.—To carry out this section, the Secretary may enter into agreements with private entities that provide cryopreservation and storage services for gametes.

SEC. 738. PILOT PROGRAM ON PARENTS SERVING AS CERTIFIED NURSING ASSISTANTS FOR CHILDREN UNDER TRICARE PROGRAM.

(a) PILOT PROGRAM.—The Director of the Defense Health Agency may carry out a pilot program under which an eligible parent serves as a certified nursing assistant under the TRICARE program with respect to providing personal care services to a covered child.

(b) DURATION.—If the Director carries out the pilot program under subsection (a), the Director shall carry out the pilot program for a period of 18 months.

(c) BRIEFING.—If the Director carries out the pilot program under subsection (a), not later than one year after the date of the enactment of this Act, the Director shall provide to the congressional defense committees a briefing on the pilot program.

(d) REPORT.—If the Director carries out the pilot program under subsection (a), not later than 180 days after the date of the completion of the pilot program, the Director shall submit to the congressional defense committees a report on the pilot program. The report shall include—

(1) the cost of the program;

(2) an analysis of whether the pilot program met established performance metrics;

(3) an analysis of whether the pilot program provided the standard of care to the patient that is required; and

(4) the recommendation of the Director regarding whether the pilot program should be made permanent.

(e) DEFINITIONS.—In this section:

(1) The term ''covered child'' means a covered beneficiary described in section 1072(2)(D) of title 10, United States Code, who—

(A) is the child of a member of the uniformed services serving on active duty; and

(B) is eligible for private duty nursing under the Extended Care Health Option under subsections (d) through (f) of section 1079 of such title.

(2) The term ''eligible parent'' means an individual who is—

(A) a certified nursing assistant; and

(B) the parent of a covered child.

(3) The term ''personal care services'' means personal care services prescribed by a medical doctor and provided by a certified nursing assistant under the supervision and guidance of a registered nurse case manager.

(4) The term ''TRICARE program'' has the meaning given that term in section 1072 of title 10, United States Code.

SEC. 739. STUDY ON INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG PILOTS IN THE ARMED FORCES.

(a) STUDY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study to—

(1) determine the incidence of cancer diagnosis and mortality among members, and former members, of the Armed Forces who serve as pilots compared to such members who do not serve as pilots, including by determining such incidence based on gender, age, flying hours, Armed Force, and type of aircraft; and

(2) determine the appropriate age to begin screening such members for cancer, including by determining such age based on gender, flying hours, Armed Force, and type of aircraft.

(b) SUBMISSION.—Not later than two years after the date on which the Secretary enters into the agreement under subsection (a), the Secretary shall submit to the ap-

propriate congressional committees a report on the findings from the study under such subsection.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committees on Armed Services and Veterans' Affairs of the House of Representatives; and

(B) the Committees on Armed Services and Veterans' Affairs of the Senate.

(2) The term ''Armed Forces'' means each Armed Force under the jurisdiction of the Secretary of a military department.

(3) The term ''pilot'' includes an individual who frequently accompanies a pilot in a cockpit, such as a navigator.

SEC. 740. REPORT ON DIET AND NUTRITION OF MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the diet and nutrition of members of the Armed Forces. The report shall describe the following:

(1) The relationship between the diet and nutrition of members and the health, performance, and combat effectiveness of members.

(2) The relationship between diets high in Omega–3 fatty acids, or other diets that may lower inflammation and obesity, and improved mental health.

(3) The extent to which the food and beverages offered at the dining halls of the Armed Forces as of the date of the report are designed to optimize the health, performance, and combat effectiveness of members according to science-based approaches.

(4) The plan of the Secretary to improve the health, performance, and combat effectiveness of members by modifying the food and beverages offered at the dining halls of the Armed Forces, including in ways that minimize the change members.

(5) Expected costs and timeline to implement such plan, including any expected savings from reduced medical costs.

SEC. 741. REPORT ON COSTS AND BENEFITS OF ALLOWING RETIRED MEMBERS OF THE ARMED FORCES TO CONTRIBUTE TO HEALTH SAVINGS ACCOUNTS.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Assistant Secretary of Defense for Health Affairs shall submit to the congressional defense committees a report on the costs and benefits of allowing covered individuals to make contributions to a health savings account.

(b) MATTERS.—The report under subsection (a) shall include a description of the following:

(1) Any anticipated cost savings as a result of allowing covered individuals to make contributions to health savings accounts.

(2) Any anticipated increase in health care options available to covered individuals as a result of allowing such contributions.

(3) Any anticipated disruption or delay in health services or benefits for covered individuals as a result of allowing such contributions.

(c) DEFINITIONS.—In this section:

(1) The term ''covered individual''—

(A) means a beneficiary covered by subsection (c) of section 1086 of title 10, United States Code; and

(B) includes a Medicare-eligible beneficiary described in subsection (d)(2) of such section.

(2) The term ''health savings account'' has the meaning given that term in section 223(d) of the Internal Revenue Code of 1986.

SEC. 742. STUDY ON TOXIC EXPOSURE AT KARSHI–KHANABAD AIR BASE, UZBEKISTAN.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a study on toxic exposure by members of the Armed Forces deployed to Karshi–Khanabad Air Base, Uzbekistan, at any time during the period beginning October 1, 2001, and ending December 31, 2005.

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

(A) An assessment regarding the conditions of Karshi–Khanabad Air Base, Uzbekistan, during the period beginning October 1, 2001, and ending December 31, 2005, including an identification of toxic substances contaminating the Air Base during such period.

(B) An epidemiological study of the health consequences of a member of the Armed Forces deployed to the Air Base during such period.

(C) An assessment of any association between exposure to toxic substances identified under subparagraph (A) and the health consequences studied under subparagraph (B).

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the results of the study under subsection (a).

SEC. 743. AUDIT OF MEDICAL CONDITIONS OF TENANTS IN PRIVATIZED MILITARY HOUSING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Inspector General of the Department of Defense shall commence the conduct of an audit of the medical conditions of eligible individuals and the association between adverse exposures of such individuals in unsafe or unhealthy housing units and the health of such individuals.

(b) CONTENT OF AUDIT.—The audit conducted under subsection (a) shall—

(1) determine the percentage of units of privatized military housing that are unsafe or unhealthy housing units;

(2) study the adverse exposures of eligible individuals that relate to residing in an unsafe or

unhealthy housing unit and the effect of such exposures on the health of such individuals; and

(3) determine the association, to the extent permitted by available scientific data, and provide quantifiable data on such association, between such adverse exposures and the occurrence of a medical condition in eligible individuals residing in unsafe or unhealthy housing units.

(c) CONDUCT OF AUDIT.—The Inspector General of the Department shall conduct the audit under subsection (a) using the same privacy preserving guidelines used by the Inspector General in conducting other audits of health records.

(d) SOURCE OF DATA.—In conducting the audit under subsection (a), the Inspector General of the Department shall use—

(1) de-identified data from electronic health records of the Department;

(2) records of claims under the TRICARE program (as defined in section 1072(7) of title 10, United States Code); and

(3) such other data as determined necessary by the Inspector General.

(e) SUBMITTAL AND PUBLIC AVAILABILITY OF REPORT.—Not later than one year after the commencement

of the audit under subsection (a), the Inspector General of the Department shall—

(1) submit to the Secretary of Defense and the Committees on Armed Services of the Senate and the House of Representatives a report on the results of the audit conducted under subsection (a); and

(2) publish such report on a publicly available internet website of the Department of Defense.

(f) DEFINITIONS.—In this section:

(1) The term ''eligible individual'' means a member of the Armed Forces or a family member of a member of the Armed Forces who—

(A) has resided in an unsafe or unhealthy housing unit; and

(B) has registered under the Housing Environmental Health Response Registry of the Army.

(2) The term ''privatized military housing'' means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) The term ''unsafe or unhealthy housing unit'' means a unit of privatized military housing in which, at any given time, at least one of the following hazards is present:

(A) Physiological hazards, including the following:

(i) Dampness or microbial growth.

(ii) Lead-based paint.

(iii) Asbestos or manmade fibers.

(iv) Ionizing radiation.

(v) Biocides.

(vi) Carbon monoxide.

(vii) Volatile organic compounds.

(viii) Infectious agents.

(ix) Fine particulate matter.

(B) Psychological hazards, including ease of access by unlawful intruders or lighting issues.

(C) Poor ventilation.

(D) Safety hazards.

(E) Other hazards as determined by the Inspector General of the Department.

SEC. 744. REPORT ON INTEGRATED DISABILITY EVALUATION SYSTEM.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the findings of a study, conducted by the Secretary for the purposes of the

report, of the implementation and application of the Integrated Disability Evaluation System.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include the following:

(1) All changes to policies and procedures applicable to the implementation of the Integrated Disability Evaluation System from the previous disability evaluation system.

(2) The extent to which the Integrated Disability Evaluation System is the primary means of processing members of the Armed Forces through the disability evaluation system process.

(3) The extent to which the military departments and the Defense Health Agency coordinate—

(A) treatment of members of the Armed Forces;

(B) referrals of members of the Armed Forces to a medical evaluation board;

(C) appointing a convening authority and staffing a medical evaluation board;

(D) the sharing of medical documentation with a medical evaluation board;

(E) evaluations of members of the Armed Forces for initial or subsequent limited duty status; and

(F) a medical evaluation board referral to a physical evaluation board.

(4) The process for members of the Armed Forces to request an impartial medical review or rebut medical evaluation board findings.

(5) The criteria a medical evaluation board convening authority applies when considering such requests under paragraph (4).

(6) The average time to process Integrated Disability Evaluation System cases by both phase and stage (as defined in Department of Defense Manual 1332.18) for both the active component and reserve component.

SEC. 745. REVIEW AND REPORT ON PREVENTION OF SUICIDE AMONG MEMBERS OF THE ARMED FORCES STATIONED AT REMOTE INSTALLATIONS OUTSIDE THE CONTIGUOUS UNITED STATES.

(a) REVIEW REQUIRED.—The Comptroller General of the United States shall conduct a review of efforts by the Department of Defense to prevent suicide among members of the Armed Forces stationed at covered installations.

(b) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall include an assessment of each of the following:

(1) Current policy guidelines of the Armed Forces on the prevention of suicide among members of the Armed Forces stationed at covered installations.

(2) Current suicide prevention programs of the Armed Forces and activities for members of the Armed Forces stationed at covered installations and their dependents, including programs provided by the Defense Health Program and the Office of Suicide Prevention.

(3) The integration of mental health screenings and suicide risk and prevention efforts for members of the Armed Forces stationed at covered installations and their dependents into the delivery of primary care for such members and dependents.

(4) The standards for responding to attempted or completed suicides among members of the Armed Forces stationed at covered installations and their dependents, including guidance and training to assist commanders in addressing incidents of attempted or completed suicide within their units.

(5) The standards regarding data collection for members of the Armed Forces stationed at covered installations and their dependents, including related factors such as domestic violence and child abuse.

(6) The means to ensure the protection of privacy of members of the Armed Forces stationed at covered installations and their dependents who seek or receive treatment related to suicide prevention.

(7) The availability of information from indigenous populations on suicide prevention for members of the Armed Forces stationed at covered installations who are members of such a population.

(8) The availability of information from graduate research programs of institutions of higher education on suicide prevention for members of the Armed Forces.

(9) Such other matters as the Comptroller General considers appropriate in connection with the prevention of suicide among members of the Armed Forces stationed at covered installations and their dependents.

(c) BRIEFING AND REPORT.—The Comptroller General shall—

(1) not later than October 1, 2021, brief the Committees on Armed Services of the Senate and

the House of Representatives on preliminary observations relating to the review conducted under subsection (a); and

(2) not later than March 1, 2022, submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of such review.

(d) COVERED INSTALLATION DEFINED.—In this section, the term ''covered installation'' means a remote installation of the Department of Defense outside the contiguous United States.

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

SEC. 751. SHORT TITLE.

This subtitle may be cited as the ''Care and Readiness Enhancement for Reservists Act of 2020'' or the ''CARE for Reservists Act of 2020''.

SEC. 752. EXPANSION OF ELIGIBILITY FOR READJUSTMENT COUNSELING AND RELATED OUTPATIENT SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO INCLUDE MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) READJUSTMENT COUNSELING.—Subsection (a)(1) of section 1712A of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(D)(i) The Secretary, in consultation with the Secretary of Defense, may furnish to any member of the reserve components of the Armed Forces who has a behavioral health condition or psychological trauma, counseling under subparagraph (A)(i), which may include a comprehensive individual assessment under subparagraph (B)(i).

''(ii) A member of the reserve components of the Armed Forces described in clause (i) shall not be required to obtain a referral before being furnished counseling or an assessment under this subparagraph.''.

(b) OUTPATIENT SERVICES.—Subsection (b) of such section is amended—

(1) in paragraph (1)—

(A) by inserting ''to an individual'' after ''If, on the basis of the assessment furnished''; and

(B) by striking ''veteran'' each place it appears and inserting ''individual''; and

(2) in paragraph (2), by striking ''veteran'' and inserting ''individual''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 753. PROVISION OF MENTAL HEALTH SERVICES FROM DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—Subchapter VIII of chapter 17 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 1789. Mental health services for members of the reserve components of the Armed Forces

''The Secretary, in consultation with the Secretary of Defense, may furnish mental health services to members of the reserve components of the Armed Forces.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 1788 the following new item:

''1789. Mental health services for members of the reserve components of the Armed Forces.''.

SEC. 754. INCLUSION OF MEMBERS OF RESERVE COMPONENTS IN MENTAL HEALTH PROGRAMS OF DEPARTMENT OF VETERANS AFFAIRS.

(a) SUICIDE PREVENTION PROGRAM.—

(1) IN GENERAL.—Section 1720F of title 38, United States Code, is amended by adding at the end the following new subsection:

''(l)(1) COVERED INDIVIDUAL DEFINED.—In this section, the term 'covered individual' means a veteran or a member of the reserve components of the Armed Forces.

''(2) In determining coverage of members of the reserve components of the Armed Forces under the comprehensive program, the Secretary shall consult with the Secretary of Defense.''.

(2) CONFORMING AMENDMENTS.—Such section is further amended—

(A) in subsection (a), by striking ''veterans'' and inserting ''covered individuals'';

(B) in subsection (b), by striking ''veterans'' each place it appears and inserting ''covered individuals'';

(C) in subsection (c)—

(i) in the subsection heading, by striking ''OF VETERANS'';

(ii) by striking ''veterans'' each place it appears and inserting ''covered individuals''; and

(iii) by striking ''veteran'' and inserting ''individual'';

(D) in subsection (d), by striking ''to veterans'' each place it appears and inserting ''to covered individuals'';

(E) in subsection (e), in the matter preceding paragraph (1), by striking ''veterans'' and inserting ''covered individuals'';

(F) in subsection (f)—

(i) in the first sentence, by striking ''veterans'' and inserting ''covered individuals''; and

(ii) in the second sentence, by inserting ''or members'' after ''veterans'';

(G) in subsection (g), by striking ''veterans'' and inserting ''covered individuals'';

(H) in subsection (h), by striking ''veterans'' and inserting ''covered individuals'';

(I) in subsection (i)—

(i) in the subsection heading, by striking ''FOR VETERANS AND FAMILIES'';

(ii) in the matter preceding paragraph (1), by striking ''veterans and the families of veterans'' and inserting ''covered individuals and the families of covered individuals'';

(iii) in paragraph (2), by striking ''veterans'' and inserting ''covered individuals''; and

(iv) in paragraph (4), by striking ''veterans'' each place it appears and inserting ''covered individuals'';

(J) in subsection (j)—

(i) in paragraph (1), by striking ''veterans'' each place it appears and inserting ''covered individuals''; and

(ii) in paragraph (4)—

(I) in subparagraph (A), in the matter preceding clause (i), by striking ''women veterans'' and inserting ''covered individuals who are women'';

(II) in subparagraph (B), by striking ''women veterans who'' and inserting ''covered individuals who are women and''; and

(III) in subparagraph (C), by striking ''women veterans'' and inserting ''covered individuals who are women''; and

(K) in subsection (k), by striking ''veterans'' and inserting ''covered individuals''.

(3) CLERICAL AMENDMENTS.—

(A) IN GENERAL.—Such section is further amended, in the section heading, by inserting ''**and members of the reserve components of the Armed Forces**'' after ''**veterans**''.

(B) TABLE OF SECTIONS.—The table of sections at the beginning of such subchapter is amended by striking the item relating to section 1720F and inserting the following new item:

''1720F. Comprehensive program for suicide prevention among veterans and members of the reserve components of the Armed Forces.''.

(b) MENTAL HEALTH TREATMENT FOR INDIVIDUALS WHO SERVED IN CLASSIFIED MISSIONS.—

(1) IN GENERAL.—Section 1720H of such title is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''eligible veteran'' and inserting ''eligible individual''; and

(II) by striking ''the veteran'' and inserting ''the individual''; and

(ii) in paragraph (3), by striking ''eligible veterans'' and inserting ''eligible individuals'';

(B) in subsection (b)—

(i) by striking ''a veteran'' and inserting ''an individual''; and

(ii) by striking ''eligible veteran'' and inserting ''eligible individual''; and

(C) in subsection (c)—

(i) in paragraph (2), in the matter preceding subparagraph (A), by striking ''The term 'eligible veteran' means a veteran'' and inserting ''The term 'eligible individual' means a veteran or a member of the reserve components of the Armed Forces''; and

(ii) in paragraph (3), by striking ''eligible veteran'' and inserting ''eligible individual''.

(2) CLERICAL AMENDMENTS.—

(A) IN GENERAL.—Such section is further amended, in the section heading, by inserting "**and members of the reserve components of the Armed Forces**" after "**veterans**".

(B) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1720H and inserting the following new item:

"1720H. Mental health treatment for veterans and members of the reserve components of the Armed Forces who served in classified missions.".

SEC. 755. REPORT ON MENTAL HEALTH AND RELATED SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS TO MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the congressional defense committees and the Committees on Veterans' Affairs of the Senate and the House of Representatives a report that includes an assessment of the following:

(1) The increase, as compared to the day before the date of the enactment of this Act, of the number of members of the Armed Forces that use readjustment counseling or outpatient mental health care

from the Department of Veterans Affairs, disaggregated by State, Vet Center location, and clinical care site of the Department, as appropriate.

(2) The number of members of the reserve components of the Armed Forces receiving telemental health care from the Department.

(3) The increase, as compared to the day before the date of the enactment of this Act, of the annual cost associated with readjustment counseling and outpatient mental health care provided by the Department to members of the reserve components of the Armed Forces.

(4) The changes, as compared to the day before the date of the enactment of this Act, in staffing, training, organization, and resources required for the Department to offer readjustment counseling and outpatient mental health care to members of the reserve components of the Armed Forces.

(5) Any challenges the Department has encountered in providing readjustment counseling and outpatient mental health care to members of the reserve components of the Armed Forces.

(b) VET CENTER DEFINED.—In this section, the term ''Vet Center'' has the meaning given that term in section 1712A(h) of title 38, United States Code.

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

Subtitle A—Acquisition Policy and Management

SEC. 801. CONGRESSIONAL NOTIFICATION OF TERMINATION OF A MIDDLE TIER ACQUISITION PROGRAM.

Section 804 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2302 note), is amended by adding at the end the following new subsection:

"(e) REPORT.—Not later than 30 days after the date of termination of an acquisition program commenced using the authority under this section, the Secretary of Defense shall submit to Congress a notification of such termination. Such notice shall include—

"(1) the initial amount of a contract awarded under such acquisition program;

"(2) the aggregate amount of funds awarded under such contract; and

"(3) written documentation of the reason for termination of such acquisition program.".

SEC. 802. MODIFICATION TO THE DEFINITION OF NON-TRADITIONAL DEFENSE CONTRACTOR.

Section 2302(9) of title 10, United States Code, is amended to read as follows:

"(9) the term 'nontraditional defense contractor', with respect to a procurement or with respect to a transaction authorized under section 2371(a) or 2371b of this title, means—

"(A) an entity that is not currently performing and has not performed, for at least the one-year period preceding the solicitation of sources by the Department of Defense for the procurement or transaction, any contract or subcontract for the Department of Defense that is subject to full coverage under the cost accounting standards prescribed pursuant to section 1502 of title 41 and the regulations implementing such section; or

"(B) a corporation all of the stock of which is owned by an employee stock ownership plan (as defined in section 4975(e)(7) of the Internal Revenue Code of 1986).".

SEC. 803. MAJOR WEAPON SYSTEMS: LIFE-CYCLE SUSTAINMENT PLAN.

(a) IN GENERAL.—Chapter 139 of title 10, United States Code, is amended by inserting after section 2366c the following new section:

"§ 2366d. Major weapon systems: life-cycle sustainment plans

''(a) REQUIREMENT.—Before granting Milestone C approval for a major weapon system acquired pursuant to a major defense acquisition program, the milestone decision authority for such program shall submit to the Secretary a life-cycle sustainment plan.

''(b) ELEMENTS.—A life-cycle sustainment plan required under subsection (a) shall include—

''(1) a sustainment plan that includes the product support strategy, performance, and operation and support costs of the major weapon system;

''(2) metrics to measure readiness and availability of the major weapon system to perform its intended purpose or function;

''(3) a schedule for the major maintenance and overhaul activities that will be required during the life cycle of the major weapon system; and

''(4) a sustainment baseline cost estimate for the planned life cycle of the major weapon system that includes a technical data and intellectual prop-

erty management plan that clearly delineates which subsystems of the major weapon system are Government-owned or Government-required and which subsystems are owned by a prime contractor or subcontractor (at any tier).

''(c) REVIEW.—The Secretary of Defense shall review a life-cycle sustainment plan submitted under subsection (a) 5 years after the receipt of Milestone C approval described in such subsection, and every 10 years thereafter, to ensure that the major weapon system is cost effective and is able to meet required metrics relating to readiness and availability of such system.

''(d) NOTIFICATION REQUIREMENTS.—

''(1) IN GENERAL.—Not later than 45 days after a significant and critical breach of a sustainment baseline cost estimate of a life-cycle sustainment plan for a major weapon system acquired pursuant to a major defense acquisition program, the Secretary of the military department that is managing such program shall submit to the congressional defense committees a notification of such breach.

''(2) REVIEW.—Not later than 180 days after submitting a notification under paragraph (1), such Secretary shall review the sustainment costs of the

major weapon system to which such notification relates relative to the sustainment baseline cost estimate.

"(3) ADDITIONAL SUBMISSION.—Such Secretary shall submit to the congressional defense committees—

"(A) a certification that the review required under paragraph (2) has been completed; and

"(B) a remediation plan or endorsement by such Secretary that the sustainment cost growth is justified and required for such Secretary to meet the requirements related to the major defense acquisition program.

"(e) DEFINITIONS.—In this section:

"(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term 'major defense acquisition program' has the meaning given in section 2430 of this title.

"(2) MAJOR WEAPON SYSTEM.—The term 'major weapon system' has the meaning given in section 2379(f) of this title.

"(3) MILESTONE C APPROVAL.—The term 'Milestone C approval' means a decision to enter into production and deployment pursuant to guid-

ance prescribed by the Secretary of Defense for the management of a major defense acquisition program.

"(4) SUSTAINMENT BASELINE COST ESTIMATE.—The term 'sustainment baseline cost estimate' means the cost estimate and schedule for a life-cycle sustainment plan required under this section.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of title 10, United States Code, is amended by inserting after the item relating to section 2366c the following new item:

"2366d. Major weapon systems: life-cycle sustainment plans.".

SEC. 804. CONTRACTOR BUSINESS SYSTEMS.

Section 893 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2302 note) is amended—

(1) in subsection (b)—

(A) in paragraph (2), by striking "significant deficiencies" and inserting "deficiencies and material weaknesses";

(B) in paragraph (4), by striking "significant deficiency" and inserting "material weakness"; and

(C) in paragraph (5)(A), by striking ''significant deficiency'' and inserting ''material weakness'';

(2) in subsection (d)(1), by striking ''significant deficiencies'' and inserting ''material weaknesses'';

(3) in subsection (g)—

(A) in paragraph (3), by striking ''significant deficiency'' and inserting ''material weakness'';

(B) by striking paragraph (4);

(C) by redesignating paragraph (5) as paragraph (4); and

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

''(5) The term 'material weakness' means a deficiency or combination of deficiencies in the internal control of a contractor business system used to comply with contracting requirements of the Department of Defense, or other shortcomings in such system, such that there is a reasonable possibility that a material noncompliance with contracting requirements will not be prevented, or detected and corrected, on a timely basis.''.

SEC. 805. ACQUISITION AUTHORITY OF THE DIRECTOR OF THE JOINT ARTIFICIAL INTELLIGENCE CENTER.

(a) AUTHORITY.—

(1) IN GENERAL.—The Director of the Joint Artificial Intelligence Center shall be responsible for, and shall have the authority to conduct, the following covered activities:

(A) Development and acquisition of artificial intelligence technologies, services, and capabilities.

(B) Sustainment of artificial intelligence technologies, services, and capabilities.

(2) ACQUISITION FUNCTIONS.—Subject to the authority, direction, and control of the Secretary of Defense, the Director shall have authority to exercise the functions of a head of an agency (as defined in section 2302 of title 10, United States Code) with respect to a covered activity described in paragraph (1).

(b) JAIC ACQUISITION EXECUTIVE.—

(1) IN GENERAL.—The staff of the Director shall include an acquisition executive who shall be responsible for the supervision of covered activities under subsection (a). The acquisition executive shall have the authority—

(A) to negotiate memoranda of agreement with any element of the Department of Defense to carry out the acquisition of technologies, services, and capabilities described in subsection (a)(1) on behalf of the Center;

(B) to supervise the acquisition of technologies, services, and capabilities described in subsection (a)(1);

(C) to represent the Center in discussions with military departments regarding acquisition programs relating to covered activities for which the Center is involved; and

(D) to work with the military departments to ensure that the Center is appropriately represented in any joint working group or integrated product team regarding acquisition programs relating to covered activities for which the Center is involved.

(2) DELIVERY OF ACQUISITION SOLUTIONS.—The acquisition executive of the Center shall be—

(A) responsible to the Director for rapidly delivering acquisition solutions to meet validated artificial intelligence requirements;

(B) subordinate to the Under Secretary of Defense for Acquisition and Sustainment in matters of acquisition;

(C) subject to the same oversight as the service acquisition executives; and

(D) included on the distribution list for acquisition directives and instructions of the Department of Defense.

(c) ACQUISITION PERSONNEL.—

(1) IN GENERAL.—The Secretary of Defense shall provide the Center with ten full-time employees to support the Director in carrying out the requirements of this section. Such employees shall have experience in—

(A) program acquisition;

(B) the Joint Capabilities Integration and Development System process;

(C) program management;

(D) system engineering; and

(E) cost analysis.

(2) EXISTING PERSONNEL.—The personnel provided under this subsection shall be provided from among the existing personnel of the Department of Defense.

(d) BUDGET.—Any budget proposal of the Center for funding for any covered activity described under subsection (a) shall be disaggregated by the amount requested for each covered activity.

(e) FUNDING.—In exercising the authority granted in subsection (a), the Director may not obligate or expend more than $150,000,000 out of the funds made available in each of fiscal years 2021, 2022, 2023, 2024, and 2025 to enter into new contracts to support covered activities carried out under this section.

(f) IMPLEMENTATION PLAN REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense may use the authority granted under subsection (a) 30 days after the date on which the Secretary provides to the congressional defense committees a plan for implementation such authority. The plan shall include the following:

(A) A Department of Defense-wide definition of artificial intelligence technologies, services, and capabilities.

(B) Summaries of the components to be negotiated in any memoranda of agreement with an element of the Department of Defense to carry out covered activities described under subsection (a).

(C) Timelines for the negotiation and approval of any such memorandum of agreement.

(D) Plan for oversight of the position of acquisition executive established in subsection (b).

(E) Assessment of the acquisition workforce needs of the Center to support the authority in subsection (a) until September 30, 2025.

(F) Other matters as appropriate.

(2) RELATIONSHIP TO OTHER AUTHORITIES.—The requirement to submit a plan under this subsection is in addition to the requirements under section 260 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1293).

(g) SUNSET.—Effective October 1, 2025, the Director may not exercise the authority under subsection (a) and may not enter into any new contracts under this section. The performance on any contract entered into before such date may continue according to the terms of such contract.

(h) DEFINITIONS.—In this section:

(1) CENTER.—The term ''Center'' means the Joint Artificial Intelligence Center of the Department of Defense established pursuant to the memo-

randum of the Secretary of Defense dated June 27, 2018, and titled ''Establishment of the Joint Artificial Intelligence Center'', or any successor to such Center.

(2) COVERED ACTIVITY.—The term ''covered activity''—

(A) means an acquisition activity conducted using the authority under this section; and

(B) does not include—

(i) a major defense acquisition program (as defined in section 2430 of title 10, United States Code); or

(ii) a procurement of technologies related to artificial intelligence, if the duration of such procurement is expected to be greater than five years.

(3) DIRECTOR.—The term ''Director'' means the Director of the Center.

(4) ELEMENT.—The term ''element'' means an element described under section 111(b) of title 10, United States Code.

(5) MILITARY DEPARTMENTS.—The term ''military departments'' has the meaning given in section 101(8) of title 10, United States Code.

(6) SERVICE ACQUISITION EXECUTIVE.—The term ''service acquisition executive'' has the meaning given in section 101(10) of title 10, United States Code.

SEC. 806. REFORMING THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall take such action as necessary to reform the Department of Defense to provide more effective, efficient, and economical administration and operation, and to eliminate duplication.

(b) NATIONAL DEFENSE STRATEGY.—Each national defense strategy required by section 113(g) of title 10, United States Code, shall include a description of the reform efforts described under subsection (a).

(c) DEFENSE PLANNING GUIDANCE.—The annual Defense Planning Guidance (as described in section 113(g)(2)(A) of title 10, United States Code) shall include an explanation of how the Department of Defense will carry out the reform efforts described under subsection (a).

(d) DEFENSE AUTHORIZATION REQUEST.—The Secretary of Defense shall include in the annual defense authorization request (as defined in section 113a of title 10, United States Code) a description of the savings from im-

1 plementing the reform efforts described under subsection
2 (a). Such description—
3 (1) shall be set forth separately from requested
4 amounts;
5 (2) may not include savings relating to the
6 deferment of requirements or taking of risk;
7 (3) shall be identified across the future-years
8 defense plan; and
9 (4) shall provide a comparison with the savings
10 in the annual defense authorization request from the
11 prior year.
12 (e) POLICY.—The Secretary of Defense shall develop
13 a policy and issue guidance to implement reform within
14 the Department of Defense in order to provide more effec-
15 tive, efficient, and economical administration and oper-
16 ations, and to eliminate duplication.
17 (f) REPORT.—The Secretary of Defense shall report
18 annually to Congress on the expenditures, work, and ac-
19 complishments of the Department of Defense during the
20 period covered by the report, together with a report on
21 the reform efforts described under subsection (a).
22 (g) MILITARY DEPARTMENTS.—Each Secretary of a
23 military department shall—
24 (1) take such action as necessary to reform the
25 military department to provide more effective, effi-

cient, and economical administration and operations, and to eliminate duplication; and

(2) develop a policy and issue guidance to implement reform within the military department in order to provide more effective, efficient, and economical administration and operations, and to eliminate duplication.

(h) COMBATANT COMMANDS.—Each commander of a combatant command shall provide the Secretary of Defense with recommendations to reform the combatant command of such commander to provide more effective, efficient, and economical administration and operations, and to eliminate duplication.

SEC. 807. ALTERNATIVE SPACE ACQUISITION SYSTEM FOR THE UNITED STATES SPACE FORCE.

(a) MILESTONE DECISION AUTHORITY FOR MAJOR DEFENSE ACQUISITION PROGRAMS AND MAJOR SYSTEMS.—

(1) PROGRAM EXECUTIVE OFFICER.—The Secretary of the Air Force may assign an appropriate program executive officer as the milestone decision authority for major defense acquisition programs of the United States Space Force.

(2) PROGRAM MANAGER.—The program executive officer assigned under paragraph (1) may dele-

gate authority over major systems to an appropriate program manager.

(b) ALTERNATIVE SPACE ACQUISITION SYSTEM.—

(1) IN GENERAL.—The Secretary of Defense shall take such actions necessary to develop an acquisition pathway within the Department of Defense to be known as the ''Alternative Space Acquisition System'' that is specifically tailored for space systems and programs in order to achieve faster acquisition and more rapid fielding of critical systems (including by using new commercial capabilities and services), while maintaining accountability for effective programs that are delivered on time and on budget.

(2) GOAL.—The goal of the Alternative Space Acquisition System shall be to quickly and effectively acquire space warfighting capabilities needed to address the requirements of the national defense strategy (as defined under section 113(g) of title 10, United States Code).

(3) REPORT.—Not later than January 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the Alternative Space Acquisition System that includes the following:

(A) Proposed United States Space Force budget line items for fiscal year 2022, including—

(i) a comparison with budget line items for major defense acquisition programs and major systems of the United States Space Force for three previous fiscal years; and

(ii) measures to ensure sufficient transparency related to the performance of the Alternative Space Acquisition System and opportunities to oversee funding priorities for the Alternative Space Acquisition System;

(B) Proposed revised, flexible, and streamlined options for joint requirements validation in order to be more responsive and innovative, while ensuring the ability of the Joint Chiefs of Staff to ensure top-level system requirements are properly prioritized to address joint warfighting needs;

(C) A list of acquisition programs of the United States Space Force for which multiyear procurement authorities are recommended.

(D) A list of space acquisition programs that may be able to use existing alternative acquisition pathways.

(E) Policies for a new Alternative Space Acquisition System with specific acquisition key decision points and reporting requirements for development, fielding, and sustainment activities that meets the requirements of the adaptive acquisition framework (as described in Department of Defense Instruction 5000.02, ''Operation of the Adaptive Acquisition Framework'');

(F) Updated determination authority for procurement of useable end items that are not weapon systems.

(G) Policies and a governance structure for a separate United States Space Force budget topline, corporate process, and portfolio management process.

(H) An analysis of the risks and benefits of the delegation of the authority of the head of contracting activity authority to the Chief of Space Operations in a manner that would not expand the operations of the United States Space Force.

(c) COMPTROLLER GENERAL REVIEW.—Not later than 60 days after the submission of the report required under subsection (b)(3), the Comptroller General of the United States shall review such report and submit to the congressional defense committees an analysis and recommendations based on such report .

(d) DEFINITIONS.—In this section:

(1) MAJOR DEFENSE ACQUISITION PROGRAM.—The term ''major defense acquisition program'' has the meaning given in section 2430 of title 10, United States Code.

(2) MAJOR SYSTEM.—The term ''major system'' has the meaning given in section 2302 of title 10, United States Code.

(3) MILESTONE DECISION AUTHORITY.—The term ''milestone decision authority'' has the meaning given in section 2431a of title 10, United States Code.

(4) PROGRAM EXECUTIVE OFFICER; PROGRAM MANAGER.—The terms ''program executive officer'' and ''program manager'' have the meanings given those terms, respectively, in section 1737 of title 10, United States Code.

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

SEC. 811. SUSTAINMENT REFORM FOR THE DEPARTMENT OF DEFENSE.

(a) SUSTAINMENT ACTIVITIES IN THE NATIONAL DEFENSE STRATEGY.—

(1) IN GENERAL.—Section 113(g)(1)(B) of title 10, United States Code, is amended by adding at the end the following new subsection:

"(vii) A strategic framework prescribed by the Secretary that guides how the Department will prioritize and integrate activities relating to sustainment of major defense acquisition programs, core logistics capabilities (as described under section 2464 of this title), and the national technology and industrial base (as defined in section 2500 of this title).".

(2) DUTIES OF THE UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT.—Section 133b(b) of title 10, United States Code, is amended—

(A) in paragraph (7), by striking "and" at the end;

(B) in paragraph (8), by striking the period at the end and inserting "; and"; and

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

"(9) advising the Secretary on all aspects of acquisition and sustainment relating to—

"(A) major defense acquisition programs;

"(B) core logistics capabilities (as described under section 2464 of this title);

"(C) the national technology and industrial base (as defined in section 2500 of this title); and

"(D) the development of the strategic framework described in section 113(g)(1)(B)(vii) of this title.".

(3) INTERIM GUIDANCE.—Not later than October 1, 2021, the Secretary of Defense shall publish interim guidance to carry out the requirements of this subsection.

(b) REPORT.—Not later than February 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the progress towards publishing the interim guidance required under subsection (a)(3).

SEC. 812. MODIFICATIONS TO COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND RELATED INITIATIVES.

Section 2229b(b)(2) of title 10, United States Code, is amended by striking ''a summary of'' and all that follows through ''discussion of the'' and inserting ''a discussion of selected organizational, policy, and legislative changes, as determined appropriate by the Comptroller General, and the potential''.

SEC. 813. CONTRACTOR WHISTLEBLOWER PROTECTIONS RELATING TO NONDISCLOSURE AGREEMENTS.

(a) DEPARTMENT OF DEFENSE CONTRACTORS.—

(1) IN GENERAL.—Section 2409(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) This section applies to any disclosure made by an employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor whether or not such employee has signed, or is subject to, a nondisclosure policy, form, or agreement with such contractor, subcontractor, grantee, or subgrantee or personal services contractor.''.

(2) NOTIFICATION OF EMPLOYEES.—Section 2409(d) of title 10, United States Code, is amended—

(A) by striking ''inform'' and inserting ''submit to the Secretary or Administrator (as applicable) a certification stating that such contractor or subcontrator has informed''; and

(B) by inserting ''(including the applicability of such rights and remedies if such an employee has signed, or is subject to, a nondisclosure policy, form, or agreement)'' after ''under this section''.

(3) APPLICATION.—With respect to a nondisclosure policy, form, or agreement between a covered contractor and a covered employee that was in effect before the effective date of this Act, paragraph (4) of section 2409(a) of title 10, United States Code, as added by paragraph (1), shall apply if a covered contractor has provided notice to a covered employee of the rights and remedies of the covered employee relating to a nondisclosure policy, form, or agreement under section 2409(d) of such title, as amended by paragraph (2).

(4) WEBSITE UPDATE.—The Inspector General of the Department of Defense and the Inspector General of the National Aeronautics and Space Administration shall update any relevant websites to

include information about this subsection and the amendments made by this subsection.

(5) DEFINITIONS.—In this subsection:

(A) COVERED CONTRACTOR.—The term ''covered contractor'' means a contractor, grantee, or personal services contractor of the Department of Defense or the National Aeronautics and Space Administration.

(B) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of a covered contractor or a subcontractor or subgrantee of a covered contractor.

(b) OTHER GOVERNMENT CONTRACTORS.—

(1) IN GENERAL.—Section 4712(a) of title 41, United States Code, is amended by adding at the end the following new paragraph:

''(4) EFFECT OF A NONDISCLOSURE POLICY, FORM, OR AGREEMENT.—This section applies to any disclosure made by an employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor whether or not such employee has signed, or is subject to, a nondisclosure policy, form, or agreement with such contractor, subcontractor, grantee, or subgrantee or personal services contractor.''.

(2) NOTIFICATION OF EMPLOYEES.—Section 4712(d) of title 41, United States Code, is amended—

(A) by striking ''inform'' and inserting ''submit to the applicable head of each executive agency a certification stating that such contractor or subcontrator has informed''; and

(B) by inserting ''(including the applicability of such rights and remedies if such an employee has signed, or is subject to, a nondisclosure policy, form, or agreement)'' after ''under this section''.

(3) APPLICATION.—With respect to a nondisclosure policy, form, or agreement between a covered contractor and a covered employee that was in effect before the effective date of this Act, paragraph (4) of section 4712(a) of title 41, United States Code, as added by paragraph (1), shall apply if a covered contractor has provided notice to a covered employee of the rights and remedies of the covered employee relating to a nondisclosure policy, form, or agreement under section 4712(d) of such title, as amended by paragraph (2).

(4) WEBSITE UPDATE.—Each Inspector General (as defined in section 4712(g) of title 41,

United States Code) shall update any relevant websites to include information about this subsection and the amendments made by this subsection.

(5) DEFINITIONS.—In this subsection:

(A) COVERED CONTRACTOR.—The term ''covered contractor'' means a contractor, grantee, or personal services contractor for a Federal contract or grant (as defined for purposes of division C of title 41).

(B) COVERED EMPLOYEE.—The term ''covered employee'' means an employee of a covered contractor or a subcontractor or subgrantee of a covered contractor.

(c) NOTIFICATION AND REMEDIES.—

(1) NOTIFICATION.—A covered contractor shall inform the contracting officer responsible for any contracts of such covered contractor—

(A) if a person engaged in the performance of any such contract has been subjected to a reprisal prohibited by section 2409(a) of title 10, United States Code, or section 4712(a) of title 41, United States Code, where such reprisal has been substantiated;

(B) any investigation of a complaint relating to any such contract conducted by an In-

spector General pursuant to section 2409(b) of title 10, United States Code, or section 4712(b) of title 41, United States Code; and

(C) any action taken by a covered contractor or a covered employee for any such contract to address a substantiated reprisal described in subparagraph (A).

(2) REMEDIES.—In addition to other remedies available, if a covered contractor fails to comply with the requirements of paragraph (1), the relevant head of a Federal agency may—

(A) require the covered contractor to prohibit a covered employee from performing a contract if such covered employee has violated section 2409(a) of title 10, United States Code, or section 4712(a) of title 41, United States Code;

(B) require the covered contractor to terminate a subcontract if the subcontractor for such subcontract has violated such sections;

(C) suspend payments to a covered contractor until such covered contractor has taken appropriate remedial action.

(3) DEFINITIONS.—In this subsection:

(A) COVERED CONTRACTOR.—The term "covered contractor" means—

(i) with respect to a contract of the Department of Defense or the National Aeronautics and Space Administration, a contractor, grantee, or personal services contractor; and

(ii) with respect to a Federal contract or grant (as defined for purposes of division C of title 41), a contractor, grantee, or personal services contractor for such a Federal contract or grant.

(B) COVERED EMPLOYEE.—The term "covered employee" means an employee of a covered contractor or a subcontractor or subgrantee of a covered contractor.

(d) TRAINING.—The Administrator of the Office of Federal Procurement Policy shall update any required training for Federal employees responsible for contract oversight relating to—

(1) contracting certification requirements;

(2) processes for receiving a complaint from a person alleging discrimination as a reprisal for disclosing information under section 2409(a) of title

10, United States Code, or section 4712(a) of title 41, United States Code; and

(3) prohibitions on contracting with entities that require confidentiality agreements.

SEC. 814. COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.

(a) COMPETITION REQUIREMENTS FOR PURCHASES FROM FEDERAL PRISON INDUSTRIES.—Subsections (a) and (b) of section 2410n of title 10, United States Code, are amended to read as follows:

''(a) MARKET RESEARCH.—Before purchasing a product listed in the latest edition of the Federal Prison Industries catalog published under section 4124(d) of title 18, the Secretary of Defense shall conduct market research to determine whether such product—

''(1) is comparable to products available from the private sector; and

''(2) best meets the needs of the Department of Defense in terms of price, quality, and time of delivery.

''(b) COMPETITION REQUIREMENT.—If the Secretary determines that a Federal Prison Industries product is not comparable to products available from the private sector and does not best meet the needs of the Department of Defense in terms of price, quality, or time of delivery, the

Secretary shall use competitive procedures or make an individual purchase under a multiple award contract for the procurement of the product. In conducting such a competition or making such a purchase, the Secretary shall consider a timely offer from Federal Prison Industries.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect 60 days after the date of the enactment of this Act.

SEC. 815. DISCLOSURE OF BENEFICIAL OWNERS IN DATABASE FOR FEDERAL AGENCY CONTRACT AND GRANT OFFICERS.

Section 2313(d)(3) of title 41, United States Code, is amended by inserting '', and an identification of any beneficial owner of such corporation,'' after ''to the corporation''.

SEC. 816. INCLUSION OF OPTICAL TRANSMISSION COMPONENTS IN THE ANALYTICAL FRAMEWORK FOR SUPPLY CHAIN RISKS.

Section 2509(b)(2)(A)(ii) of title 10, United States Code, is amended by striking ''(other than optical transmission components)''.

SEC. 817. AMENDMENT TO DEFINITION OF QUALIFIED APPRENTICE.

Section 2870(d) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting ''or'' at the end;

(2) in paragraph (2), by striking ''; or'' at the end and inserting a period; and

(3) by striking paragraph (3).

SEC. 818. CONTRACT CLOSEOUT AUTHORITY FOR SERVICES CONTRACTS.

Section 836 of the National Defense Authorization Act for Fiscal Year 2017 (10 U.S.C. 2302 note) is amended—

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

''(1) was entered into—

''(A) with respect to a contract or group of contracts for services, on a date that is the later of—

''(i) at least 7 fiscal years before the current fiscal year; and

''(ii) the number of years applicable to the contract or group of contracts in subpart 4.7 of the Federal Acquisition Regulation (as in effect on April 1, 2020);

''(B) with respect to a contract or group of contracts not described in subparagraph (A), on

a date that is at least 17 fiscal years before the current fiscal year;'';

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

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

''(f) OVERSIGHT.—The Secretary of Defense, acting through the Director of the Defense Contract Management Agency, shall establish and maintain a centralized capability with necessary expertise and resources to provide oversight of the closeout of a contract or group of contracts covered by this section.''.

SEC. 819. PLAN TO IMPROVE DEPARTMENT-WIDE MANAGEMENT OF INVESTMENTS IN WEAPON SYSTEMS.

(a) PORTFOLIO MANAGEMENT PLAN.—The Secretary of Defense shall direct the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Chairman of the Joint Chiefs of Staff, and the Director of Cost Assessment and Program Evaluation, to develop a plan to identify, develop, and acquire databases, analytical and financial tools, and workforce skills to improve the Department of Defense-wide assessment, management, and optimization of the investments in weapon

systems of the Department, including through consolidation of duplicate or similar weapon system programs.

(b) PLAN CONTENTS.—The plan developed under subsection (a) shall—

(1) describe the databases and analytical and financial tools in use by the Department of Defense that may be used to support the Department-wide assessment, management, and optimization of the investments in weapon systems of the Department;

(2) determine the database and analytical and financial tool requirements that must be met, and the workforce skills necessary, for more effective Department-wide reviews, analyses, and management by the Secretary of the investments in weapon systems of the Department;

(3) identify the skills described in paragraph (2) that are possessed by the workforce of the Department;

(4) identify the databases and analytical and financial tools to be modified, developed, or acquired to improve the Department-wide reviews, analyses, and management of the investments in weapon systems of the Department; and

(5) set forth a timeline for implementing the plan, including a timeline for the modification, devel-

opment, and acquisition of each database and analytical and financial tool identified under paragraph (4).

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress the plan developed under subsection (a).

(2) FORM.—The plan submitted under paragraph (1) shall be in an unclassified form but may contain a classified annex.

Subtitle C—Industrial Base Matters

SEC. 821. QUARTERLY NATIONAL TECHNOLOGY AND INDUSTRIAL BASE BRIEFINGS.

(a) IN GENERAL.—Section 2504 of title 10, United States Code, is amended—

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

''(a) ANNUAL REPORT.—The Secretary''; and

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

''(b) QUARTERLY BRIEFINGS.—(1) The Secretary of Defense shall ensure that the congressional defense committees receive quarterly briefings on the progress of the

Department of Defense to address the prioritized list of gaps or vulnerabilities in the national technology and industrial base described in subsection (a)(3)(B) as follows:

"(A) One quarterly briefing per year shall be provided by the Secretary of the Army.

"(B) One quarterly briefing per year shall be provided by the Secretary of the Navy.

"(C) One quarterly briefing per year shall be provided by the Secretary of the Air Force.

"(D) One quarterly briefing per year shall be provided by all appropriate heads of the Defense Agencies identified under subsection (a)(3)(B)(ii).

"(2) Each briefing under paragraph (1) shall include an update of the progress of addressing such gaps or vulnerabilities by the Secretary concerned or the appropriate head of a Defense Agency, including an update on—

"(A) actions taken to address such gaps or vulnerabilities;

"(B) the mitigation strategies necessary to address such gaps or vulnerabilities; and

"(C) the proposed timeline for action to address such gaps or vulnerabilities.".

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) HEADING AMENDMENT.—The heading of section 2504 of such title is amended to read as follows:

"§ 2504. National technology and industrial base: annual report and quarterly briefings".

(2) CLERICAL AMENDMENT.—The table of sections for subchapter II of chapter 148 of such title is amended by striking the item relating to section 2504 and inserting the following new item:

"2504. National technology and industrial base: annual report and quarterly briefing.".

SEC. 822. EXPANSION ON THE PROHIBITION ON ACQUIRING CERTAIN METAL PRODUCTS.

(a) IN GENERAL.—Section 2533c of title 10, United States Code, is amended—

(1) in subsection (a)(1), by striking "material melted" and inserting "material mined, refined, separated, melted,"; and

(2) in subsection (c)(3)(A)(i), by striking "tungsten" and inserting "covered material".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date that is three years after the date of the enactment of this Act.

SEC. 823. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) TECHNICAL AMENDMENT.—The second subsection (k) of section 2534 of title 10, United States Code (relating to Implementation of Auxiliary Ship Component Limitation), is redesignated as subsection (l).

(b) COMPONENTS FOR AUXILIARY SHIPS.—Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (l), the following components:

"(A) Large medium-speed diesel engines.

"(B) Auxiliary equipment, including pumps, for all shipboard services.

"(C) Propulsion system components, including engines, reduction gears, and propellers.

"(D) Shipboard cranes.

"(E) Spreaders for shipboard cranes.".

(c) IMPLEMENTATION.—Subsection (l) of section 2534 of title 10, United States Code, as redesignated by subsection (a), is amended—

(1) by redesignating the second sentence to appear as flush text at the end;

(2) by striking ''auxiliary ship after the date'' and inserting the following: ''auxiliary ship—

''(1) with respect to large medium-speed diesel engines described under subparagraph (A) of such subsection, after the date'';

(3) in paragraph (1) (as so designated), by striking ''Navy.'' and inserting ''Navy; and''; and

(4) by inserting after paragraph (1) (as so designated) the following new paragraph:

''(2) with respect to components listed in subparagraphs (B) through (E) of such subsection, after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.''.

SEC. 824. PREFERENCE FOR SOURCING RARE EARTH MATERIALS FROM THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

The Secretary of Defense shall, to the maximum extent practicable, acquire materials that are determined to be strategic and critical materials required to meet the defense, industrial, and essential civilian needs of the United States in the following order of preference:

(1) From sources located within the United States.

(2) From sources located within the national technology and industrial base (as defined in section 2500 of title 10, United States Code).

(3) From other sources as appropriate.

SEC. 825. ENHANCED DOMESTIC CONTENT REQUIREMENT FOR MAJOR DEFENSE ACQUISITION PROGRAMS.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report assessing the domestic source content of any procurement carried out in connection with major defense acquisition programs.

(2) INFORMATION REPOSITORY.—The Secretary of Defense shall establish an information repository for the collection and analysis of information related to domestic source content that can be used for continuous data analysis and program management activities.

(b) ENHANCED DOMESTIC CONTENT REQUIREMENT.—

(1) IN GENERAL.—For purposes of chapter 83 of title 41, United States Code, manufactured articles, materials, or supplies procured in connection

with a major defense acquisition program shall be deemed to be manufactured substantially all from articles, materials, or supplies mined, produced, or manufactured in the United States, if such component articles, materials, or supplies—

(A) not later than October 1, 2021, comprise 75 percent of the manufactured articles, materials, or supplies;

(B) not later than October 1, 2022, comprise 80 percent of the manufactured articles, materials, or supplies;

(C) not later than October 1, 2023, comprise 85 percent of the manufactured articles, materials, or supplies;

(D) not later than October 1, 2024, comprise 90 percent of the manufactured articles, materials, or supplies;

(E) not later than October 1, 2025, comprise 95 percent of the manufactured articles, materials, or supplies; and

(F) not later than October 1, 2026, comprise 100 percent of the manufactured articles, materials, or supplies.

(2) WAIVER.—Before Milestone A approval (as defined in section 2366a(d) of title 10, United

States Code) is granted for a major defense acquisition program, the Secretary of Defense shall determine whether or not to grant a waiver of the requirements of paragraph (1).

(3) EFFECTIVE DATE.—The domestic content requirement under paragraph (1) applies to contracts entered into on or after October 1, 2021.

(c) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term ''major defense acquisition program'' has the meaning given in section 2430 of title 10, United States Code.

SEC. 826. ADDITIONAL REQUIREMENTS PERTAINING TO PRINTED CIRCUIT BOARDS.

(a) PURCHASES.—Beginning in fiscal year 2023, the Secretary of Defense shall require that any contractor or subcontractor that provides covered printed circuit boards for use by the Department of Defense to certify that, of the total value of the covered printed circuit boards provided by such contractor or subcontractor pursuant to a contract with the Department of Defense, not less than the percentages set forth in subsection (b) were manufactured and assembled within a covered country.

(b) IMPLEMENTATION.—In making a certification under subsection (a), a contractor or subcontractor shall use the following percentages:

(1) During fiscal years 2023 through 2027, the greater of—

(A) 50 percent; or

(B) 75 percent, if the Secretary of Defense has determined that suppliers in covered countries are capable of supplying 75 percent of Department of Defense requirements for printed circuit boards.

(2) During fiscal years 2028 through 2032, the greater of—

(A) 75 percent; or

(B) 100 percent, if the Secretary of Defense has determined that suppliers in covered countries are capable of supplying 100 percent of Department of Defense requirements for printed circuit boards.

(3) Beginning in fiscal year 2033, 100 percent.

(c) REMEDIATION.—

(1) IN GENERAL.—In the event that a contractor or subcontractor is unable to make the certification required under subsection (a), the Secretary may accept covered printed circuit boards from such contractor or subcontractor for up to one year while requiring the contractor to complete a remediation plan. Such a plan shall be submitted to

the congressional defense committees and shall require the contractor or subcontractor that failed to make the certification required under subsection (a) to—

(A) audit its supply chain to identify any areas of security vulnerability and noncompliance with section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92); and

(B) meet the requirements of subsection (a) within one year after the initial missed certification deadline.

(2) RESTRICTION.—No contractor or subcontractor that has supplied covered printed circuit boards while under a remediation plan shall be eligible to enter into another remediation plan under subsection (c) for a period of five years.

(d) WAIVER.—The Secretary of Defense may waive the requirement under subsection (a) with respect to a contractor or subcontractor if the Secretary determines that—

(1) there are no significant national security concerns regarding counterfeiting, quality, or unauthorized access created by accepting covered printed circuit boards under such waiver; and

(2) the contractor is otherwise in compliance with all relevant cybersecurity provisions relating to members of the defense industrial base, including section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(e) AVAILABILITY EXCEPTION.—Subsection (a) shall not apply to the extent that the Secretary of Defense or the Secretary of the military department concerned determines that covered printed circuit boards of satisfactory quality and sufficient quantity, in the required form, cannot be procured as and when needed from covered countries.

(f) DEFINITIONS.—In this section:

(1) COVERED COUNTRY.—The term ''covered country'' means—

(A) the United States; or

(B) a foreign country whose government has a memorandum of understanding or agreement with the United States that—

(i) where applicable, complies with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with section 2457 of title 10, United States Code; and

(ii) either—

(I) requires the United States to purchase supplies from foreign sources for the purposes of offsetting sales made the by United States Government or United States firms under approved programs serving defense requirements; or

(II) under which the United States and such government agree to remove barriers to purchase supplies produced in such foreign country or services performed by sources of such foreign country.

(2) COVERED PRINTED CIRCUIT BOARD.—

(A) IN GENERAL.—The term ''covered printed circuit board'' means any printed circuit board that is—

(i) a product that is not a commercial product (as defined in section 103 of title 41, United States Code); or

(ii) a commercial product (as defined in section 103 of title 41, United States Code), other than a commercially available off-the-shelf item (as defined in section

104 of title 41, United States Code) not described in subparagraph (B).

(B) COMMERCIALLY AVAILABLE OFF-THE-SHELF ITEMS DESCRIBED.—The commercially available off-the-shelf items (as defined in section 104 of title 41, United States Code) described in this subparagraph are such items that are acquired under a contract with an award value that is greater than the micro-purchase threshold under section 2338 of title 10, United States Code, for use as an integral component in a system designed for—

(i) telecommunications, including data communications and fifth-generation cellular communications;

(ii) data storage;

(iii) medical applications;

(iv) networking;

(v) computing;

(vi) radar;

(vii) munitions; or

(viii) any other system that the Secretary of Defense determines should be covered under this section.

(3) SUBCONTRACTOR.—The term ''subcontractor'' includes subcontractors at any tier.

SEC. 827. REPORT ON USE OF DOMESTIC NONAVAILABILITY DETERMINATIONS.

Not later than September 30, 2021, and annually thereafter, the Secretary of Defense shall submit a report to congressional defense committees—

(1) describing in detail the use of any waiver or exception by the Department of Defense to the requirements of chapter 83 of title 41, United States Code, or section 2533a of title 10, United States Code, relating to domestic nonavailability determinations;

(2) specifying the type of waiver or exception used; and

(3) providing an assessment of the impact on the use of such waivers or exceptions due to the COVID–19 pandemic and associated challenges with investments in domestic sources.

SEC. 828. SENSE OF CONGRESS ON THE PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT.

(a) FINDINGS.—Congress finds the following:

(1) Prohibiting the use of telecommunications and video surveillance products or services from cer-

tain Chinese entities within the Federal Government's supply chain is essential to our national security.

(2) Section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1917; 41 U.S.C. note prec. 3901) restricts Federal agencies from procuring, contracting with entities that use, or funding the purchase of certain telecommunications products of Chinese companies determined by Congress to pose a substantial threat to the security of our communication infrastructure.

(3) Specifically, section 889(a)(1)(B) of such Act, effective August 13, 2020, will prohibit Federal agencies from entering into, extending, or renewing a contract with an entity that uses covered telecommunications and video surveillance equipment or services from designated Chinese companies, including Huawei and ZTE, in their supply chains.

(4) As of July 1, 2020, the Federal Acquisition Regulatory Council has yet to release a draft rule for public comment on the implementation of the prohibitions described in section 889(a)(1)(B) of such Act, leaving Federal agencies and contractors that provide equipment and services to the Federal

Government without implementation guidance necessary to adequately plan for or comply with the prohibitions.

(5) Belated, and then hurried, implementation of this critical prohibition puts at risk the Federal Government's ability to acquire essential goods and services and increases vulnerability in the supply chain through inconsistent implementation.

(6) A senior Department of Defense leader testified on June 10, 2020, that, ''I am very concerned about being able to implement [the prohibition] in August, as well as totally comply within two years . . . I believe we need more time''.

(7) Subsequent to the enactment of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), Congress established the Federal Acquisition Security Council (FASC)—comprised of senior officials from the Office of Management and Budget, General Services Administration, Department of Defense, Department of Homeland Security and the intelligence community—to streamline the Federal Government's supply chain risk management efforts and develop criteria and processes for supply chain information sharing among executive agencies.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) successful implementation of the prohibition on using or procuring certain telecommunications and video surveillance equipment under section 889 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1917; 41 U.S.C. note prec. 3901) is critical to protecting the supply chain of the Federal Government, and Federal agencies should draw upon the expert resources available (such as the Federal Acquisition Security Council established under subchapter III of chapter 13 of title 41, United States Code) to ensure implementation of such prohibition is done in a comprehensive and deliberative manner; and

(2) the Federal Acquisition Regulatory Council shall ensure successful implementation of such prohibition by providing sufficient time for public comment and review of any related rulemaking.

Subtitle D—Small Business Matters

SEC. 831. TRANSFER OF VERIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS OR SERVICE-DISABLED VETERANS TO THE SMALL BUSINESS ADMINISTRATION.

(a) TRANSFER DATE.—For purposes of this section, the term ''transfer date'' means the date that is 2 years after the date of enactment of this section, except that such date may be extended an unlimited number of times by a period of not more than 6 months if the Administrator of the Small Business Administration and the Secretary of Veterans Affairs jointly issue a notice to Congress and the Law Revision Counsel of the House of Representatives containing—

(1) a certification that such extension is necessary;

(2) the rationale for and the length of such extension; and

(3) a plan to comply with the requirements of this section within the timeframe of the extension.

(b) AMENDMENT TO AND TRANSFER OF VETERAN-OWNED AND SERVICE-DISABLED VETERAN-OWNED BUSINESS DATABASE.—

(1) AMENDMENT OF VETERAN-OWNED AND SERVICE-DISABLED VETERAN-OWNED BUSINESS DATABASE.—Effective on the transfer date, section 8127 of title 38, United States Code, is amended—

(A) in subsection (e)—

(i) by striking ''the Secretary'' and inserting ''the Administrator''; and

(ii) by striking ''subsection (f)'' and inserting ''section 36 of the Small Business Act'';

(B) in subsection (f)—

(i) by striking ''the Secretary'' each place such term appears, other than in the last place such term appears under paragraph (2)(A), and inserting ''the Administrator'';

(ii) in paragraph (1), by striking ''small business concerns owned and controlled by veterans with service-connected disabilities'' each place such term appears and inserting ''small business concerns owned and controlled by service-disabled veterans'';

(iii) in paragraph (2)—

(I) in subparagraph (A), by striking ''to access'' and inserting ''to obtain from the Secretary of Veterans Affairs''; and

(II) by striking subparagraph (B) and inserting the following:

''(B) For purposes of this subsection—

''(i) the Secretary of Veterans Affairs shall—

''(I) verify an individual's status as a veteran or a service-disabled veteran; and

''(II) establish a system to permit the Administrator to access, but not alter, such verification; and

''(ii) the Administrator shall verify—

''(I) the status of a business concern as a small business concern; and

''(II) the ownership and control of such business concern.

''(C) The Administrator may not certify a concern under subsection (b) or section 36A if the Secretary of Veterans Affairs cannot provide the verification described under subparagraph (B)(i)(I).'';

(iv) by striking paragraphs (4) and (7);

(v) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively, and redesignating paragraph (8) as paragraph (6);

(vi) in paragraph (4), as so redesignated, by striking ''The Secretary'' and inserting ''The Administrator''; and

(vii) in paragraph (6), as so redesignated—

(I) in subparagraph (A)—

(aa) by striking ''verify the status of the concern as a small business concern or the ownership or control of the concern'' and inserting ''certify the status of the concern as a small business concern owned and controlled by veterans (under section 36A) or a small business concern owned and controlled by service-disabled veterans (under section 36(g))''; and

(bb) by striking ''verification'' and inserting ''certification'';

(II) in subparagraph (B)—

(aa) in clause (i), by striking ''small business concern owned and controlled by veterans with service-connected disabilities'' and inserting ''small business concern owned and controlled by service-disabled veterans''; and

(bb) in clause (ii)—

(AA) by amending subclause (I) to read as follows:

''(I) the Secretary of Veterans Affairs or the Administrator; or''; and

(BB) in subclause (II), by striking ''the contracting officer of the Department'' and inserting ''the applicable contracting officer''; and

(III) by striking subparagraph (C);

(C) by redesignating subsection (k) (relating to definitions) as subsection (l);

(D) by inserting after subsection (j) (relating to annual reports) the following:

"(k) ANNUAL TRANSFER FOR CERTIFICATION COSTS.—For each fiscal year, the Secretary of Veterans Affairs shall reimburse the Administrator in an amount necessary to cover any cost incurred by the Administrator for certifying small business concerns owned and controlled by veterans that do not qualify as small business concerns owned and controlled by service-disabled veterans for the Secretary for purposes of this section and section 8128 of this title. The Administrator is authorized to accept such reimbursement. The amount of any such reimbursement shall be determined jointly by the Secretary and the Administrator and shall be provided from fees collected by the Secretary under multiple-award schedule contracts. Any disagreement about the amount shall be resolved by the Director of the Office of Management and Budget."; and

(E) subsection (l) (relating to definitions), as so redesignated, by adding at the end the following:

"(4) The term Administrator means the Administrator of the Small Business Administration.".

(2) TRANSFER OF REQUIREMENTS RELATING TO DATABASE TO THE SMALL BUSINESS ACT.—Effective on the transfer date, subsection (f) of section 8127 of title 38, United States Code (as amended by

paragraph (1)), is transferred to section 36 of the Small Business Act (15 U.S.C. 657f), inserted so as to appear after subsection (e).

(3) CONFORMING AMENDMENTS.—The following amendments shall take effect on the transfer date:

(A) SMALL BUSINESS ACT.—Section 3(q)(2)(C)(i)(III) of the Small Business Act (15 U.S.C. 632(q)(2)(C)(i)(III)) is amended by striking ''section 8127(f) of title 38, United States Code'' and inserting ''section 36''.

(B) TITLE 38.—Section 8128 of title 38, United States Code, is amended by striking ''section 8127(f) of this title'' and inserting ''section 36 of the Small Business Act''.

(c) ADDITIONAL REQUIREMENTS FOR DATABASE.—

(1) ADMINISTRATION ACCESS TO DATABASE BEFORE THE TRANSFER DATE.—During the period between the date of the enactment of this section and the transfer date, the Secretary of Veterans Affairs shall provide the Administrator of the Small Business Administration with access to the contents of the database described under section 8127(f) of title 38, United States Code.

(2) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section may be construed—

(A) as prohibiting the Administrator of the Small Business Administration from combining the contents of the database described under section 8127(f) of title 38, United States Code, with other databases maintained by the Administration; or

(B) as requiring the Administrator to use any system or technology related to the database described under section 8127(f) of title 38, United States Code, on or after the transfer date to comply with the requirement to maintain a database under subsection (f) of section 36 of the Small Business Act (as transferred pursuant to subsection (b)(2) of this section).

(3) RECOGNITION OF THE ISSUANCE OF JOINT REGULATIONS.—The date specified under section 1832(e) of the National Defense Authorization Act for Fiscal Year 2017 (15 U.S.C. 632 note) shall be deemed to be October 1, 2018.

(d) PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

(1) PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—Section 36 of the Small Business Act (15 U.S.C. 657f) is amended—

(A) by striking subsections (d) and (e);

(B) by redesignating subsections (a), (b), and (c) as subsections (c), (d), and (e) respectively;

(C) by inserting before subsection (c), as so redesignated, the following:

''(a) CONTRACTING OFFICER DEFINED.—For purposes of this section, the term 'contracting officer' has the meaning given such term in section 2101 of title 41, United States Code.

''(b) CERTIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—With respect to a procurement program or preference established under this Act that applies to prime contractors, the Administrator shall—

''(1) certify the status of the concern as a 'small business concern owned and controlled by service-disabled veterans'; and

''(2) require the periodic recertification of such status.'';

(D) in subsection (d), as so redesignated, by striking ''and that the award can be made at a fair market price'' and inserting '', that the award can be made at a fair market price, and if each concern is certified by the Administrator as a small business concern owned and controlled by service-disabled veterans''; and

(E) by adding at the end the following:

''(g) CERTIFICATION REQUIREMENT.—Notwithstanding subsection (c), a contracting officer may only award a sole source contract to a small business concern owned and controlled by service-disabled veterans or a contract on the basis of competition restricted to small business concerns owned and controlled by service-disabled veterans if such a concern is certified by the Administrator as a small business concern owned and controlled by service-disabled veterans.

''(h) ENFORCEMENT; PENALTIES.—

''(1) VERIFICATION OF ELIGIBILITY.—In carrying out this section, the Administrator shall establish procedures relating to—

''(A) the filing, investigation, and disposition by the Administration of any challenge to the eligibility of a small business concern to receive assistance under this section (including a

challenge, filed by an interested party, relating to the veracity of a certification made or information provided to the Administration by a small business concern under subsection (b)); and

''(B) verification by the Administrator of the accuracy of any certification made or information provided to the Administration by a small business concern under subsection (b).

''(2) EXAMINATIONS.—

''(A) EXAMINATION OF APPLICANTS.—The procedures established under paragraph (1) shall provide for a program of examinations by the Administrator of any small business concern making a certification or providing information to the Administrator under subsection (b), to determine the veracity of any statements or information provided as part of such certification or otherwise provided under subsection (b).

''(B) EXAMINATION OF CERTIFIED CONCERNS.—The procedures established under paragraph (1) shall provide for the examination of risk-based samples of small business concerns certified under subsection (b), or of any small business concern that the Administrator

1 believes poses a particular risk or with respect
2 to which the Administrator receives specific and
3 credible information alleging that the small
4 business concern no longer meets eligibility re-
5 quirements to be certified as a small business
6 concern owned and controlled by service-dis-
7 abled veterans.

8 ''(3) PENALTIES.—In addition to the penalties
9 described in section 16(d), any small business con-
10 cern that is determined by the Administrator to have
11 misrepresented the status of that concern as a small
12 business concern owned and controlled by service-
13 disabled veterans for purposes of subsection (b),
14 shall be subject to—

15 ''(A) section 1001 of title 18, United
16 States Code;

17 ''(B) sections 3729 through 3733 of title
18 31, 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
22 Administrator, the head of any Federal department or
23 agency shall promptly provide to the Administrator such
24 information as the Administrator determines to be nec-
25 essary to carry out subsection (b) or to be able to certify

the status of the concern as a small business concern owned and controlled by veterans under section 36A.''.

(2) PENALTIES FOR MISREPRESENTATION.—Section 16 of the Small Business Act (15 U.S.C. 645) is amended—

(A) in subsection (d)(1)—

(i) by striking '', a'' and inserting '', a 'small business concern owned and controlled by service-disabled veterans', a 'small business concern owned and controlled by veterans', a''; and

(ii) in paragraph (A), by striking ''9, 15, or 31'' and inserting ''8, 9, 15, 31, 36, or 36A''; and

(B) in subsection (e), by striking '', a'' and inserting '', a 'small business concern owned and controlled by service-disabled veterans', a 'small business concern owned and controlled by veterans', a''.

(e) CERTIFICATION FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 36 the following new section:

"SEC. 36A. CERTIFICATION OF SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY VETERANS.

"(a) IN GENERAL.—With respect to the program established under section 8127 of title 38, United States Code, the Administrator shall—

"(1) certify the status of the concern as a 'small business concern owned and controlled by veterans'; and

"(2) require the periodic recertification of such status.

"(b) ENFORCEMENT; PENALTIES.—

"(1) VERIFICATION OF ELIGIBILITY.—In carrying out this section, the Administrator shall establish procedures relating to—

"(A) the filing, investigation, and disposition by the Administration of any challenge to the eligibility of a small business concern to receive assistance under this section (including a challenge, filed by an interested party, relating to the veracity of a certification made or information provided to the Administration by a small business concern under subsection (a)); and

"(B) verification by the Administrator of the accuracy of any certification made or infor-

mation provided to the Administration by a small business concern under subsection (a).

"(2) EXAMINATION OF APPLICANTS.—The procedures established under paragraph (1) shall provide for a program of examinations by the Administrator of any small business concern making a certification or providing information to the Administrator under subsection (a), to determine the veracity of any statements or information provided as part of such certification or otherwise provided under subsection (a).

"(3) PENALTIES.—In addition to the penalties described in section 16(d), any small business concern that is determined by the Administrator to have misrepresented the status of that concern as a small business concern owned and controlled by veterans for purposes of subsection (a), shall be subject to—

"(A) section 1001 of title 18, United States Code;

"(B) sections 3729 through 3733 of title 31, United States Code; and

"(C) section 8127(g) of title 38, United States Code.".

(f) STATUS OF SELF-CERTIFIED SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans shall—

(A) if the concern files a certification application with the Administrator of the Small Business Administration before the end of the 1-year period beginning on the transfer date, maintain such self-certification until the Administrator makes a determination with respect to such certification; and

(B) if the concern does not file such a certification application before the end of the 1-year period beginning on the transfer date, lose, at the end of such 1-year period, any self-certification of the concern as a small business concern owned and controlled by service-disabled veterans.

(2) NON-APPLICABILITY TO DEPARTMENT OF VETERANS AFFAIRS.—Paragraph (1) shall not apply to participation in contracts (including subcontracts) with the Department of Veterans Affairs.

(3) NOTICE.—The Administrator shall notify any small business concern that self-certified as a small business concern owned and controlled by service-disabled veterans about the requirements of this section, including the transfer date and any extension of such transfer date made pursuant to subsection (a), and make such notice publicly available, on—

(A) the date of the enactment of this section; and

(B) the date on which an extension described under subsection (a) is approved.

(g) TRANSFER OF THE CENTER FOR VERIFICATION AND EVALUATION OF THE DEPARTMENT OF VETERANS AFFAIRS TO THE SMALL BUSINESS ADMINISTRATION.—

(1) ABOLISHMENT.—The Center for Verification and Evaluation of the Department of Veterans Affairs defined under section 74.1 of title 38, Code of Federal Regulations, is abolished effective on the transfer date.

(2) TRANSFER OF FUNCTIONS.—All functions that, immediately before the effective date of this subsection, were functions of the Center for Verification and Evaluation shall—

(A) on the date of enactment of this section, be functions of both the Center for Verification and Evaluation and the Small Business Administration, except that the Small Business Administration shall not have any authority to carry out any verification functions of the Center for Verification and Evaluation; and

(B) on the transfer date, be functions of the Small Business Administration.

(3) TRANSFER OF ASSETS.—So much of the personnel, property, and records employed, used, held, available, or to be made available in connection with a function transferred under this subsection shall be available to the Small Business Administration at such time or times as the President directs for use in connection with the functions transferred.

(4) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to a function of the Center for Verification and Evaluation that is transferred under this section is deemed, after the transfer date, to refer to the Small Business Administration.

(h) REPORT.—Not later than the end of the 1-year period beginning on the date of the enactment of this sec-

1 tion and every 6 months thereafter until the transfer date,
2 the Administrator of the Small Business Administration
3 and Secretary of Veterans Affairs shall jointly issue a re-
4 port to the Committees on Appropriations, Small Busi-
5 ness, and Veterans' Affairs of the House of Representa-
6 tives and the Committees on Appropriations, Small Busi-
7 ness and Entrepreneurship, and Veterans' Affairs of the
8 Senate on the planning for the transfer of functions and
9 property required under this section and the amendments
10 made by this section on the transfer date. Such report
11 shall include—
12 (1) whether and how the verification database
13 and operations of the Center for Verification and
14 Evaluation of the Department of Veterans Affairs
15 will be incorporated into the existing certification
16 database of the Small Business Administration;
17 (2) projections for the numbers and timing, in
18 terms of fiscal year, of—
19 (A) already verified concerns that will
20 come up for recertification; and
21 (B) self-certified concerns that are ex-
22 pected to apply for certification;
23 (3) an explanation of how outreach to veteran
24 service organizations, the service-disabled veteran-

owned and veteran-owned small business community, and other stakeholders will be conducted; and

(4) other pertinent information determined by the Administrator and the Secretary.

SEC. 832. EQUITABLE ADJUSTMENTS TO CERTAIN CONSTRUCTION CONTRACTS.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 15 the following new section:

"SEC. 15A. EQUITABLE ADJUSTMENTS TO CONSTRUCTION CONTRACTS.

''(a) REQUEST FOR AN EQUITABLE ADJUSTMENT.—A small business concern performing a construction contract that was awarded by an agency may submit a request for an equitable adjustment to the contracting officer of such agency if the contracting officer directs a change in the work within the general scope of the contract without the agreement of the small business concern. Such request shall—

''(1) be timely made pursuant to the terms of the contract; and

''(2) comply with Federal regulations regarding equitable adjustments, including specifying additional costs resulting from such change in the work within the general scope of the contract.

"(b) AMOUNT.—Upon receipt of a request for equitable adjustment under subsection (a), the agency shall provide to the small business concern an interim partial payment in an amount that is at least 50 percent of the costs identified in the request for equitable adjustment under subsection (a)(2).

"(c) LIMITATION.—Any interim partial payment made under this section shall not be deemed to be an action to definitize the request for an equitable adjustment.

"(d) FLOW-DOWN OF INTERIM PARTIAL PAYMENT AMOUNTS.—A small business concern that requests an equitable adjustment under this section shall pay to a first tier subcontractor or supplier the portion of the interim partial payment received that is attributable to the increased costs of performance incurred by the first tier subcontractor or supplier due to the change in the work within the general scope of the contract. A subcontractor or supplier at any tier that receives a portion of an interim partial payment under this section shall pay its subcontractor or supplier the appropriate portion of such payment.".

(b) IMPLEMENTATION.—The Administrator of the Small Business Administration shall implement the requirements of this section not later than the first day of

the first full fiscal year beginning after the date of the enactment of this Act.

SEC. 833. EXEMPTION OF CERTAIN CONTRACTS AWARDED TO SMALL BUSINESS CONCERNS FROM CATEGORY MANAGEMENT REQUIREMENTS.

(a) IN GENERAL.—The Small Business Act is amended—

(1) by redesignating section 49 as section 50; and

(2) by inserting after section 48 the following new section:

"SEC. 49. EXEMPTION OF CERTAIN CONTRACTS FROM CATEGORY MANAGEMENT REQUIREMENTS.

"(a) IN GENERAL.—A contract awarded under section 8(a), 8(m), 31, or 32 that is classified as tier 0—

"(1) shall be exempt from the procedural requirements of any Federal rule or guidance on category management or successor strategies for contract consolidation; and

"(2) may not be included when measuring the attainment of any goal or benchmark established under any Federal rule or guidance on category management or successor strategies for contract consolidation, unless the inclusion of such contract

aids in the achievement of such a goal or benchmark.

''(b) DEFINITIONS.—In this section:

''(1) CATEGORY MANAGEMENT.—The term 'category management' has the meaning given such term by the Director of the Office of Management and Budget.

''(2) TIER 0.—The term 'tier 0' has the meaning given such term by the Director of the Office of Management and Budget with respect to the Spend Under Management tiered maturity model, or any successor model.''.

(b) APPLICATION.—Section 49 of the Small Business Act, as added by subsection (a), shall apply with respect to contracts entered into on or after the date of the enactment of this Act.

(c) PLAN AND REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall submit to Congress a report including a plan to increase the participation of small business concerns in agency-wide or Government-wide contracts (including best in class designations as defined in section 15(h)(4)(B)). Such plan shall include—

(A) strategies to increase the amount and frequency of opportunities for small business concerns to participate in agency-wide or Government-wide contracts;

(B) strategies to ease or eliminate requirements that impede such participation of small business concerns; and

(C) a specific goal for the number of small business concerns participating in agency-wide or Government-wide contracts and a timeline to achieve such goal.

(2) IMPLEMENTATION.—Not later than 60 days after the submission of the report required under paragraph (1), the Director of the Office of Management and Budget shall implement the plan contained in such report.

(d) RULEMAKING.—Not later than 90 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be revised to carry out this Act and the amendment made by this Act.

SEC. 834. REPORT ON ACCELERATED PAYMENTS TO CERTAIN SMALL BUSINESS CONCERNS.

(a) REPORT.—Not later than 3 months after the date of the enactment of this section, the head of each Federal agency shall submit to Congress a report on the timeliness

of payments made to a covered prime contractor. Such report shall include—

(1) the date on which the Federal agency began providing accelerated payments in accordance with section 2307(a)(2) of title 10, United States Code, or paragraphs (10) and (11) of section 3903(a) of title 31, United States Code, as applicable, to a covered prime contractor;

(2) of contracts to which such sections apply, the amount and percentage of covered contracts with accelerated payment terms in accordance with such sections; and

(3) whether and on what date the agency discontinued implementation of the Office of Management and Budget Circular M–11–32 titled ''Accelerating Payments to Small Businesses for Goods and Services'' (issued September 14, 2011).

(b) DEFINITIONS.—In this section:

(1) COVERED PRIME CONTRACTOR.—The term ''covered prime contractor'' means—

(A) a prime contractor (as defined in section 8701 of title 41) that is a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)); and

(B) a prime contractor that subcontracts with a small business concern.

(2) COVERED CONTRACT.—The term ''covered contract'' means a contract entered into by a covered prime contractor—

(A) on or after August 13, 2018, with respect to a contract entered into the head of an agency (as defined in section 2302 of title 10, United States Code); or

(B) on or after December 20, 2019, with respect to a contract entered into with the head of an agency (as defined in section 3901 of title 31, United States Code).

(3) FEDERAL AGENCY.—The term ''Federal agency'' has the meaning given ''agency'' in section 551(a) of title 5, United States Code.

Subtitle E—Other Matters

SEC. 841. MODIFICATIONS TO SUPERVISION AND AWARD OF CERTAIN CONTRACTS.

(a) SUPERVISION OF MILITARY CONSTRUCTION PROJECTS.—Section 2851 of title 10, United States Code, is amended—

(1) in subsection (c)(1)—

(A) by inserting ''or appropriated'' after ''funds authorized'' each place such term appears; and

(B) in subparagraph (E), by inserting '', Facilities Sustainment, Restoration, and Modernization (FSRM) project,'' after ''military construction project''; and

(2) in subsection (c)(2)—

(A) by inserting '', deadline for bid submissions,'' after ''solicitation date'';

(B) by inserting ''(including the address of such recipient)'' after ''contract recipient''; and

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

''(H) Any subcontracting plan required under paragraph (4) or (5) of section 8(d) of the Small Business Act (15 U.S.C. 637(d)) for the project submitted by the contract recipient to the Secretary of Defense.

''(I) A detailed written statement describing and justifying any exception applied or waiver granted under—

''(i) chapter 83 of title 41;

''(ii) section 2533a of this title; or

''(iii) section 2533b of this title.''; and

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

''(4) The information required to be published on the Internet website under subsection (c) shall constitute a record for the purposes of Chapter 21, 29, 31, and 33 of title 44.''.

(b) REQUIREMENTS RELATING TO THE AWARD OF COVERED MILITARY CONSTRUCTION CONTRACTS.—

(1) REQUIREMENTS.—Subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after section 2851 the following new section:

''§ 2851a. Requirements relating to the award of covered military construction contracts

''(a) PUBLICATION OF CERTAIN INFORMATION RELATING TO COVERED MILITARY CONSTRUCTION CONTRACTS.—

''(1) CONTRACTOR REQUIREMENTS.—A contractor that has been awarded a covered military construction contract shall—

''(A) make publicly available on a website of the General Services Administration or the Small Business Administration, as applicable, any solicitation under that covered military con-

1 struction contract for a subcontract of an esti-
2 mated value of $250,000 or more; and
3 ''(B) submit written notification of the
4 award of the covered military construction con-
5 tract, and of any subcontract awarded under
6 the covered military construction contract, to
7 the relevant agency of a covered State that en-
8 forces workers' compensation or minimum wage
9 laws in such covered State.
10 ''(2) NOTICE.—Upon award of a covered mili-
11 tary construction contract with an estimated value
12 greater than or equal to $2,000,000, the Secretary
13 concerned shall notify any applicable Member of
14 Congress representing the covered State in which
15 that covered military construction contract is to be
16 performed of such award in a timely manner.
17 ''(3) FEDERAL PROCUREMENT DATA SYSTEM.—
18 The Secretary of Defense shall ensure that there is
19 a clear and unique indication of any covered military
20 construction contract with subcontracting work of an
21 estimated value of $250,000 or more in the Federal
22 Procurement Data System established pursuant to
23 section 1122(a)(4) of title 41 (or any successor sys-
24 tem).
25 ''(b) USE OF LOCAL FIRMS AND INDIVIDUALS.—

"(1) IN GENERAL.—To the extent practicable, in awarding a covered military construction contract, the Secretary concerned shall give preference to those firms and individuals residing or doing business primarily in the same State as, or within a 60-mile radius of, the location of the work to be performed pursuant to the contract.

"(2) JUSTIFICATION REQUIRED.—The Secretary concerned shall prepare a written justification, and make such justification available on the Internet site required under section 2851 of this title, for the award of any covered military construction contract to a firm or individual that is not described under paragraph (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.

"(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:

"(1) Each covered military construction contract and each subcontract of a covered military con-

1 struction contract described in subsection (a)(1)(A)
2 awarded during that month.
3 ''(2) The location of the work to be performed
4 pursuant to each covered military construction con-
5 tract and subcontract identified pursuant to para-
6 graph (1).
7 ''(3) The prime contractor and any subcon-
8 tractor performing each covered military construc-
9 tion contract and subcontract identified pursuant to
10 paragraph (1).
11 ''(4) The estimated value of each covered mili-
12 tary construction contract and subcontract identified
13 pursuant to paragraph (1).
14 ''(e) EXCLUSION OF CLASSIFIED PROJECTS.—This
15 section does not apply to a classified covered military con-
16 struction project.
17 ''(f) DEFINITIONS.—In this section:
18 ''(1) COVERED MILITARY CONSTRUCTION CON-
19 TRACT.—The term 'covered military construction
20 contract' means a contract for work on a military
21 construction project, military family housing project,
22 or Facilities Sustainment, Restoration, and Mod-
23 ernization (FSRM) project carried out in a covered
24 State.

"(2) COVERED STATE.—The term 'covered State' means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, or the Commonwealth of the Northern Mariana Islands.

"(3) MEMBER OF CONGRESS.—The term 'Member of Congress' has the meaning given the term in section 2106 of title 5.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of title 10, United States Code, is amended by inserting after the item relating to section 2851 the following new item:

"2851a. Requirements relating to the award of covered military construction contracts.".

(3) APPLICABILITY.—Section 2851a of title 10, United States Code, as added by paragraph (1), shall apply with respect to a covered military construction contract, as defined in such section, entered into on or after the date of the enactment of this Act.

(c) SMALL BUSINESS CREDIT FOR LOCAL BUSINESSES.—Section 15 of the Small Business Act (15 U.S.C. 644) is amended by adding at the end the following new subsection—

"(y) SMALL BUSINESS CREDIT FOR LOCAL BUSINESSES.—

"(1) CREDIT FOR MEETING SUBCONTRACTING GOALS.—If a prime contractor awards a subcontract (at any tier) to a small business concern that has its principal office located in the same State as, or within a 60-mile radius of, the location of the work to be performed pursuant to the contract of the prime contractor, the value of the subcontract shall be doubled for purposes of determining compliance with the goals for procurement contracts under subsection (g)(1)(A) during such period.

"(2) REPORT.—Along with the report required under subsection (h)(1), the head of each Federal agency shall submit to the Administrator, and make publicly available on the scorecard described in section 868(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 933; 15 U.S.C. 644 note), an analysis of the number and dollar amount of subcontracts awarded pursuant to paragraph (1) for each fiscal year of the period described in such paragraph.".

SEC. 842. AMENDMENTS TO SUBMISSIONS TO CONGRESS RELATING TO CERTAIN FOREIGN MILITARY SALES.

Section 887(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 22 U.S.C. 2761 note) is amended—

(1) by striking ''the Secretary shall'' each place it appears and inserting ''the Secretary, in consultation with the Secretary of State, shall'';

(2) in paragraph (1)—

(A) by striking ''December 31, 2021'' and inserting ''December 31, 2024''; and

(B) by striking ''with a value'' and all that follows through the ''subsection (a)''; and

(3) in paragraph (2), by striking ''December 31, 2021'' and inserting ''December 31, 2024''.

SEC. 843. REVISIONS TO REQUIREMENT TO USE FIRM FIXED-PRICE CONTRACTS FOR FOREIGN MILITARY SALES.

(a) IN GENERAL.—Section 830 of the National Defense Authorization Act for Fiscal Year 2017 (22 U.S.C. 2762 note) is amended—

(1) in subsection (a), by inserting ''and subject to subsection (e)'' after ''enactment of this Act''; and

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

''(e) APPLICABILITY.—The regulations prescribed pursuant to subsection (a) shall not apply to a foreign military sale for which the foreign country that is the counterparty to such foreign military sale has requested a modification to the defense service or defense article that is the subject of such foreign military sale that would require significant development work.''; and

(3) in subsection (c), by adding at the end the following new sentence: ''The Secretary may not delegate the authority to exercise such a waiver below the level of the service acquisition executive (as defined in section 101(a)(10) of title 10, United States Code).''.

(b) IMPLEMENTATION.—The Secretary of Defense shall—

(1) not later than 120 days after the date of the enactment of this Act, issue guidance to carry out the amendments made by this section; and

(2) not later than February 1, 2021, revise the Department of Defense Supplement to the Federal Acquisition Regulation to carry out the amendments made by this section.

SEC. 844. SMALL BUSINESS INDUSTRIAL BASE RESILIENCY PROGRAM.

(a) ESTABLISHMENT.—The Assistant Secretary of Defense for Industrial Base Policy (established under section 902 of this Act) shall establish a program to be known as the "Small Business Industrial Base Resiliency Program" under which the Assistant Secretary shall enter into transactions to purchase or to make a commitment to purchase goods or services from small business concerns as described in subsection (b) to respond to the COVID–19 pandemic.

(b) USES OF TRANSACTIONS.—A transaction entered into pursuant to the authority under this section shall—

(1) support the monitoring and assessment of small business concerns that enter into such a transaction;

(2) address critical issues in the industrial base relating to urgent operational needs in response to the COVID–19 pandemic;

(3) support efforts to create, maintain, protect, expand, or restore the industrial base in response to the COVID–19 pandemic; and

(4) as applicable, address supply chain vulnerabilities related to the COVID–19 pandemic for small business concerns that enter into such a transaction.

(c) DURATION.—The term of a transaction entered into pursuant to the authority under this section shall be two years.

(d) LIABILITIES.—With respect to any transaction entered into pursuant to the authority under this section on or after the date of enactment of this Act, if such transaction imposes any contingent liability upon the United States, such liability shall be recorded as an obligation against amounts made available from the Research and Development, Defense-Wide, Pandemic Preparedness and Resilience National Security Fund under section 1003 in an amount equal to the maximum amount of the contingency at the time such transaction is entered into.

(e) REPORT.—Not later than March 1, 2021, the Assistant Secretary of Defense for Industrial Base Policy shall submit to the appropriate committees a report that includes the following:

(1) A description of any guidance or policy issued to carry out this section.

(2) A description of any relevant assessments prepared to address critical issues in the industrial base relating to urgent operational needs related to the COVID–19 pandemic.

(3) A description of any transaction entered into pursuant to the authority under this section,

and the impact such transaction has had on the response of the Department of Defense to the COVID–19 pandemic.

(4) A prioritized list of gaps or vulnerabilities in the transactions of the industrial base in which small business concerns participate that are related the COVID–19 pandemic, including—

(A) a description of mitigation strategies necessary to address such gaps or vulnerabilities;

(B) the identification of the Secretary concerned or the head of the Defense Agency responsible for addressing such gaps or vulnerabilities; and

(C) a proposed timeline for action to address such gaps or vulnerabilities.

(5) Identification of each transaction designed to sustain specific essential technological and industrial capabilities and processes of the industrial base in which small business concerns participate that are related to the COVID–19 pandemic.

(6) Any other steps necessary to foster and safeguard the industrial base in which small business concerns participate due to the impact of the COVID–19 pandemic.

(f) FUNDING.—The Assistant Secretary of Defense for Industrial Base Policy shall use amounts authorized to be appropriated for Research and Development, Defense-Wide, Pandemic Preparedness and Resilience National Security Fund under section 1003 to carry out the requirements of this section.

(g) DEFINITIONS.—In this Act:

(1) APPROPRIATE COMMITTEES.—The term ''covered committees'' means—

(A) the Committees on Armed Services of the Senate and the House of Representatives; and

(B) the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

(2) COVID–19 PANDEMIC.—The term ''COVID–19 pandemic'' means the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(3) DEFENSE AGENCY.—The term ''Defense Agency'' has the meaning given in section 101 of title 10, United States Code.

(4) SECRETARY CONCERNED.—The term ''Secretary concerned'' has the meaning given in section 101 of title 10, United States Code.

(5) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given under section 3 of the Small Business Act (15 U.S.C. 632)).

SEC. 845. REQUIREMENTS RELATING TO REPORTS AND LIMITATIONS ON THE AVAILABILITY OF FUNDS.

(a) LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO THE DEFENSE CIVILIAN TRAINING CORPS PROGRAM.—

(1) INITIAL PLAN AND SCHEDULE.—Beginning on October 1, 2020, if the Secretary of Defense has not submitted the plan and schedule to implement the Defense Civilian Training Corps program required under section 860(b)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1514; 10 U.S.C. 2200g note), not more than 25 percent of the funds specified in paragraph (3) may be obligated or expended until the date on which such plan and schedule has been submitted.

(2) EXPANSION PLAN AND SCHEDULE.—Beginning on January 1, 2021, if the Secretary of Defense has not submitted the expansion plan and schedule relating to the Defense Civilian Training Corps program required under section 860(b)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1514; 10 U.S.C. 2200g note), not more than 50 percent of the funds specified in paragraph (3) may be obligated or expended until the date on which such expansion plan and schedule has been submitted.

(3) FUNDS SPECIFIED.—The funds specified in this paragraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(A) The immediate office of the Secretary of Defense.

(B) The Office of the Under Secretary of Defense for Personnel and Readiness.

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

(D) The Office of the Under Secretary of Defense for Acquisition and Sustainment.

(b) REPORT AND LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO THE EXTRAMURAL ACQUISITION INNOVATION AND RESEARCH ACTIVITIES.—

(1) REPORT.—Not later than October 1, 2020, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report—

(A) on the establishment of the extramural acquisition innovation and research activities required under section 2361a of title 10, United States Code (as added by section 835(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1494)); and

(B) that includes the name of the Director appointed under section 2361a(c) of such title (as added by section 835(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1494)).

(2) LIMITATION.—

(A) IN GENERAL.—Beginning on October 1, 2020, if the Under Secretary of Defense for Acquisition and Sustainment has not submitted the report required under paragraph (1), not more than 25 percent of the funds specified in

subparagraph (B) may be obligated or expended until the date on which such report has been submitted.

(B) FUNDS SPECIFIED.—The funds specified in this subparagraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(i) The immediate office of the Secretary of Defense.

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

(iii) The Office of the Under Secretary of Defense for Acquisition and Sustainment.

(c) REPORT AND LIMITATION ON THE AVAILABILITY OF FUNDS RELATING TO THE ELIMINATING THE GAPS AND VULNERABILITIES IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—

(1) REPORT.—Not later than October 1, 2020, the Secretary of Defense shall submit to the congressional defense committees the national security strategy for national technology and industrial base required by section 2501(a) of title 10, United States Code.

(2) LIMITATION.—

(A) IN GENERAL.—Beginning on October 1, 2020, if the Secretary of Defense has not submitted the report required under paragraph (1), not more than 25 percent of the funds specified in subparagraph (B) may be obligated or expended until the date on which such report has been submitted.

(B) FUNDS SPECIFIED.—The funds specified in this subparagraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense for the following:

(i) The immediate office of the Secretary of Defense.

(ii) The Office of the Under Secretary of Defense for Acquisition and Sustainment.

SEC. 846. ASSESSMENT OF THE REQUIREMENTS PROCESSES OF THE MILITARY DEPARTMENTS.

(a) ASSESSMENT.—The Secretary of the military department concerned shall assess the requirements process of the military department and make recommendations to improve the agility and timeliness of such requirements

process for acquisition programs of the military department.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 31, 2021, each Secretary of a military department shall submit to the congressional defense committees a report on the assessment conducted pursuant to subsection (a) and specific plans to update the requirements processes of the military department concerned based on such assessment.

(2) ELEMENTS.—Each report shall include an analysis of and recommended improvements for the following elements:

(A) If appropriate, information from the report required in section 800(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(B) The alignment of the requirements processes, acquisition system, and budget process of the military department concerned.

(C) The requirements process for each acquisition pathway of the adaptive acquisition framework (as described in Department of Defense Instruction 5000.02, ''Operation of the Adaptive Acquisition Framework''), including

the time it takes to complete requirements development and approval process for each pathway.

(D) For each acquisition pathway described in subparagraph (C), the processes for and the extent to which detailed systems engineering and requirements trade-off analyses are done before the development of requirements begins for a specific acquisition program to ensure that risks are understood and accounted for and that both top-level and derived requirements (development as well as reliability and maintainability) are achievable within cost, schedule, and technology constraints.

(E) Organizational roles and responsibilities of individuals with responsibilities relating to the requirements process for the military department concerned, including the role, composition, and metrics used to assess the effectiveness of any requirements oversight council of the military department concerned.

(F) The composition and sufficiency of individuals who develop requirements for the military department concerned, including any acquisition workforce planning and personnel

shortfalls and resources needed to address any such shortfalls.

(G) The ability of the requirements process to address the urgent needs of the military department concerned.

(H) The capacity to review changes in requirements for programs of record.

(I) The validation of decisions made from the requirements process and the alignment of each such decision to the national defense strategy required under section 113(g) of title 10, United States Code.

(J) The use of portfolio management in the requirements process to coordinate decisions and avoid any duplication of requirements across acquisition programs.

(K) The implementation of recommendations on the process from the Comptroller General of the United States by each military department.

(L) Identification and comparison of best practices in the private sector and the public sector for the requirements development and approval process.

(M) Other recommendations to improve the process of establishing requirements, including lessons learned from responding to the COVID–19 pandemic.

(N) Any additional matters that the Secretaries determine appropriate.

SEC. 847. REPORT ON TRANSFER AND CONSOLIDATION OF CERTAIN DEFENSE ACQUISITION STATUTES.

Not later than February 21, 2021, the Secretary of Defense shall submit to the congressional defense committees a report containing a comprehensive legislative proposal for the transfer and consolidation of statutes within the framework for part V of subtitle A of title 10, United States Code (as enacted by section 801 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232)), along with conforming amendments to law required by such transfer and consolidation. Such report shall include an assessment of the effect of such transfer and consolidation on related Department of Defense activities, guidance, and interagency coordination.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

SEC. 901. REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.

(a) REPEAL OF POSITION OF CHIEF MANAGEMENT OFFICER.—

(1) IN GENERAL.—Section 132a of title 10, United States Code is repealed.

(2) CONFORMING AMENDMENTS AND REPEALS.—

(A) Paragraph (2) of section 131(b) of title 10, United States Code, is repealed.

(B) The table of sections at the beginning of chapter 4 of title 10, United States Code, is amended by striking the item relating to section 132a.

(C) Section 910 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1516) is repealed.

(3) EFFECTIVE DATE.—The amendments and repeals made by paragraphs (1) and (2) shall take

effect 30 days after the date of the enactment of this Act.

(b) IMPLEMENTATION.—On the effective date of the amendments and repeals under subsection (a)—

(1) any duties and responsibilities that remain assigned to the Chief Management Officer of the Department of Defense shall be transferred to a single official selected by the Secretary of Defense, except that such official may not be an individual who served as the Chief Management Officer before such effective date;

(2) the personnel, functions, and assets of the Office of the Chief Management Officer shall be transferred to such other organizations and elements of the Department as the Secretary determines appropriate; and

(3) any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Chief Management Officer of the Department of Defense shall be deemed to be a reference to the official selected by the Secretary under paragraph (1)).

(c) LEGISLATIVE PROPOSAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense

committees a report that includes a comprehensive legislative proposal for additional conforming amendments to law required by the amendments and repeals made by this section.

SEC. 902. ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.

(a) IN GENERAL.—

(1) ASSISTANT SECRETARIES OF DEFENSE.—Section 138 of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''13'' and inserting ''14''; and

(B) in subsection (b), by adding at the end the following new paragraph:

''(6) One of the Assistant Secretaries is the Assistant Secretary of Defense for Industrial Base Policy. In addition to any duties and powers prescribed under paragraph (1), the Assistant Secretary of Defense for Industrial Base Policy shall have the duties described in section 139c of this title.''.

(2) ASSISTANT SECRETARY OF DEFENSE FOR INDUSTRIAL BASE POLICY.—Chapter 4 of subtitle A of title 10, United States Code, is amended by inserting after section 139b the following new section:

"§ 139c. Assistant Secretary of Defense for Industrial Base Policy

''(a) IN GENERAL.—The Assistant Secretary of Defense for Industrial Base Policy shall report to the Under Secretary of Defense for Acquisition and Sustainment.

''(b) RESPONSIBILITIES.—The Assistant Secretary of Defense for Industrial Base Policy shall be the head of the Office of Defense Industrial Base Policy and shall serve as the principal advisor to the Under Secretary of Defense for Acquisition and Sustainment in the performance of the Under Secretary's duties relating to the following:

''(1) Providing input to strategy reviews on matters related to—

''(A) the defense industrial base; and

''(B) materials critical to national security (as defined in section 187(e)(1) of this title).

''(2) Establishing policies of the Department of Defense for developing and maintaining the defense industrial base of the United States and ensuring a secure supply of materials critical to national security.

''(3) Providing recommendations on budget matters pertaining to the defense industrial base, the supply chain, and the development and retention

of skills necessary to support the defense industrial base.

''(4) Providing recommendations and acquisition policy guidance on defense supply chain management and supply chain vulnerability throughout the entire defense supply chain, from suppliers of raw materials to producers of major end items.

''(5) Establishing the national security objectives concerning the national technology and industrial base required under section 2501 of this title.

''(6) Executing the national defense program for analysis of the national technology and industrial base required under section 2503 of this title.

''(7) Performing the national technology and industrial base periodic defense capability assessments required under section 2505 of this title.

''(8) Establishing the technology and industrial base policy guidance required under section 2506 of this title.

''(9) Providing policy and oversight of matters related to materials critical to national security to ensure a secure supply of such materials to the Department of Defense.

''(10) Carrying out the activities of the Department of Defense relating to the Defense Production

Act Committee established under section 722 of the Defense Production Act of 1950 (50 U.S.C. App. 2171).

''(11) Consistent with section 2(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2062(b)), executing other applicable authorities provided under the Defense Production Act of 1950 (50 U.S.C. App. 2061 et seq.), including authorities under titles I and III of such Act.

''(12) Establishing Department of Defense policies related to international defense technology security and export control issues.

''(13) Establishing policies related to industrial independent research and development programs under section 2372 of this title.

''(14) Coordinating with the Director of Small Business Programs on all matters related to industrial base policy of the Department of Defense.

''(15) Ensuring reliable sources of materials critical to national security, such as specialty metals, armor plate, and rare earth elements.

''(16) Establishing policies of the Department of Defense for continued reliable resource availability from secure sources for the defense industrial base of the United States.

"(17) Establishing policies related to a procurement technical assistance program funded under this chapter 142 of this title.

"(18) Such other duties as are assigned by the Under Secretary.

"(c) RULES OF CONSTRUCTION RELATING TO DEFENSE PRODUCTION ACT.—Nothing in this section shall be construed to modify the authorities or responsibilities of any officer or employee of the United States under the Defense Production Act of 1950 (50 U.S.C. 4501 et seq.), including those authorities and responsibilities specified in Department of Defense Directive 4400.01E (or any successor directive). In addition, nothing in subsection (b)(9) shall be construed to limit the authority or modify the policies of the Committee on Foreign Investment in the United States established under section 721(k) of such Act (50 U.S.C. 4565(k)).".

(3) CLERICAL AMENDMENT.—The table of contents for chapter 4 of subtitle A of title 10, United States Code, is amended by inserting after the item relating to section 139b the following new item:

"139c. Assistant Secretary of Defense for Industrial Base Policy.".

(b) CONTINUATION OF SERVICE.—The Deputy Assistant Secretary of Defense for Industrial Policy shall be the individual serving as the Assistant Secretary of Defense for Industrial Base Policy (as established under sec-

tion 139c(a) of title 10, United States Code, as added by subsection (a)) until the President has appointed an individual to serve as Assistant Secretary of Defense for Industrial Base Policy pursuant to section 138 of title 10, United States Code.

(c) TRANSFER OF OFFICE OF INDUSTRIAL POLICY TO OFFICE OF DEFENSE INDUSTRIAL BASE POLICY.—

(1) TRANSFER OF FUNCTIONS.—Not later than 180 days after the date of the enactment of this Act, all functions that, immediately before such date of enactment, were functions of the Office of Industrial Policy of the Department of Defense shall be transferred to the Office of Defense Industrial Base Policy.

(2) TRANSFER OF ASSETS.—So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with a function transferred under paragraph (1) shall be available to the Office of Defense Industrial Base Policy at such time or times as the President directs for use in connection with the functions transferred.

(3) TERMINATION.—The Office of Industrial Policy of the Department of Defense shall terminate on the earlier of—

(A) the effective date of the transfers under paragraph (1); or

(B) 180 days after the date of the enactment of this Act.

Subtitle B—Other Department of Defense Organization and Management Matters

SEC. 911. LIMITATION ON REDUCTION OF CIVILIAN WORKFORCE.

Section 129a(b) of title 10, United States Code, is amended by adding at the end the following: ''The Secretary may not reduce the civilian workforce programmed full-time equivalent levels unless the Secretary conducts an appropriate analysis of the impacts of such reductions on workload, military force structure, lethality, readiness, operational effectiveness, stress on the military force, and fully burdened costs.''

SEC. 912. CHIEF DIVERSITY OFFICERS.

(a) DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 146. Chief Diversity Officer

''(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of Defense, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion. A person may not be appointed as Chief Diversity Officer within seven years after relief from active duty as a commissioned officer of a regular component of an armed force.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

''(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Department of Defenserelated to diversity and inclusion;

''(2) exercises authority to direct the Secretaries of the military departments and the heads of all other elements of the Department with regard to matters for which the Chief Diversity Officer has responsibility under this section;

''(3) exercises authority, direction, and control over the Office of People Analytics, or any successor organization;

"(4) shall establish and maintain a Department of Defense strategic plan that publicly states a diversity definition, vision, and goals for the Department of Defense;

"(5) shall define a set of strategic metrics that are directly linked to key organizational priorities and goals, actionable, and actively used to implement the strategic plan;

"(6) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

"(7) shall establish and maintain a strategic plan for outreach to, and recruiting from, untapped locations and underrepresented demographic groups;

"(8) shall conduct regular, rigorous evaluations and assessments of diversity within the Department of Defense; and

"(9) shall perform such additional duties and exercise such powers as the Secretary of Defense may prescribe.

"(c) PRECEDENCE IN THE DEPARTMENT OF DEFENSE.—(1) The Chief Diversity Officer shall report directly to the Secretary of Defense in the performance of duties under this section.

"(2) The Chief Diversity Officer takes precedence in the Department of Defense after the Chief Management Officer.".

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"146. Chief Diversity Officer.".

(B) Section 136(b) of such title is amended by inserting "the Chief Diversity Officer and" after "control of the Secretary of Defense,".

(b) DEPARTMENT OF THE ARMY.—

(1) IN GENERAL.—Chapter 703 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 7025. Chief Diversity Officer

"(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of the Army, appointed from civilian life by the President, by and with the advice and consent of the Senate.

"(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

1 ''(b) POWERS AND DUTIES.—The Chief Diversity Of-
2 ficer—
3 ''(1) is responsible for policy, oversight, guid-
4 ance, and coordination for all matters of the Depart-
5 ment of the Army related to diversity and inclusion;
6 ''(2) exercises authority to direct the heads of
7 all other elements of the Department with regard to
8 matters for which the Chief Diversity Officer has re-
9 sponsibility under this section;
10 ''(3) shall establish training in diversity dynam-
11 ics and training in practices for leading diverse
12 groups effectively;
13 ''(4) shall conduct regular, rigorous evaluations
14 and assessments of diversity within the Department
15 of the Army; and
16 ''(5) shall perform such additional duties and
17 exercise such powers as the Secretary of the Army
18 may prescribe.''.
19 (2) TECHNICAL AND CONFORMING AMEND-
20 MENTS.—
21 (A) The table of sections at the beginning
22 of such chapter is amended by adding at the
23 end the following new item:

''7025. Chief Diversity Officer.''.

24 (B) Section 7014(b) of such title is amend-
25 ed by—

(i) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(ii) by inserting after paragraph (1), the following new paragraph (2):

''(2) The Chief Diversity Officer.''.

(C) Section 7014(c)(1) of such title is amended by adding at the end the following new subparagraph (H):

''(H) Diversity and inclusion.''.

(c) DEPARTMENT OF THE NAVY.—

(1) IN GENERAL.—Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8029. Chief Diversity Officer

''(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of the Navy, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

"(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Department of the Navy related to diversity and inclusion;

"(2) exercises authority to direct the heads of all other elements of the Department with regard to matters for which the Chief Diversity Officer has responsibility under this section;

"(3) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

"(4) shall conduct regular, rigorous evaluations and assessments of diversity within the Department of the Navy; and

"(5) shall perform such additional duties and exercise such powers as the Secretary of the Navy may prescribe.".

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections at the beginning of chapter 803 of title 10, United States Code, is amended by adding at the end the following new item:

"8029. Chief Diversity Officer.".

(B) Section 8014(b) of such title is amended by—

(i) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(ii) by inserting after paragraph (1), the following new paragraph (2):

''(2) The Chief Diversity Officer.''.

(C) Section 8014(c)(1) of such title is amended by adding at the end the following new subparagraph (H):

''(H) Diversity and inclusion.''.

(d) DEPARTMENT OF THE AIR FORCE.—

(1) IN GENERAL.—Chapter 903 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 9025. Chief Diversity Officer

''(a) CHIEF DIVERSITY OFFICER.—(1) There is a Chief Diversity Officer of the Department of the Air Force, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

1 ''(1) is responsible for policy, oversight, guid-
2 ance, and coordination for all matters of the Depart-
3 ment of the Air Forcerelated to diversity and inclu-
4 sion;
5 ''(2) exercises authority to direct the heads of
6 all other elements of the Department with regard to
7 matters for which the Chief Diversity Officer has re-
8 sponsibility 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
14 of the Air Force; and
15 ''(5) shall perform such additional duties and
16 exercise such powers as the Secretary of the Air
17 Force may prescribe.''.
18 (2) TECHNICAL AND CONFORMING AMEND-
19 MENTS.—
20 (A) The table of sections at the beginning
21 of such chapter is amended by adding at the
22 end the following new item:

''9025. Chief Diversity Officer.''.

23 (B) Section 9014(b) of such title is amend-
24 ed by—

(i) by redesignating paragraphs (2) through (8) as paragraphs (3) through (9), respectively; and

(ii) by inserting after paragraph (1), the following new paragraph (2):

''(2) The Chief Diversity Officer.''.

(C) Section 9014(c)(1) of such title is amended by adding at the end the following new subparagraph (H):

''(H) Diversity and inclusion.''.

(e) COAST GUARD.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following new section:

''§ 321. Chief Diversity Officer

''(a) ESTABLISHMENT.—(1) There is a Chief Diversity Officer of the Coast Guard, appointed from civilian life by the President, by and with the advice and consent of the Senate.

''(2) The Chief Diversity Officer shall be appointed from among persons who have an extensive management or business background and experience with diversity and inclusion.

''(b) POWERS AND DUTIES.—The Chief Diversity Officer—

"(1) is responsible for policy, oversight, guidance, and coordination for all matters of the Coast Guard related to diversity and inclusion;

"(2) exercises authority to direct the heads of all other elements of the Coast Guard with regard to matters for which the Chief Diversity Officer has responsibility under this section;

"(3) shall establish training in diversity dynamics and training in practices for leading diverse groups effectively;

"(4) shall conduct regular, rigorous evaluations and assessments of diversity within the Coast Guard; and

"(5) shall perform such additional duties and exercise such powers as the Commandant may prescribe.

"(c) PRECEDENCE.—The Chief Diversity Officer shall report directly to the Commandant in the performance of duties under this section.".

(2) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

"321. Chief Diversity Officer.".

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on February 1, 2021.

SEC. 913. ESTABLISHMENT OF DEPUTY ASSISTANT SECRETARIES FOR SUSTAINMENT.

(a) DEPARTMENT OF THE ARMY.—

(1) IN GENERAL.—Chapter 703 of title 10, United States Code, as amended by section 912(b) of this Act, is further amended by adding at the end the following new section:

"§ 7026. Deputy Assistant Secretary of the Army for Sustainment

''(a) APPOINTMENT.—There is a Deputy Assistant Secretary of the Army for Sustainment, who shall be appointed by the Secretary of the Army.

''(b) RESPONSIBILITIES.—The Deputy Assistant Secretary of the Army for Sustainment shall have the following responsibilities with respect to major weapon systems acquired for the Department of the Army:

''(1) Reviewing and providing oversight of the sustainment baseline cost estimates required by section 2366d of this title.

''(2) Participating in any review of a life-cycle sustainment plan conducted pursuant to section 2366d of this title.

''(3) Ensuring that cost modeling, performance metrics, and data analytics are used—

''(A) to inform and update life-cycle sustainment plans;

"(B) to develop, with respect to the major weapon system to which such plan relates, the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

"(C) to inform the Secretary of the Army when assumptions made in the development of a sustainment baseline cost estimate are no longer valid or when new opportunities arise to reduce costs or improve efficiency.

"(4) Making recommendations to the senior acquisition executive of the Army regarding the most cost-effective sustainment strategy to incorporate into each life-cycle sustainment plan.

"(5) Balancing the range of sustainment activities for each major weapon system to achieve the optimal balance of affordability, viable military depots and shipyards, and contracted product support arrangements.

"(6) Advise the Secretary of the Army regarding the overall alignment of the sustainment activities, the operations of the sustainment supply chain, and strategic readiness.

"(c) DEFINITIONS.—The terms 'life-cycle sustainment plan', 'major weapon system' , and

1 'sustainment baseline cost estimate' have the meanings
2 given in section 2366d of 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
6 end 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)
10 of this Act, is further amended by adding at the end
11 the following new section:

12 **''§ 8029a. Deputy Assistant Secretary of the Navy for**
13 **Sustainment**

14 ''(a) APPOINTMENT.—There is a Deputy Assistant
15 Secretary of the Navy for Sustainment, who shall be ap-
16 pointed by the Secretary of the Navy.

17 ''(b) RESPONSIBILITIES.—The Deputy Assistant Sec-
18 retary of the Navy for Sustainment shall have the fol-
19 lowing responsibilities with respect to major weapon sys-
20 tems acquired 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.

"(2) Participating in any review of a life-cycle sustainment plan conducted pursuant to section 2366d of this title.

"(3) Ensuring that cost modeling, performance metrics, and data analytics are used—

"(A) to inform and update life-cycle sustainment plans;

"(B) to develop, with respect to the major weapon system to which such plan relates, the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

"(C) to inform the Secretary of the Navy when assumptions made in the development of a sustainment baseline cost estimate are no longer valid or when new opportunities arise to reduce costs or improve efficiency.

"(4) Making recommendations to the senior acquisition executive of the Navy regarding the most cost-effective sustainment strategy to incorporate into each life-cycle sustainment plan.

"(5) Balancing the range of sustainment activities for each major weapon system to achieve the optimal balance of affordability, viable military depots

and shipyards, and contracted product support arrangements.

''(6) Advise the Secretary of the Navy regarding the overall alignment of the sustainment activities, the operations of the sustainment supply chain, and strategic readiness.

''(c) DEFINITIONS.—The terms 'life-cycle sustainment plan', 'major weapon system' , and 'sustainment baseline cost estimate' have the meanings given in section 2366d of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 803 of title 10, United States Code, is amended by adding at the end the following new item:

''8029a. Deputy Assistant Secretary of the Navy for Sustainment.''.

(c) DEPARTMENT OF THE AIR FORCE.—

(1) IN GENERAL.—Chapter 903 of title 10, United States Code, as amended by section 912(d) of this Act, is further amended by adding at the end the following new section:

''§ 9026. Deputy Assistant Secretary of the Air Force for Sustainment

''(a) APPOINTMENT.—There is a Deputy Assistant Secretary of the Air Force for Sustainment, who shall be appointed by the Secretary of the Air Force.

"(b) RESPONSIBILITIES.—The Deputy Assistant Secretary of the Air Force for Sustainment shall have the following responsibilities with respect to major weapon systems acquired for the Department of the Air Force:

"(1) Reviewing and providing oversight of the sustainment baseline cost estimates required by section 2366d of this title.

"(2) Participating in any review of a life-cycle sustainment plan conducted pursuant to section 2366d of this title.

"(3) Ensuring that cost modeling, performance metrics, and data analytics are used—

"(A) to inform and update life-cycle sustainment plans;

"(B) to develop, with respect to the major weapon system to which such plan relates, the budget of the President for the fiscal year as submitted to Congress pursuant to section 1105 of title 31; and

"(C) to inform the Secretary of the Air Force when assumptions made in the development of a sustainment baseline cost estimate are no longer valid or when new opportunities arise to reduce costs or improve efficiency.

"(4) Making recommendations to the senior acquisition executive of the Air Force regarding the most cost-effective sustainment strategy to incorporate into each life-cycle sustainment plan.

"(5) Balancing the range of sustainment activities for each major weapon system to achieve the optimal balance of affordability, viable military depots and shipyards, and contracted product support arrangements.

"(6) Advise the Secretary of the Air Force regarding the overall alignment of the sustainment activities, the operations of the sustainment supply chain, and strategic readiness.

"(c) DEFINITIONS.—The terms 'life-cycle sustainment plan', 'major weapon system', and 'sustainment baseline cost estimate' have the meanings given in section 2366d of this title.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 903 of title 10, United States Code, is amended by adding at the end the following new item:

"9026. Deputy Assistant Secretary of the Air Force for Sustainment.".

SEC. 914. OFFICE OF DEFENSE COMMUNITY COOPERATION AND ECONOMIC ADJUSTMENT.

(a) ESTABLISHMENT.—

1 (1) IN GENERAL.—Chapter 141 of title 10,
2 United States Code, is amended by inserting after
3 section 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
11 Office who shall be the head of the Office. The Director
12 shall be appointed by the Secretary of Defense.

13 ''(c) DUTIES.—The Office shall—

14 ''(1) serve as the office in the Department of
15 Defense 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
22 compatible land use issues, support military
23 families, and increase military, civilian, and in-
24 dustrial readiness and resiliency; and

"(B) providing adjustment and diversification assistance to State and local governments under section 2391(b) to achieve the objectives described in subparagraph (A);

"(2) coordinate the provision of such assistance with other organizations and elements of the Department;

"(3) provide support to the Economic Adjustment Committee established under Executive Order 12788 (57 Fed. Reg. 2213; 10 U.S.C. 2391 note) or any successor to such Committee; and

"(4) carry out such other activities as the Secretary of Defense determines appropriate.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2391 the following new item:

"2391a. Office of Defense Community Cooperation and Economic Adjustment.".

(b) TRANSFERS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall transfer the functions, personnel, and assets of the Office of Economic Adjustment of the Department of Defense to the Office of Defense Community Cooperation and Economic Adjustment established under section 2391a of title 10, United States Code (as added by subsection (a)).

(c) ADMINISTRATION OF CERTAIN PROGRAMS.—Beginning on the effective date of the transfers under subsection (b), any program, project, or other activity administered by the Office of Economic Adjustment of the Department of Defense as of the date of the enactment of this Act shall be administered by the Office of Defense Community Cooperation and Economic Adjustment established under section 2391a of title 10, United States Code (as added by subsection (a)).

SEC. 915. INPUT FROM CHIEF OF NATIONAL GUARD BUREAU TO THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.

Section 181(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(4) INPUT FROM CHIEF OF NATIONAL GUARD BUREAU.—The Council shall seek, and strongly consider, the views of the Chief of National Guard Bureau regarding non-Federalized National Guard capabilities in support of homeland defense and civil support missions.".

SEC. 916. REDESIGNATION OF THE JOINT FORCES STAFF COLLEGE.

(a) IN GENERAL.—Title 10, United States Code, is amended by striking "Joint Forces Staff College" each

place it appears and inserting ''Joint Forces War College''.

(b) REFERENCES.—Any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Joint Forces Staff College shall be deemed to be a reference to the Joint Forces War College.

Subtitle C—Space Matters

SEC. 921. ASSISTANT SECRETARY OF DEFENSE FOR SPACE AND STRATEGIC DETERRENCE POLICY.

(a) ASSISTANT SECRETARIES OF DEFENSE.—Paragraph (5) of section 138(b) of title 10, United States Code, is amended to read as follows:

''(5) One of the Assistant Secretaries is the Assistant Secretary of Defense for Space and Strategic Deterrence Policy. The principal duty of the Assistant Secretary shall be the overall supervision of policy of the Department of Defense for space, nuclear deterrence, and missile defense.''.

(b) SPACE FORCE ACQUISITION COUNCIL.—Section 9021(b)(3) of title 10, United States Code, is amended by striking ''Assistant Secretary of Defense for Space Policy'' and inserting ''Assistant Secretary of Defense for Space and Strategic Deterrence Policy''.

(c) ELEMENTS OF OFFICE.—Section 955(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1565) is amended by striking ''Assistant Secretary of Defense for Space Policy'' and inserting ''Assistant Secretary of Defense for Space and Strategic Deterrence Policy''.

SEC. 922. OFFICE OF THE CHIEF OF SPACE OPERATIONS.

(a) IN GENERAL.—Chapter 908 of title 10, United States Code, is amended by striking section 9083 and inserting the following new sections:

''§ 9083. Office of the Chief of Space Operations: function; composition

''(a) FUNCTION.—There is in the executive part of the Department of the Air Force an Office of the Chief of Space Operations to assist the Secretary of the Air Force in carrying out the responsibilities of the Secretary.

''(b) COMPOSITION.—The Office of the Chief of Space Operations is composed of the following:

''(1) The Chief of Space Operations.

''(2) Other members of the Space Force and Air Force assigned or detailed to the Office of the Chief of Space Operations.

''(3) Civilian employees in the Department of the Air Force assigned or detailed to the Office of the Chief of Space Operations.

"(c) ORGANIZATION.—Except as otherwise specifically prescribed by law, the Office of the Chief of Space Operations shall be organized in such manner, and the members of the Office of the Chief of Space Operations shall perform such duties and have such titles, as the Secretary of the Air Force may prescribe.

"§ 9084. Office of the Chief of Space Operations: general duties

"(a) PROFESSIONAL ASSISTANCE.—The Office of the Chief of Space Operations shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Air Force and to the Chief of Space Operations.

"(b) AUTHORITIES.—Under the authority, direction, and control of the Secretary of the Air Force, the Office of the Chief of Space Operations shall—

"(1) subject to subsections (c) and (d) of section 9014 of this title, prepare for such employment of the Space Force, and for such recruiting, organizing, supplying, equipping (including research and development), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Space Force, as will assist in the execution of any power, duty, or function of the Secretary of the Air Force or the Chief of Space Operations;

"(2) investigate and report upon the efficiency of the Space Force and its preparation to support military operations by commanders of the combatant commands;

"(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

"(4) as directed by the Secretary of the Air Force or the Chief of Space Operations, coordinate the action of organizations of the Space Force; and

"(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary of the Air Force.".

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 908 of such title is amended by striking the item related to section 9083 and 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".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date on which the Secretary of the Air Force and the Chief of Space Operations jointly submit to the congressional defense committees a report detailing the functions that the headquarters staff of the Department of the Air Force will continue to perform in support of the Space Force.

(d) NO AUTHORIZATION OF ADDITIONAL MILITARY BILLETS.—The Secretary shall establish the Office of the Chief of Space Operations under section 9083 of title 10, United States Code, as added by subsection (a), using military personnel otherwise authorized. Nothing in this section or the amendments made by this section shall be construed to authorize additional military billets for the purposes of, or in connection with, the establishment of the Office of the Chief of Space Operations.

SEC. 923. SPACE FORCE MEDAL.

(a) SPACE FORCE MEDAL.—Chapter 937 of title 10, United States Code, is amended by inserting after section 9280 the following new section:

"§ 9280a. Space Force Medal: award; limitations

''(a) The President may award a decoration called the 'Space Force Medal', of appropriate design with accompanying ribbon, to any person who, while serving in any capacity with the Space Force, distinguishes himself or herself by heroism not involving actual conflict with an enemy.

''(b) Not more than one Space Force Medal may be awarded to a person. However, for each succeeding act that would otherwise justify award of such a medal, the President may award a suitable bar or other device to be worn as the President directs.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 9280 the following new item:

''9280a. Space Force Medal: award; limitations.''.

SEC. 924. CLARIFICATION OF PROCUREMENT OF COMMERCIAL SATELLITE COMMUNICATIONS SERVICES.

(a) IN GENERAL.—Chapter 963 of title 10, United States Code, is amended by inserting before section 9532 the following new section:

''§ 9531. Procurement of commercial satellite communications services

''The Chief of Space Operations shall be responsible for the procurement of commercial satellite communications services for the Department of Defense.''.

(b) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 963 of such title is amended by inserting before the item relating to section 9532 the following new item:

''9531. Procurement of commercial satellite communications services.''.

SEC. 925. TEMPORARY EXEMPTION FROM AUTHORIZED DAILY AVERAGE OF MEMBERS IN PAY GRADES E–8 AND E–9.

Section 517 of title 10, United States Code, shall not apply to the Space Force until October 1, 2023.

SEC. 926. ONE-TIME UNIFORM ALLOWANCE FOR MEMBERS TRANSFERRED TO THE SPACE FORCE.

(a) IN GENERAL.—The Secretary of the Air Force may provide an officer or enlisted member who transfers from the Army, Navy, Air Force, or Marine Corps to the Space Force an allowance of not more than $400 as reimbursement for the purchase of required uniforms and equipment.

(b) RELATIONSHIP TO OTHER ALLOWANCES.—The allowance under this section is in addition to any allowance available under any other provision of law.

(c) SOURCE OF FUNDS.—Funds for allowances provided under subsection (a) in a fiscal year may be derived only from amounts authorized to be appropriated for military personnel for such fiscal year.

(d) APPLICABILITY.—The authority for an allowance under this section shall apply with respect to any member of the Army, Navy, Air Force, or Marine Corps who transfers to the Space Force on or after December 20, 2019, and on or before September 30, 2023.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in

the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2021 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $4,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

(e) CERTIFICATION REQUIREMENT.—The authority to transfer any authorization under this section may not be used until the Secretary of Defense and the head of each entity affected by such transfer submits to the congressional defense committees certification in writing that—

(1) the amount transferred will be used for higher priority items, based on unforeseen military requirements, than the items from which authority is transferred; and

(2) the amount transferred will not be used for any item for which funds have been denied authorization by Congress.

SEC. 1002. DETERMINATION OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010,

shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

SEC. 1003. PANDEMIC PREPAREDNESS AND RESILIENCE NATIONAL SECURITY FUND.

(a) FUND PURPOSES.—Amounts authorized to be appropriated for Research and Development, Defense-Wide, Pandemic Preparedness and Resilience National Security Fund shall be available for obligation and expenditure only for the purposes of pandemic preparedness. Such amounts may not be used for a purpose or program unless the purpose or program is authorized by law.

(b) TRANSFERS.—

(1) IN GENERAL.—Amounts referred to in subsection (a) may be transferred as follows:

(A) To Procurement, Defense-wide and Research, Development, Test, and Evaluation, Defense-wide, not more than an aggregate of $200,000,000 to carry out the Small Business Industrial Base Resilience Program established by section 844 of this Act.

(B) To Research, Development, Test, and Evaluation, Defense-wide, line 9, Biomedical Technology, not more than $50,000,000 for research that aims to rapidly produce medical countermeasures against novel threats, at population scale and approved for use in people.

(C) To the following, not more than an aggregate of $750,000,000 to support research and development efforts directly related to bio-preparedness and pandemic preparedness and resilience:

(i) Research, Development, Test, and Evaluation, Army.

(ii) Research, Development, Test, and Evaluation, Navy.

(iii) Research, Development, Test, and Evaluation, Air Force.

(iv) Research, Development, Test, and Evaluation, Defense-wide.

(v) Defense Health Program.

(D) To Research, development, test, and evaluation, Defense-wide, Line 16, Chemical and Biological Defense Program, not more than $27,000,000 for research and development to

detect and model treatments for nuclear, chemical, and biological exposure.

(E) To research, development, test, and evaluation, Defense-wide, line 44, Chemical and Biological Defense Program – Advanced Development, not more than $30,000,000 for the development of decontamination technologies for civilian pandemic preparedness.

(F) To research, development, test, and evaluation, Defense-wide, line 49, Manufacturing Science and Technology Program, not more than $35,000,000 for support for the development of advanced manufacturing techniques and technologies that enable the United States defense industrial base to rapidly produce needed materials for novel biological threats.

(2) LIMITATION.—Amounts referred to in subsection (a) may not be transferred for—

(A) Drug Interdiction and Counter-Drug Activities; or

(B) military construction (as defined in section 2801(a) of title 10, United States Code), including the purposes described in section 2802(b) of such title, or military family

housing, including the purposes described in section 2821(a) of such title.

(3) NOTICE REQUIREMENT.—Not later than 30 days before transferring any amount described in subsection (a), the Secretary of Defense shall submit to the congressional defense committees notice of the transfer.

(4) EXCEPTION FROM GENERAL TRANSFER AUTHORITY.—A transfer under this subsection shall not be counted toward the dollar amount limitation under section 1001.

SEC. 1004. BUDGET MATERIALS FOR SPECIAL OPERATIONS FORCES.

Section 226 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting ''of Defense and the Secretary of each of the military departments'' after ''Secretary'';

(B) by striking ''2021'' and inserting ''2022'';

(C) by striking ''a consolidated budget justification display'' and inserting ''a budget justification display for each applicable appropriation'';

(D) in the second sentence, by striking ''display'' and all that follows and inserting ''displays shall include each of the following:'' and

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

''(1) Details at the appropriation and line item level, including any amount for service-common support, acquisition support, training, operations, pay and allowances, base operations sustainment, and any other common services and support.

''(2) An identification of any change in the level or type of service-common support and enabling capabilities provided by each of the military services or Defense Agencies to special operations forces for the fiscal year covered by the budget justification display when compared to the preceding fiscal year, including the rationale for any such change and any mitigating actions.

''(3) An assessment of the specific effects that the budget justification display for the fiscal year covered by the display and any anticipated future manpower and force structure changes are likely to have on the ability of each of the military services

to provide service-common support and enabling capabilities to special operations forces.

''(4) Any other matters the Secretary of Defense or the Secretary of a military department determines are relevant.'';

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

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

''(b) CONSOLIDATED BUDGET JUSTIFICATION DISPLAY.—The Secretary of Defense shall include, in the budget materials submitted to Congress under section 1105 of title 31, for fiscal year 2022 and any subsequent fiscal year, a consolidated budget justification display containing the same information as is required in the budget justification displays required under subsection (a). Such consolidated budget justification display may be provided as a summary by appropriation for each military department and a summary by appropriation for all Defense Agencies.''.

Subtitle B—Counterdrug Activities

SEC. 1011. SUPPORT FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME AFFECTING FLOW OF DRUGS INTO THE UNITED STATES.

Section 284(c) of title 10, United States Code, is amended—

(1) by striking paragraph (2), and inserting the following new paragraph (2):

''(2) SECRETARY OF STATE CONCURRENCE.—The Secretary may only provide support for a purpose described in this subsection with the concurrence of the Secretary of State.''; and

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

''(3) PRIORITY.—In providing support for a purpose described in this subsection, the Secretary shall give priority to support requested for the purpose of affecting the flow of drugs into the United States.''.

SEC. 1012. CONGRESSIONAL NOTIFICATION WITH RESPECT TO DEPARTMENT OF DEFENSE SUPPORT PROVIDED TO OTHER UNITED STATES AGENCIES FOR COUNTERDRUG ACTIVITIES AND ACTIVITIES TO COUNTER TRANSNATIONAL ORGANIZED CRIME.

Section 284(h) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) In case of support for a purpose described in subsection (b)—

''(i) an identification of the recipient of the support;

''(ii) a description of the support provided;

''(iii) a description of the sources and amounts of funds used to provide such support; and

"(iv) a description of the amount of funds obligated to provide such support."; and

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

"(3) APPROPRIATE COMMITTEES OF CONGRESS.—For purposes of any notice submitted under this subsection with respect to support described in paragraph (1)(A), the appropriate committees of Congress are—

"(A) the Committees on Armed Services of the Senate and House of Representatives; and

"(B) any committee with jurisdiction over the department or agency that receives the support covered by the notice.".

Subtitle C—Naval Vessels

SEC. 1021. LIMITATION ON AVAILABILITY OF CERTAIN FUNDS WITHOUT NAVAL VESSELS PLAN AND CERTIFICATION.

Section 231(e) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking "Secretary of the Navy" and inserting "Secretary of Defense"; and

(B) by striking ''50 percent'' and inserting ''25 percent''; and

(2) in paragraph (2)—

(A) by striking ''Secretary of the Navy'' and inserting ''Secretary of Defense''; and

(B) by striking ''operation and maintenance, Navy'' and inserting ''operation and maintenance, Defense-wide''.

SEC. 1022. LIMITATIONS ON USE OF FUNDS IN THE NATIONAL DEFENSE SEALIFT FUND FOR PURCHASE OF FOREIGN CONSTRUCTED VESSELS.

Section 2218(f)(3) of title 10, United States Code, is amended—

(1) in subparagraph (C), by striking ''seven'' and inserting ''nine''; and

(2) in subparagraph (E), by striking ''two'' and inserting ''four''.

SEC. 1023. USE OF NATIONAL SEA-BASED DETERRENCE FUND FOR INCREMENTALLY FUNDED CONTRACTS TO PROVIDE FULL FUNDING FOR COLUMBIA CLASS SUBMARINES.

Section 2218a(h)(1) of title 10, United States Code, is amended by striking ''and properly phased installment payments'' and inserting '', properly phased installment

payments, and full funding for the first two Columbia class submarines''.

SEC. 1024. PREFERENCE FOR UNITED STATES VESSELS IN TRANSPORTING SUPPLIES BY SEA.

(a) PREFERENCE FOR UNITED STATES VESSELS IN TRANSPORTING SUPPLIES BY SEA.—

(1) IN GENERAL.—Section 2631 of title 10, United States Code, is amended to read as follows:

''§ 2631. Preference for United States vessels in transporting supplies by sea

''(a) IN GENERAL.—Supplies bought for the Army, Navy, Air Force, or Marine Corps, or for a Defense Agency, or otherwise transported by the Department of Defense, may only be transported by sea in—

''(1) a vessel belonging to the United States; or

''(2) a vessel of the United States (as such term is defined in section 116 of title 46).

''(b) WAIVER AND NOTIFICATION.—(1) The Secretary of Defense may waive the requirement under subsection (a) if such a vessel is—

''(A) not available at a fair and reasonable rate for commercial vessels of the United States; or

''(B) otherwise not available.

''(2) At least once each fiscal year, the Secretary of Defense shall submit, in writing, to the appropriate con-

gressional committees a notice of any waiver granted under this subsection and the reasons for such waiver.

"(c) REQUIREMENTS FOR REFLAGGING OR REPAIR WORK.—(1) In each request for proposals to enter into a time-charter contract for the use of a vessel for the transportation of supplies under this section, the Secretary of Defense shall require that—

"(A) any reflagging or repair work on a vessel for which a proposal is submitted in response to the request for proposals be performed in the United States (including any territory of the United States); and

"(B) any corrective and preventive maintenance or repair work on a vessel under contract pursuant to this section relevant to the purpose of such contract be performed in the United States (including any territory of the United States) for the duration of the contract, to the greatest extent practicable.

"(2) The Secretary of Defense may waive a requirement under paragraph (1) if the Secretary determines that such waiver is critical to the national security of the United States. The Secretary shall immediately submit, in writing, to the appropriate congressional committees a notice of any waiver granted under this paragraph and the reasons for such waiver.

"(3) In this subsection:

"(A) The term 'reflagging or repair work' means work performed on a vessel—

"(i) to enable the vessel to meet applicable standards to become a vessel of the United States; or

"(ii) to convert the vessel to a more useful military configuration.

"(B) The term 'corrective and preventive maintenance or repair' means—

"(i) maintenance or repair actions performed as a result of a failure in order to return or restore equipment to acceptable performance levels; and

"(ii) scheduled maintenance or repair actions to prevent or discover functional failures.

"(d) COMPLIANCE.—The Secretary of Defense shall ensure that contracting officers of the Department of Defense award contracts under this section to responsible offerors and monitor and ensure compliance with the requirements of this section. The Secretary shall—

"(1) ensure that timely, accurate, and complete information on contractor performance under this section is included in any contractor past performance database used by an executive agency; and

"(2) exercise appropriate contractual rights and remedies against contractors who fail to comply with this section, or subchapter I of chapter 553 of title 46 as determined by the Secretary of Transportation under such subchapter, including by—

"(A) determining that a contractor is ineligible for an award of such a contract; or

"(B) terminating such a contract or suspension or debarment of the contractor for such contract.

"(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term 'appropriate congressional committees' means—

"(1) the Committees on Armed Services of the Senate and the House of Representatives;

"(2) the Committee on Transportation and Infrastructure of the House of Representatives; and

"(3) the Committee on Commerce, Science, and Transportation of the Senate.".

(2) CLERICAL AMENDMENT.—The table of contents for chapter 157 of title 10, United States Code, is amended by amending the item relating to section 2361 to read as follows:

"2361. Preference for United States vessels in transporting supplies by sea.".

(b) AMENDMENTS TO TITLE 46, UNITED STATES CODE.—

(1) TRANSFER OF PROVISION RELATING TO PRIORITY LOADING FOR COAL.—

(A) IN GENERAL.—Section 55301 of title 46, United States Code, is redesignated as section 55123 of such title, transferred to appear after section 55122 of such title, and amended so that the enumerator, section heading, typeface, and typestyle conform to those appearing in other sections in such title.

(B) CONFORMING AMENDMENTS.—

(i) The analysis for subchapter I of chapter 553 of title 46, United States Code, is amended by striking the item relating to section 55301.

(ii) The analysis for chapter 551 of title 46, United States Code, is amended by inserting after the item relating to section 55122 the following new item:

"55123. Priority loading for coal.".

(2) AMENDMENT TO SUBCHAPTER HEADING.—The heading of subchapter I of chapter 553 of title 46, United States Code, is amended to read as follows:

"SUBCHAPTER I—GOVERNMENT IMPELLED TRANSPORTATION".

SEC. 1025. RESTRICTIONS ON OVERHAUL, REPAIR, ETC. OF NAVAL VESSELS IN FOREIGN SHIPYARDS.

(a) EXCEPTION FOR DAMAGE REPAIR DUE TO HOSTILE ACTIONS OR INTERVENTIONS.—Section 8680(a) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ", other than in the case of voyage repairs"; and

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

"(3) Notwithstanding paragraph (1), a naval vessel described in paragraph (1) may be repaired in a shipyard outside the United States or Guam if the repairs are—

"(A) voyage repairs; or

"(B) necessary to correct damage sustained due to hostile actions or interventions.".

(b) LIMITED AUTHORITY TO USE FOREIGN WORKERS.—Section 8680(a)(2)(B)(i) of title 10, United States Code, is amended—

(1) by inserting "(I)" after "(i)"; and

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

"(II) Notwithstanding subclause (I), foreign workers may be used to perform corrective and preventive maintenance or repair on a vessel as described in subparagraph (A) only if the Secretary of the Navy determines that travel by United States Government personnel or United

States contractor personnel to perform the corrective or preventive maintenance or repair is not advisable for health or safety reasons. The Secretary of the Navy may not delegate the authority to make a determination under this subclause.

''(III) Not later than 30 days after making a determination under subclause (II), the Secretary of the Navy shall submit to the congressional defense committees written notification of the determination. The notification shall include the reasons why travel by United States personnel is not advisable for health or safety reasons, the location where the corrective and preventive maintenance or repair will be performed, and the approximate duration of the corrective and preventive maintenance or repair.''.

(c) TECHNICAL CORRECTION.—Section 8680(a)(2)(C)(ii) of title 10, United States Code, is amended by striking the period after ''means—''.

SEC. 1026. BIANNUAL REPORT ON SHIPBUILDER TRAINING AND THE DEFENSE INDUSTRIAL BASE.

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

"§ 8692. Biannual report on shipbuilder training and the defense industrial base

" Not later than February 1 of each even-numbered year until 2026, the Secretary of Defense, in coordination with the Secretary of Labor, shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and Labor of the House of Representatives a report on shipbuilder training and hiring requirements necessary to achieve the Navy's 30-year shipbuilding plan and to maintain the shipbuilding readiness of the defense industrial base. Each such report shall include each of the following:

"(1) An analysis and estimate of the time and investment required for new shipbuilders to gain proficiency in particular shipbuilding occupational specialties, including detailed information about the occupational specialty requirements necessary for construction of naval surface ship and submarine classes to be included in the Navy's 30-year shipbuilding plan.

"(2) An analysis of the age demographics and occupational experience level (measured in years of experience) of the shipbuilding defense industrial workforce.

"(3) An analysis of the potential time and investment challenges associated with developing and retaining shipbuilding skills in organizations that lack intermediate levels of shipbuilding experience.

"(4) Recommendations concerning how to address shipbuilder training during periods of demographic transition and evolving naval fleet architecture consistent with the Navy's 2020 Integrated Force Structure Assessment.

"(5) An analysis of whether emerging technologies, such as augmented reality, may aid in new shipbuilder training.

"(6) Recommendations concerning how to encourage young adults to enter the defense shipbuilding industry and to develop the skills necessary to support the shipbuilding defense industrial base.".

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

"8692. Biannual report on shipbuilder training and the defense industrial base.".

SEC. 1027. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF CERTAIN LITTORAL COMBAT SHIPS.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Navy may be obligated or ex-

pended to retire or prepare for the retirement, transfer, or placement in storage any ships designated as LCS-3 or LCS-4 until the date on which the Secretary of the Navy submits the certification required under subsection (b).

(b) CERTIFICATION.—Upon the completion of all operational tests on each of the mission modules designed for the Littoral Combat Ship, the Secretary of the Navy shall submit to the congressional defense committees certification of such completion.

SEC. 1028. REPORT ON IMPLEMENTATION OF COMMANDANT'S PLANNING GUIDANCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the implementation of the Commandant's Planning Guidance. Such report shall include a detailed description of each of the following:

(1) The specific number and type of manned littoral ships required to execute such Guidance.

(2) The role of long-range unmanned surface vessels in the execution of such Guidance.

(3) How platforms referred to in paragraphs (1) and (2) account for and interact with ground-

based missiles fielded by teams of Marines deployed throughout the Indo-Pacific region.

(4) The integrated naval command and control architecture required to support the platforms referred to in paragraphs (1) and (2);

(5) The projected cost and any additional resources required to deliver the platforms referred to in paragraph (1) and (2) by not later than five years after the date of the enactment of this Act.

(b) FORM OF REPORT.—The report required under this section shall be submitted in unclassified form, but may contain a classified annex. The unclassified report shall be made publicly available.

SEC. 1029. LIMITATION ON NAVAL FORCE STRUCTURE CHANGES.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Navy may be obligated or expended to retire, or to prepare for the retirement, transfer, or placement in storage of, any Department of the Navy ship until the date that is 30 days after the date on which Secretary of Defense submits to the congressional defense committees the 2020 Naval Integrated Force Structure Assessment.

Subtitle D—Counterterrorism

SEC. 1031. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

No amounts authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2021, to transfer, release, or assist in the transfer or release of any individual detained in the custody or under the control of the Department of Defense at United States Naval Station, Guantanamo Bay, Cuba, to the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Section 127e of title 10, United States Code, is amended—

(1) by striking subsection (c) and inserting the following new subsection (c):

"(c) PROCEDURES.—

"(1) IN GENERAL.—The authority in this section shall be exercised in accordance with such procedures as the Secretary shall establish for purposes of this section. The Secretary shall notify the congressional defense committees of any material change to such procedures.

"(2) ELEMENTS.—The procedures required under paragraph (1) shall establish, at a minimum, each of the following:

"(A) Policy, strategy, or other guidance for the execution of, and constraints within, activities conducted under this section.

"(B) The processes through which activities conducted under this section are to be developed, validated, and coordinated, as appropriate, with relevant Federal entities.

"(C) The processes through which legal reviews and determinations are made to comply with this section and ensure that the exercise of authority under this section is consistent with the national security of the United States.

"(3) NOTICE TO CONGRESS.—The Secretary shall provide to the congressional defense committees a notice of the procedures established pursuant to this section before any exercise of the authority in this section, and shall notify such committees of any material change of the procedures.";

(2) in subsection (d)—

(A) in the subsection heading, by inserting "OF INITIATION OF SUPPORT OF AN APPROVED MILITARY OPERATION" after "NOTIFICATION"; and

(B) in paragraph (1), by striking "15" and inserting "30";

(3) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively;

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

"(e) NOTIFICATION OF MODIFICATION OR TERMINATION OF SUPPORT OF AN APPROVED MILITARY OPERATION.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary shall provide to the congressional defense committees notice in writing by not later that—

"(A) 15 days before exercising the authority under this section to modify the support of an approved military operation;

"(B) 30 days before exercising the authority under this section to terminate the support of an approved military operation; or

"(C) as applicable, 30 days before exercising any other authority under which the Secretary engages or plans to engage with foreign forces, irregular forces, groups, or individuals.

"(2) EXTRAORDINARY CIRCUMSTANCES.—If the Secretary finds the existence of extraordinary circumstances affecting the national security of the United States, the Secretary shall provide the notice required under paragraph (1) not later than 48 hours before exercising authority referred to in subparagraph (A) or (B) of such paragraph.

"(3) ELEMENTS.—Notice provided under paragraph (1) with respect to the modification or termination of support shall includes each of the following elements:

"(A) A description of the reasons for the modification or termination.

"(B) A description of the potential effects of the modification or termination of support on the forces providing the support.

"(C) A plan for the modification or termination of the support, including the consideration of the transition of such support from one fiscal authority to another.

"(D) A list of any relevant entities of the United States Government that are or will be involved in the modification or termination of such support, including any planned transition of such support from one Government entity to another.";

(5) in subsection (i)(3), as redesignated by paragraph (3)—

(A) by redesignating subparagraphs (G) and (H) as subparagraphs (H) and (I), respectively; and

(B) by inserting after subparagraph (F) the following new subparagraph (G):

"(G) If there is a plan to modify or terminate the support to military operations to combat terrorism in any way, a detailed description of the plan, including—

"(i) a description of the reasons for the modification or termination;

"(ii) the potential effects of the modification or termination of support on the forces providing the support;

"(iii) a detailed plan for the modification or termination of the support; and

"(iv) a list of any relevant Government entities that are or will be involved in the modification or termination of such support, including any planned transition of such support from one Government entity to another."; and

(6) by adding at the end the following new subsection:

"(j) MODIFICATION DEFINED.—In this section, the term 'modification', with respect to support provided for an approved military operation, means—

"(1) an increase or decrease in funding of more than $750,000 or change greater than 40 percent of the material resources provided;

"(2) an increase or decrease in the amount or type of equipment that significantly alters the use of or risk to foreign forces, irregular forces, groups, or United States special operations forces; or

"(3) a change in the legal or operational authorities.".

SEC. 1042. PROHIBITION ON RETIREMENT OF NUCLEAR POWERED AIRCRAFT CARRIERS BEFORE FIRST REFUELING.

Section 8062 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(f) A nuclear powered aircraft carrier may not be retired before its first refueling.".

SEC. 1043. REQUIRED MINIMUM INVENTORY OF TACTICAL AIRLIFT AIRCRAFT.

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

"(k) The Secretary of the Air Force shall maintain a total inventory of tactical airlift aircraft of not less than 292 aircraft.".

SEC. 1044. MODIFICATION AND TECHNICAL CORRECTION TO DEPARTMENT OF DEFENSE AUTHORITY TO PROVIDE ASSISTANCE ALONG THE SOUTHERN LAND BORDER OF THE UNITED STATES.

(a) AUTHORITY.—Subsection (a) of section 1059 of the National Defense Authorization Act for Fiscal Year

2016 (Public Law 114–92; 129 Stat. 986; 10 U.S.C. 271 note prec.) is amended to read as follows:

"(a) AUTHORITY.—

"(1) PROVISION OF ASSISTANCE.—

"(A) IN GENERAL.—The Secretary of Defense may provide assistance to United States Customs and Border Protection for purposes of increasing ongoing efforts to secure the southern land border of the United States in accordance with the requirements of this section.

"(B) REQUIREMENTS.—If the Secretary provides assistance under subparagraph (A), the Secretary shall ensure that—

"(i) the provision of the assistance will not negatively affect military training, operations, readiness, or other military requirements; and

"(ii) the tasks associated with the support provided align with the mission or occupational specialty of any members of the Armed Forces, including members of the reserve components, or units of the Armed Forces, including the reserve components, that are deployed.

"(2) NOTIFICATION REQUIREMENT.—Not later than 5 days after the date on which the Secretary decides to provide assistance under paragraph (1), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives notice of such decision.".

(b) REPORTING REQUIREMENTS.—Subsection (f) of such section is amended to read as follows:

"(f) REPORTS.—

"(1) REPORT REQUIRED.—Any time assistance is provided under subsection (a), not later than 30 days after the date on which such assistance is first provided, and every three months thereafter during the period while such assistance is provided, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall submit to the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives a report that includes, for both the period covered by the report and the total period of the deployment, each of the following:

"(A) A description of the assistance provided.

"(B) A description of the Armed Forces, including the reserve components, deployed as part of such assistance, including an identification of—

"(i) the members of the Armed Forces, including members of the reserve components, deployed, including specific information about unit designation, size of unit, and whether any personnel in the unit deployed under section 12302 of title 10, United States Code;

"(ii) the readiness rating for each of the units deployed, including specific information about any impacts to planned training exercises for any such unit;

"(iii) the projected length of the deployment and any special pay and incentives for which deployed personnel may qualify during the deployment;

"(iv) any specific pre-deployment training provided for such members of the Armed Forces, including members of the reserve components;

"(v) the specific missions and tasks, by location, that are assigned to the members of the Armed Forces, including members of the reserve components, who are so deployed;

"(vi) the life support conditions and associated costs;

"(vii) the locations where units so deployed are conducting their assigned mission, together with a map showing such locations;

"(viii) a description of the rules and additional guidance applicable to the deployment, including the standing rules for the use of force for deployed personnel and the issuance of any weapons and ammunition; and

"(ix) the plan to transition the functions performed by the members of the Armed Forces, including members of the reserve components, to the Department of Homeland Security and Customs Border Protection.

"(C) The sources and amounts of funds expended—

"(i) during the period covered by the report; and

"(ii) during the total period for which such support has been provided.

"(D) The amount of funds obligated—

"(i) during the period covered by the report; and

"(ii) during the total period for which such support has been provided.

"(E) An assessment of the efficacy and cost-effectiveness of such assistance in support of the objectives and strategy of the Secretary of Homeland Security to address the challenges on the southern land border of the United States and recommendations, if any, to enhance the effectiveness of such assistance.

"(2) FORM OF REPORT.—Each report submitted under this subsection shall be submitted in unclassified form and without any designation relating to dissemination control, but may include a classified annex.".

(c) CLASSIFICATION.—The Law Revision Counsel is directed to place this section in a note following section 284 of title 10, United States Code.

SEC. 1045. BATTLEFIELD AIRBORNE COMMUNICATIONS NODE CERTIFICATION REQUIREMENT.

(a) LIMITATION.—The Secretary of the Air Force may take no action that would prevent the Air Force from maintaining or operating the fleets of EQ-4 aircraft in the configurations and capabilities in effect on the date of the enactment of this Act, or in improved configurations and capabilities, before the date on which each of the three individual certifications described in subsection (b) have been submitted to the congressional defense committees.

(b) CERTIFICATIONS REQUIRED.—The certifications described in this subsection are the following;

(1) The written certification of the Chairman of the Joint Requirements Oversight Council that the replacement capability for the EQ-4 aircraft will—

(A) be fielded at the same time or before the divestment of the EQ-4 aircraft;

(B) result in equal or greater capability available to the commanders of the combatant commanders; and

(C) not result in less airborne capacity or on-station time available to the commanders of the combatant commands.

(2) The written certification of the Commander of United States Central Command that the replacement capability for the EQ-4 aircraft will not result

in less airborne capacity or on-station time available for mission taskings that the EQ-4 provides, as of the date of the enactment of this Act, in the United States Central Command area of responsibility.

(3) The written certification of the Under Secretary of Defense for Acquisition and Sustainment that the validated operating and sustainment costs of the capability developed or fielded to replace an equivalent capacity the EQ-4 aircraft provides is less than the validated operating and sustainment costs for the EQ-4 aircraft on a comparable flight-hour cost basis.

(c) CALCULATION OF FLIGHT-HOUR COST BASIS.—For purposes of calculating the flight-hour cost basis under subsection (b)(3), the Under Secretary shall include all costs for—

(1) Unit level manpower;

(2) Unit operations;

(3) maintenance;

(4) sustaining support; and

(5) system improvements.

SEC. 1046. REQUIREMENTS RELATING TO NEWEST GENERATIONS OF PERSONAL PROTECTIVE EQUIPMENT.

(a) REPORTS.—

(1) REPORTS REQUIRED.—Not later than January 31, 2021, each Secretary of a military department shall submit to the congressional defense committees a report on the development and fielding of the newest generations of personal protective equipment to the Armed Forces under the jurisdiction of such Secretary.

(2) ELEMENTS.—Each report under paragraph (1) shall include, for each Armed Force covered by such report, the following:

(A) A description and assessment of the development and fielding of the newest generations of personal protective equipment and auxiliary personal protective equipment to members of such Armed Force, including the following:

(i) The number (aggregated by total number and by sex) of members of such Armed Force issued the Army Soldiers Protective System and the Modular Scalable Vest Generation II body armor as of December 31, 2020.

(ii) The number (aggregated by total number and by sex) of members of such Armed Force issued Marine Corps Plate

Carrier Generation III (PC Gen III) body armor as of that date.

(iii) The number (aggregated by total number and by sex) of members of such Armed Force fitted with legacy personal protective equipment as of that date.

(B) A description and assessment of the barriers, if any, to the development and fielding of such generations of equipment to such members.

(C) A description and assessment of challenges in the development and fielding of such generations of equipment to such members, including cost overruns, contractor delays, and other challenges.

(b) SYSTEM FOR TRACKING DATA ON INJURIES.—

(1) SYSTEM REQUIRED.—

(A) IN GENERAL.—The Director of the Defense Health Agency (DHA) shall develop and maintain a system for tracking data on injuries among members of the Armed Forces in and during the use of newest generation personal protective equipment.

(B) SCOPE OF SYSTEM.—The system required by this subsection may, at the election of

the Director, be new for purposes of this subsection or within or a modification of an appropriate existing system (such as the Defense Occupational And Environmental Health Readiness System (DOEHRS)).

(2) REPORT.—Not later than January 31, 2025, the Director shall submit to Congress a report on the prevalence among members of the Armed Forces of preventable injuries attributable to ill-fitting or malfunctioning personal protective equipment.

(c) INCLUSION IN ANNUAL PERIODIC HEALTH ASSESSMENTS.—The annual Periodic Health Assessment (PHA) of members of the Armed Forces undertaken after the date of the enactment of this Act shall include one or more questions on whether members incurred an injury in connection with ill-fitting or malfunctioning personal protective equipment during the period covered by such assessment, including the nature of such injury.

SEC. 1047. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF A-10 AIRCRAFT.

(a) PROHIBITION.—Notwithstanding sections 134 and 135 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), except as provided in subsection (b), none of the funds authorized to

be appropriated by this Act or otherwise made available for fiscal year 2021 for the Air Force may be obligated or expended to retire, prepare to retire, or place in storage or on backup aircraft inventory status any A-10 aircraft.

(b) EXCEPTION.—The limitation under subsection (a) shall not apply to any individual A-10 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be no longer mission capable because of a mishap or other damage or because the aircraft is uneconomical to repair.

SEC. 1048. MANDATORY CRITERIA FOR STRATEGIC BASING DECISIONS.

(a) IN GENERAL.—The Secretary of the Air Force shall modify Air Force Instruction 10–503 (pertaining to the strategic basing process) to ensure that the process for the selection of a location in the United States for the strategic basing of an aircraft includes the following:

(1) A comparative analysis of the overall community support for the mission among the candidate locations, as indicated by the formal comments received during the public comment period for the environmental impact statement relating to the basing decision and, in a case in which the Secretary selects a final location with less community support compared to other locations as indicated by such anal-

ysis, an explanation of the operational considerations that formed the basis for such selection.

(2) An analysis of joint and all-domain training capabilities at each candidate location, separate from and in addition to the mission criteria developed for the basing action.

(3) A comparative analysis of the airspace and training areas available at each candidate location, separate from and in addition to the mission criteria developed for the basing action.

(b) REPORT REQUIRED.—Not later than 14 days after the date on which the Secretary of Defense publicly announces the preferred and reasonable alternative locations for the basing of an aircraft as described in subsection (a), the Secretary shall submit to the congressional defense committees a report that includes—

(1) an assessment of each candidate location that was considered as part of the basing process, including, with respect to each such location, an analysis of each of the factors specified in paragraphs (1) through (3) of such subsection; and

(2) an explanation of how each candidate location was scored against such factors, including the weight assigned to each factor.

SEC. 1049. LIMITATION ON USE OF FUNDS PENDING PUBLIC AVAILABILITY OF TOP-LINE NUMBERS OF DEPLOYED MEMBERS OF THE ARMED FORCES.

(a) LIMITATION.—Of the amounts authorized to be appropriated by this Act or otherwise made available for fiscal year 2020 for Operation and Maintenance, Defense-wide, Office of the Secretary of Defense, for Travel of Persons, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense makes publicly available the top-line numbers of deployed members of the Armed Forces described in subsection (b).

(b) TOP-LINE NUMBERS DESCRIBED.— The top-line numbers of deployed members of the Armed Forces referred to in subsection (a)—

(1) are the numbers required to be made publicly available under section 595 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 122a note);

(2) shall include all such numbers for fiscal year 2017 and each subsequent fiscal year; and

(3) shall include the number of personnel on temporary duty and the number of personnel deployed in support of contingency operations.

(c) SENSITIVE MILITARY OPERATION.—The requirement under subsection (a) to make the top-line numbers

of deployed members of the Armed Forces publicly available is not satisfied if the Secretary, in exercising the waiver authority under subsection (b) of section 595 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 122a note) does not submit the notice and reasons for the waiver determination to Committees of Armed Services of the House of Representatives and the Senate as required under paragraph (2) of such subsection.

SEC. 1050. LIMITATION ON PHYSICAL MOVE, INTEGRATION, REASSIGNMENT, OR SHIFT IN RESPONSIBILITY OF MARINE FORCES NORTHERN COMMAND.

(a) LIMITATION.—The Secretary of Defense may not take any action to execute the physical move, integration, reassignment, or shift in responsibility of the Marine Forces Northern Command before the date that is 60 days after the date on which the Secretary submits the report described in subsection (b).

(b) REPORT.—If the Secretary of Defense plans to take any action to physically move, integrate, reassign, or shift the responsibility of Marine Forces Northern Command, the Secretary shall submit to the congressional defense committees a report on such proposed action that includes each of the following:

(1) An analysis of how the proposed action would be beneficial to military readiness.

(2) A description of how the proposed action would align with the national defense strategy and the supporting strategies for each of the military departments.

(3) A description of the proposed organizational structure change associated with the action and how will it affect the relationship between Marine Forces Northern Command and administrative control responsibilities, operational control responsibilities, and tactical control responsibilities.

(4) The projected cost associated with the proposed action and any projected long-term cost savings.

(5) A detailed description of any requirements for new infrastructure or relocation of equipment and assets associated with the proposed action.

(6) A description of how the proposed action would facilitate total force integration and Marine Corps general officer progression, including with respect to the reserve components.

(c) WAIVER.—The Secretary may waive the limitation under subsection (a) if the Secretary determines such

a waiver is necessary by reason of hostilities or the imminent threat of hostilities.

(d) APPLICABILITY.—This section shall apply with respect to any action to execute the physical move, integration, reassignment, or shift in responsibility of the Marine Forces Northern Command that is initiated on or after the date of the enactment of this Act. In the case of such an action that was initiated but not completed before the date of the enactment of this Act, no additional effort may be made to complete such action before the date that is 60 days after the date on which the Secretary submits the report described in subsection (b).

SEC. 1051. CONDITIONS FOR PERMANENTLY BASING UNITED STATES EQUIPMENT OR ADDITIONAL FORCES IN HOST COUNTRIES WITH AT-RISK VENDORS IN 5G OR 6G NETWORKS.

(a) IN GENERAL.—Prior to basing a major weapon system or additional permanently assigned forces comparable to or larger than a battalion, squadron, or naval combatant for permanent basing to a host country with at-risk 5th generation (5G) or sixth generation (6G) wireless network equipment, software, and services, including supply chain vulnerabilities identified by the Federal Acquisition Security Council, where United States military personnel and their families will be directly connected or

subscribers to networks that include such at-risk equipment, software, and services in their official duties or in the conduct of personal affairs, the Secretary of Defense shall provide a notification to the congressional defense committees that includes a description of—

(1) steps being taken by the host country to mitigate any potential risks to the weapon systems, military units, or personnel, and the Department of Defense's assessment of those efforts;

(2) steps being taken by the United States Government, separately or in collaboration with the host country, to mitigate any potential risks to the weapon systems, permanently deployed forces, or personnel;

(3) any defense mutual agreements between the host country and the United States intended to allay the costs of risk mitigation posed by the at-risk infrastructure; and

(4) any other matters the Secretary determines to be relevant.

(b) APPLICABILITY.—The conditions in subsection (a) apply to the permanent long-term stationing of equipment and permanently assigned forces, and do not apply to short-term deployments or rotational presence to military installations outside the United States in connection

with exercises, dynamic force employment, contingency operations, or combat operations.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report that contains an assessment of—

(1) the risk to personnel, equipment, and operations of the Department of Defense in host countries posed by the current or intended use by such countries of 5G or 6G telecommunications architecture provided by at-risk vendors; and

(2) measures required to mitigate the risk described in paragraph (1), including the merit and feasibility of the relocation of certain personnel or equipment of the Department to another location without the presence of 5G or 6G telecommunications architecture provided by at-risk vendors.

(d) FORM.—The report required by subsection (c) shall be submitted in a classified form with an unclassified summary.

(e) MAJOR WEAPON SYSTEM DEFINED.—In this section, the term ''major weapon system'' has the meaning given that term in section 2379(f) of title 10, United States Code.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—General Provisions

SEC. 1101. FAMILY AND MEDICAL LEAVE AMENDMENTS.

(a) IN GENERAL.—

(1) PAID PARENTAL LEAVE FOR EMPLOYEES OF DISTRICT OF COLUMBIA COURTS AND DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—

(A) DISTRICT OF COLUMBIA COURTS.—Section 11–1726, District of Columbia Official Code, is amended by adding at the end the following new subsection:

''(d) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to non-judicial employees of the District of Columbia courts, the Joint Committee on Judicial Administration shall, notwithstanding any provision of such Act, establish a paid parental leave program for the leave described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)) (relating to leave provided in connection with the birth of a child or the placement of a child for adoption or foster care). In developing the terms and conditions for this program, the Joint Committee may be guided by the terms and conditions applicable to the provision of paid parental leave for employees of the Federal

Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(B) DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE.—Section 305 of the District of Columbia Court Reform and Criminal Procedure Act of 1970 (sec. 2–1605, D.C. Official Code) is amended by adding at the end the following new subsection:

''(d) In carrying out the Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) with respect to employees of the Service, the Director shall, notwithstanding any provision of such Act, establish a paid parental leave program for the leave described in subparagraphs (A) and (B) of section 102(a)(1) of such Act (29 U.S.C. 2612(a)(1)) (relating to leave provided in connection with the birth of a child or the placement of a child for adoption or foster care). In developing the terms and conditions for this program, the Director may be guided by the terms and conditions applicable to the provision of paid parental leave for employees of the Federal Government under chapter 63 of title 5, United States Code, and any corresponding regulations.''.

(2) CLARIFICATION OF USE OF OTHER LEAVE IN ADDITION TO 12 WEEKS AS FAMILY AND MEDICAL LEAVE.—

(A) TITLE 5.—Section 6382(a) of title 5, United States Code, as amended by section 7602 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(i) in paragraph (1), in the matter preceding subparagraph (A), by inserting ''(or, in the case of leave that includes leave under subparagraph (A) or (B) of this paragraph, 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''12 administrative workweeks of leave''; and

(ii) in paragraph (4), by inserting ''(or 26 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B)(ii))'' after ''26 administrative workweeks of leave''.

(B) CONGRESSIONAL EMPLOYEES.—Section 202(a)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(a)(1)), as amended by section 7603 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(i) in the second sentence, by inserting ''and in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section'' before the period; and

(ii) by striking the third sentence and inserting the following: ''For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under subparagraph (A) or (B) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (d)(2)(B) of this section.''.

(C) OTHER EMPLOYEES COVERED UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993.—Section 102(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611(a)) is amended by adding at the end the following:

"(6) SPECIAL RULES ON PERIOD OF LEAVE.—With respect to an employee of the Government Accountability Office and an employee of the Library of Congress—

"(A) in the case of leave that includes leave under subparagraph (A) or (B) of paragraph (1), the employee shall be entitled to 12 administrative workweeks of leave plus any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be; and

"(B) for purposes of paragraph (4), the employee is entitled, under paragraphs (1) and (3), to a combined total of 26 workweeks of leave plus, if applicable, any additional period of leave used under subsection (d)(3)(B)(ii) of this section or section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as the case may be.".

(3) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(b) PAID PARENTAL LEAVE FOR PRESIDENTIAL EMPLOYEES.—

(1) AMENDMENTS TO CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—Section 412 of title 3, United States Code, is amended—

(A) in subsection (a)(1), by adding at the end the following: ''In applying section 102 of such Act with respect to leave for an event described in subsection (a)(1)(A) or (B) of such section to covered employees, subsection (c) of this section shall apply and in the case of leave that includes leave for such an event, the period of leave to which a covered employee is entitled under section 102(a)(1) of such Act shall be 12 administrative workweeks of leave plus any additional period of leave used under subsection (c)(2)(B) of this section. For purposes of applying section 102(a)(4) of such Act, in the case of leave that includes leave under subparagraph (A) or (B) of section 102(a)(1) of such Act, a covered employee is entitled, under paragraphs (1) and (3) of section 102(a) of such Act, to a combined total of 26 workweeks of leave plus any additional period of leave used under subsection (c)(2)(B) of this section.'';

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(C) by inserting after subsection (b) the following:

"(c) SPECIAL RULE FOR PAID PARENTAL LEAVE.—

"(1) SUBSTITUTION OF PAID LEAVE.—A covered employee may elect to substitute for any leave without pay under subparagraph (A) or (B) of section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) any paid leave which is available to such employee for that purpose.

"(2) AMOUNT OF PAID LEAVE.—The paid leave that is available to a covered employee for purposes of paragraph (1) is—

"(A) the number of weeks of paid parental leave in connection with the birth or placement involved that corresponds to the number of administrative workweeks of paid parental leave available to employees under section 6382(d)(2)(B)(i) of title 5, United States Code; and

"(B) during the 12-month period referred to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1)) and in addition to the administrative workweeks

1 described 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
7 Leave Act of 1993 (29 U.S.C. 2612(d)(2)(A)) shall
8 be considered to require or permit an employing of-
9 fice to require that an employee first use all or any
10 portion of the leave described in paragraph (2)(B)
11 before being allowed to use the paid parental leave
12 described in 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
17 for positions within the employing office;

18 "(B) if not used by the covered employee
19 before the end of the 12-month period (as re-
20 ferred to in section 102(a)(1) of the Family and
21 Medical Leave Act of 1993 (29 U.S.C.
22 2612(a)(1))) to which it relates, shall not accu-
23 mulate for any subsequent use; and

24 "(C) shall apply without regard to the limi-
25 tations in subparagraph (E), (F), or (G) of sec-

tion 6382(d)(2) of title 5, United States Code, or section 104(c)(2) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2614(c)(2)).''; and

(D) in subsection (e)(1), as so redesignated, by striking ''subsection (c)'' and inserting ''subsection (d)''.

(2) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(c) FAA AND TSA.—

(1) FAA.—

(A) IN GENERAL.—Paragraph (3) of section 102(d) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(d)(3)), as added by section 7604 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(i) in the paragraph heading, by inserting ''AND FEDERAL AVIATION ADMINISTRATION'' after ''GAO'';

(ii) in subparagraphs (A) and (B), by striking ''the Government Accountability Office'' in each instance and inserting ''the

Government Accountability Office or the Federal Aviation Administration''; and

(iii) in subparagraph (D)(i), by striking ''the Government Accountability Office'' and inserting ''the Government Accountability Office or the Federal Aviation Administration (as the case may be)''.

(B) APPLICABILITY.—The amendments made by subparagraph (A) shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(2) CORRECTIONS FOR TSA SCREENERS.—Section 7606 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(A) by striking ''Section 111(d)(2)'' and inserting the following:

''(a) IN GENERAL.—Section 111(d)(2)''; and

(B) by adding at the end the following:

''(b) EFFECTIVE DATE; APPLICATION.—

''(1) IN GENERAL.—The amendment made by subsection (a) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

"(2) APPLICATION TO SERVICE REQUIREMENT FOR ELIGIBILITY.—For purposes of applying the period of service requirement under subparagraph (B) of section 6381(1) to an individual appointed under section 111(d)(1) of the Aviation and Transportation Security Act (49 U.S.C. 44935 note), the amendment made by subsection (a) of this section shall apply with respect to any period of service by the individual under such an appointment, including service before the effective date of such amendment.".

(d) TITLE 38 EMPLOYEES.—

(1) IN GENERAL.—Section 7425 of title 38, United States Code, is amended—

(A) in subsection (b), by striking "Notwithstanding" and inserting "Except as provided in subsection (c), and notwithstanding"; and

(B) by adding at the end the following:

"(c) Notwithstanding any other provision of this subchapter, the Administration shall provide to individuals appointed to any position described in section 7421(b) who are employed by the Administration family and medical leave in the same manner, to the maximum extent practicable, as family and medical leave is provided under sub-

chapter V of chapter 63 of title 5 to employees, as defined in section 6381(1) of such title.''.

(2) APPLICABILITY.—The amendments made by paragraph (1) shall not be effective with respect to any event for which leave may be taken under subchapter V of chapter 63 of title 5, United States Code, occurring before October 1, 2020.

(e) ARTICLE I JUDGES.—

(1) BANKRUPTCY JUDGES.—Section 153(d) of title 28, United States Code, is amended—

(A) by striking ''A bankruptcy judge'' and inserting ''(1) Except as provided in paragraph (2), a bankruptcy judge''; and

(B) by adding at the end the following:

''(2) The provisions of subchapter V of chapter 63 of title 5 shall apply to a bankruptcy judge as if the bankruptcy judge were an employee (within the meaning of subparagraph (A) of section 6381(1) of such title).''.

(2) MAGISTRATE JUDGES.—Section 631(k) of title 28, United States Code, is amended—

(A) by striking ''A United States magistrate judge'' and inserting ''(1) Except as provided in paragraph (2), a United States magistrate judge''; and

(B) by adding at the end the following:

"(2) The provisions of subchapter V of chapter 63 of title 5 shall apply to a United States magistrate judge as if the United States magistrate judge were an employee (within the meaning of subparagraph (A) of section 6381(1) of such title).".

(3) APPLICABILITY.—The amendments made by this subsection shall not be effective with respect to any birth or placement occurring before October 1, 2020.

(f) TECHNICAL CORRECTIONS.—

(1) Section 7605 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking "on active duty" each place it appears and inserting "on covered active duty".

(2) Subparagraph (E) of section 6382(d)(2) of title 5, United States Code, as added by section 7602 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by striking "the requirement to complete" and all that follows and inserting "the service requirement under subparagraph (B) of section 6381(1).".

(3) Section 202(d)(2)(B) of the Congressional Accountability Act of 1995 (2 U.S.C. 1312(d)(2)(B)), as amended by section 7603 of the

National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by inserting ''accrued'' before ''sick leave''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect as if enacted immediately after the enactment of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

SEC. 1102. LIMITATION ON AUTHORITY TO EXCLUDE EMPLOYEES FROM CHAPTER 71 OF TITLE 5.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be used to carry out the authority provided under section 7103(b) of title 5, United States Code, to exclude the Department of Defense or any agency or subdivision thereof from coverage under chapter 71 of such title.

SEC. 1103. AUTHORITY TO PROVIDE TRAVEL AND TRANSPORTATION ALLOWANCES IN CONNECTION WITH TRANSFER CEREMONIES OF DEPARTMENT OF DEFENSE AND COAST GUARD CIVILIAN EMPLOYEES WHO DIE OVERSEAS.

(a) TRAVEL AND TRANSPORTATION ALLOWANCES.—

(1) IN GENERAL.—Subchapter II of chapter 75 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 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

''The Secretary of the military department concerned, the agency head of a Defense Agency or Department of Defense Field Activity, or the Secretary of Homeland Security, as appropriate, may provide round trip travel and transportation allowances in connection with ceremonies for the transfer of a Department of Defense or Coast Guard civilian employee who dies while located or serving overseas to eligible relatives and provide for the accompaniment of such persons to the same extent as the Secretary of Defense may provide such travel and transportation allowances and accompaniment services to such persons with respect to a deceased service member under chapter 8 of title 37.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of such subchapter is amended 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.''.

(b) TECHNICAL AMENDMENTS.—Section 481f(d) of title 37, United States Code, is amended—

(1) in the subsection heading, by striking ''TRANSPORTATION TO'' and inserting ''TRAVEL AND TRANSPORTATION ALLOWANCES IN CONNECTION WITH''; and

(2) in paragraph (1) in the matter preceding subparagraph (A), by striking ''transportation to'' and inserting ''travel and transportation allowances in connection with''.

SEC. 1104. ONE-YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1105 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''through 2020'' and inserting ''through 2021''.

SEC. 1105. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1104 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''2021'' and inserting ''2022''.

SEC. 1106. LIMITING THE NUMBER OF LOCAL WAGE AREAS DEFINED WITHIN A PAY LOCALITY.

(a) LOCAL WAGE AREA LIMITATION.—Section 5343(a) of title 5, United States Code, is amended—

(1) in paragraph (1)(B)(i), by striking ''(but such'' and all that follows through ''are employed)'';

(2) in paragraph (4), by striking ''and'' after the semicolon;

(3) in paragraph (5), by striking the period at the end and inserting ''; and''; and

(4) by adding at the end of the following:

"(6) the Office of Personnel Management may define not more than 1 local wage area within a pay locality, except that this paragraph shall not apply to the pay locality designated as 'Rest of United States'.".

(b) PAY LOCALITY DEFINED.—Section 5342(a) of title 5, United States Code, is amended—

(1) in paragraph (2)(C), by striking "and" at the end;

(2) in paragraph (3), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following:

"(4) 'pay locality' has the meaning given that term under section 5302(5).".

(c) REGULATIONS.—The Director of the Office of Personnel Management shall prescribe any regulations necessary to carry out this section and the amendments made by this section, including regulations to ensure that this section and the amendments made by this section shall not have the effect of reducing any rate of basic pay payable to any individual who is serving as a prevailing rate employee (as defined under section 5342(a)(2) of title 5, United States Code).

(d) EFFECTIVE DATE.—This section and the amendments made by this section shall apply with respect to fiscal year 2022 and each fiscal year thereafter.

SEC. 1107. CIVILIAN FACULTY AT THE DEFENSE SECURITY COOPERATION UNIVERSITY AND INSTITUTE OF SECURITY GOVERNANCE.

Section 1595(c) of title 10, United States Code, is amended by adding at the end the following:

"(6) The Defense Security Cooperation University.

"(7) The Defense Institute for Security Governance.".

SEC. 1108. EXPANSION OF AUTHORITY FOR APPOINTMENT OF RECENTLY-RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS AT CERTAIN INDUSTRIAL BASE FACILITIES.

(a) IN GENERAL.—Subsection (b) of section 3326 of title 5, United States Code, is amended—

(1) in paragraph (1), by striking "or" at the end;

(2) in paragraph (2), by striking the period at the end and inserting "; or"; and

(3) by adding at the end the following:

"(3) the proposed appointment is to a position in the competitive service—

"(A) at any industrial base facility (as that term is defined in section 2208(u)(3) of title 10) that is part of the core logistics capabilities (as described in section 2464(a) of such title); and

"(B) that has been certified by the Secretary concerned as lacking sufficient numbers of qualified applicants.".

(b) LIMITATION ON DELEGATION OF CERTIFICATION AUTHORITY.—Such section 3326 is further amended by adding at the end the following:

"(d) The authority to make a certification described in subsection (b)(3) may not be delegated to an individual with a grade lower than colonel, or captain in the Navy, or an inriviaul with an equivalent civilian grade.".

(c) SENSE OF CONGRESS.—It is the sense of Congress that the amendments made by subsections (a) and (b) shall supplement, and not provide any exception to, the competitive hiring process for the Federal civil service.

SEC. 1109. FIRE FIGHTERS ALTERNATIVE WORK SCHEDULE DEMONSTRATION PROJECT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commander, Navy Region Mid-Atlantic, shall establish and carry out, for a period of not less than 5 years, a Fire Fighters Alternative

Work Schedule demonstration project for the Navy Region Mid-Atlantic Fire and Emergency Services. Such demonstration project shall provide, with respect to each Services employee, that—

(1) assignments to tours of duty are scheduled in advance over periods of not less than two weeks;

(2) tours of duty are scheduled using a regularly recurring pattern of 48-hour shifts followed by 48 or 72 consecutive non-work hours, as determined by mutual agreement between the Navy Region Mid-Atlantic and the exclusive employee representative at each Navy Region Mid-Atlantic Installation, in such a manner that each employee is regularly scheduled for 144-hours in any two-week period;

(3) for any such employee that is a fire fighter working an alternative work schedule, such employee shall earn overtime compensation in a manner consistent with other applicable law and regulation;

(4) no right shall be established to any form of premium pay, including night, Sunday, holiday, or hazard duty pay; and

(5) leave accrual and use shall be consistent with other applicable law and regulation.

(b) REPORT.—Not later than 180 days following the end of such demonstration project, the Commander, Navy

Region Mid-Atlantic, shall submit a report to the Committees on Armed Services of the House of Representatives and the Senate detailing—

(1) any financial savings or expenses directly and inseparably linked to the demonstration project;

(2) any intangible quality of life and morale improvements achieved by the demonstration project; and

(3) any adverse impact of the demonstration project occurring solely as the result of the transition to the demonstration project.

SEC. 1110. SPECIAL RULES FOR CERTAIN MONTHLY WORKERS' COMPENSATION PAYMENTS AND OTHER PAYMENTS FOR FEDERAL GOVERNMENT PERSONNEL UNDER CHIEF OF MISSION AUTHORITY.

Section 901 of title IX of division J of the Further Consolidated Appropriations Act, 2020 (Public Law 116–94; 22 U.S.C. 2680b) is amended—

(1) in subsection (a), by inserting ''or the head of any other Federal agency'' after ''The Secretary of State'';

(2) in subsection (e)(2)—

(A) by striking ''the Department of State'' and inserting ''the Federal Government''; and

(B) by inserting after ''subsection (f)'' the following: '', but does not include an individual receiving compensation under section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b)''; and

(3) in subsection (h)(2), by striking the first sentence and inserting the following: ''Nothing in this section shall limit, modify, or otherwise supersede chapter 81 of title 5, United States Code, the Defense Base Act (42 U.S.C. 1651 et seq.), or section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b).''.

Subtitle B—Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020

SEC. 1121. SHORT TITLE.

This subtitle may be cited as the ''Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020''.

SEC. 1122. SENSE OF CONGRESS.

Section 102 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) by striking paragraph (4) and inserting the following:

"(4) accountability in the enforcement of the rights of Federal employees is furthered when Federal agencies agree to take appropriate disciplinary action against Federal employees who are found to have intentionally committed discriminatory (including retaliatory) acts;"; and

(2) in paragraph (5)(A)—

(A) by striking "nor is accountability" and inserting "accountability is not"; and

(B) by inserting "for what, by law, the agency is responsible" after "under this Act".

SEC. 1123. NOTIFICATION OF VIOLATION.

Section 202 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

"(d) NOTIFICATION OF FINAL AGENCY ACTION.—

"(1) IN GENERAL.—Not later than 90 days after the date on which an event described in paragraph (2) occurs with respect to a finding of discrimination (including retaliation), the head of the Federal agency subject to the finding shall provide notice—

"(A) on the public internet website of the agency, in a clear and prominent location linked directly from the home page of that website;

"(B) stating that a finding of discrimination (including retaliation) has been made; and

"(C) which shall remain posted for not less than 1 year.

"(2) EVENTS DESCRIBED.—An event described in this paragraph is any of the following:

"(A) All appeals of a final action by a Federal agency involving a finding of discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

"(B) All appeals of a final decision by the Equal Employment Opportunity Commission involving a finding of discrimination (including if the finding included a finding of retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a) have been exhausted.

"(C) A court of jurisdiction issues a final judgment involving a finding of discrimination (including retaliation) prohibited by a provision

of law covered by paragraph (1) or (2) of section 201(a).

''(3) CONTENTS.—A notification provided under paragraph (1) with respect to a finding of discrimination (including retaliation) shall—

''(A) identify the date on which the finding was made, the date on which each discriminatory act occurred, and the law violated by each such discriminatory act; and

''(B) advise Federal employees of the rights and protections available under the provisions of law covered by paragraphs (1) and (2) of section 201(a).''.

SEC. 1124. REPORTING REQUIREMENTS.

(a) ELECTRONIC FORMAT REQUIREMENT.—

(1) IN GENERAL.—Section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended in the matter preceding paragraph (1)—

(A) by inserting ''Homeland Security and'' before ''Governmental Affairs'';

(B) by striking ''on Government Reform'' and inserting ''on Oversight and Reform''; and

(C) by inserting ''(in an electronic format prescribed by the Director of the Office of Per-

sonnel Management),'' after ''an annual report''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1)(C) shall take effect on the date that is 1 year after the date of enactment of this Act.

(3) TRANSITION PERIOD.—Notwithstanding the requirements of section 203(a) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note), the report required under such section 203(a) may be submitted in an electronic format, as prescribed by the Director of the Office of Personnel Management, during the period beginning on the date of enactment of this Act and ending on the effective date in paragraph (2).

(b) REPORTING REQUIREMENT FOR DISCIPLINARY ACTION.—Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''(c) DISCIPLINARY ACTION REPORT.—Not later than 120 days after the date on which a Federal agency takes final action, or a Federal agency receives a final decision issued by the Equal Employment Opportunity Com-

mission, involving a finding of discrimination (including retaliation) in violation of a provision of law covered by paragraph (1) or (2) of section 201(a), as applicable, the applicable Federal agency shall submit to the Commission a report stating—

"(1) whether disciplinary action has been proposed against a Federal employee as a result of the violation; and

"(2) the reasons for any disciplinary action proposed under paragraph (1).".

SEC. 1125. DATA TO BE POSTED BY EMPLOYING FEDERAL AGENCIES.

Section 301(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) in paragraph (9)—

(A) in subparagraph (A), by striking "and" at the end;

(B) in subparagraph (B)(ii), by striking the period at the end and inserting ", and"; and

(C) by adding at the end the following:

"(C) with respect to each finding described in subparagraph (A)—

"(i) the date of the finding,

"(ii) the affected Federal agency,

"(iii) the law violated, and

"(iv) whether a decision has been made regarding disciplinary action as a result of the finding."; and

(2) by adding at the end the following:

"(11) Data regarding each class action complaint filed against the agency alleging discrimination (including retaliation), including—

"(A) information regarding the date on which each complaint was filed,

"(B) a general summary of the allegations alleged in the complaint,

"(C) an estimate of the total number of plaintiffs joined in the complaint, if known,

"(D) the current status of the complaint, including whether the class has been certified, and

"(E) the case numbers for the civil actions in which discrimination (including retaliation) has been found.".

SEC. 1126. DATA TO BE POSTED BY THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION.

Section 302(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5

U.S.C. 2301 note) is amended by striking ''(10)'' and inserting ''(11)''.

SEC. 1127. NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION ACT OF 2002 AMENDMENTS.

(a) NOTIFICATION REQUIREMENTS.—Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

''SEC. 207. COMPLAINT TRACKING.

''Not later than 1 year after the date of enactment of the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020, each Federal agency shall establish a system to track each complaint of discrimination arising under section 2302(b)(1) of title 5, United States Code, and adjudicated through the Equal Employment Opportunity process from the filing of a complaint with the Federal agency to resolution of the complaint, including whether a decision has been made regarding disciplinary action as the result of a finding of discrimination.

''SEC. 208. NOTATION IN PERSONNEL RECORD.

''If a Federal agency takes an adverse action covered under section 7512 of title 5, United States Code, against a Federal employee for an act of discrimination (including retaliation) prohibited by a provision of law covered by

paragraph (1) or (2) of section 201(a), the agency shall, after all appeals relating to that action have been exhausted, include a notation of the adverse action and the reason for the action in the personnel record of the employee.''.

(b) PROCESSING AND REFERRAL.—The Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended by adding at the end the following:

"TITLE IV—PROCESSING AND REFERRAL

"SEC. 401. PROCESSING AND RESOLUTION OF COMPLAINTS.

''Each Federal agency shall—

''(1) be responsible for the fair and impartial processing and resolution of complaints of employment discrimination (including retaliation) prohibited by a provision of law covered by paragraph (1) or (2) of section 201(a); and

''(2) establish a model Equal Employment Opportunity Program that—

''(A) is not under the control, either structurally or practically, of the agency's Office of Human Capital or Office of the General Counsel (or the equivalent);

"(B) is devoid of internal conflicts of interest and ensures fairness and inclusiveness within the agency; and

"(C) ensures the efficient and fair resolution of complaints alleging discrimination (including retaliation).

"SEC. 402. NO LIMITATION ON ADVICE OR COUNSEL.

"Nothing in this title shall prevent a Federal agency or a subcomponent of a Federal agency, or the Department of Justice, from providing advice or counsel to employees of that agency (or subcomponent, as applicable) in the resolution of a complaint.

"SEC. 403. HEAD OF PROGRAM SUPERVISED BY HEAD OF AGENCY.

"The head of each Federal agency's Equal Employment Opportunity Program shall report directly to the head of the agency.

"SEC. 404. REFERRALS OF FINDINGS OF DISCRIMINATION.

"(a) EEOC FINDINGS OF DISCRIMINATION.—

"(1) IN GENERAL.—Not later than 30 days after the date on which the Equal Employment Opportunity Commission (referred to in this section as the 'Commission') receives, or should have received, a Federal agency report required under section 203(c), the Commission may refer the matter to

which the report relates to the Office of Special Counsel if the Commission determines that the Federal agency did not take appropriate action with respect to the finding that is the subject of the report.

"(2) NOTIFICATIONS.—The Commission shall—

"(A) notify the applicable Federal agency if the Commission refers a matter to the Office of Special Counsel under paragraph (1); and

"(B) with respect to a fiscal year, include in the Annual Report of the Federal Workforce of the Commission covering that fiscal year—

"(i) the number of referrals made under paragraph (1) during that fiscal year; and

"(ii) a brief summary of each referral described in clause (i).

"(b) REFERRALS TO SPECIAL COUNSEL.—The Office of Special Counsel shall accept and review a referral from the Commission under subsection (a)(1) for purposes of pursuing disciplinary action under the authority of the Office against a Federal employee who commits an act of discrimination (including retaliation).

"(c) NOTIFICATION.—The Office of Special Counsel shall notify the Commission and the applicable Federal agency in a case in which—

"(1) the Office of Special Counsel pursues disciplinary action under subsection (b); and

"(2) the Federal agency imposes some form of disciplinary action against a Federal employee who commits an act of discrimination (including retaliation).

"(d) SPECIAL COUNSEL APPROVAL.—A Federal agency may not take disciplinary action against a Federal employee for an alleged act of discrimination (including retaliation) referred by the Commission under this section, except in accordance with the requirements of section 1214(f) of title 5, United States Code.".

(c) CONFORMING AMENDMENTS.—The table of contents in section 1(b) of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (5 U.S.C. 2301 note) is amended—

(1) by inserting after the item relating to section 206 the following:

"Sec. 207. Complaint tracking.
"Sec. 208. Notation in personnel record."; and

(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.".

SEC. 1128. NONDISCLOSURE AGREEMENT LIMITATION.

Section 2302(b)(13) of title 5, United States Code, is amended—

(1) by striking ''agreement does not'' and inserting the following: ''agreement—

''(A) does not'';

(2) in subparagraph (A), as so designated, by inserting ''or the Office of Special Counsel'' after ''Inspector General''; and

(3) by adding at the end the following:

''(B) prohibits or restricts an employee or applicant for employment from disclosing to Congress, the Special Counsel, the Inspector General of an agency, or any other agency component responsible for internal investigation or review any information that relates to any violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or any other whistleblower protection; or''.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. MODIFICATION AND EXTENSION OF SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

(a) AUTHORITY.—Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639) is amended—

(1) by striking ''$10,000,000'' and inserting ''$15,000,000''; and

(2) by striking ''2023'' and inserting ''2025''.

(b) NOTIFICATION.—Subsection (d)(2) of such section is amended—

(1) by redesignating subparagraph (E) as subparagraph (G);

(2) by inserting after subparagraph (D) the following:

''(E) A description of steps taken to ensure the support is consistent with other United States diplomatic and security interests, including issues related to local political dynamics, civil-military relations, and human rights.

"(F) A description of steps taken to ensure that the recipients of the support have not and will not engage in human rights violations or violations of the Geneva Conventions of 1949, including vetting, training, and support for adequately investigating allegations of violations and removing support in case of credible reports of violations."; and

(3) in clause (i) of subparagraph (G), as redesignated, to read as follows:

"(i) An introduction of United States Armed Forces (including as such term is defined in section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c))) into hostilities, or into situations where hostilities are clearly indicated by the circumstances, without specific statutory authorization within the meaning of section 5(b) of such Resolution (50 U.S.C. 1544(b)).".

(c) CONSTRUCTION OF AUTHORITY.—Subsection (f)(2) of such section is amended by striking "of section 5(b)".

(d) CLARIFICATION.—Such section, as so amended, is further amended—

(1) by redesignating subsections (g), (h), and (i) as subsections (h), (i), and (j), respectively; and

(2) by inserting after subsection (f) the following:

''(g) CLARIFICATION.—The provision of support to foreign forces, irregular forces, groups, or individuals pursuant to subsection (a) constitutes support to a unit of a foreign security force for purposes of section 362 of title 10, United States Code.''.

SEC. 1202. DEPARTMENT OF DEFENSE PARTICIPATION IN EUROPEAN PROGRAM ON MULTILATERAL EXCHANGE OF SURFACE TRANSPORTATION SERVICES.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by adding at the end the following:

''§ 2350o. Participation in European Program on Multilateral Exchange of Surface Transportation Services

''(a) PARTICIPATION AUTHORIZED.—(1) The Secretary of Defense may, with the concurrence of the Secretary of State, authorize the participation of the United States in the Surface Exchange of Services program (in this section referred to as the 'SEOS program') of the Movement Coordination Centre Europe.

"(2) Participation in the SEOS program under paragraph (1) may include—

"(A) the reciprocal exchange or transfer of surface transportation on a reimbursable basis or by replacement-in-kind; or

"(B) the exchange of surface transportation services of equal value.

"(b) WRITTEN ARRANGEMENTS OR AGREEMENTS.—(1) The participation of the United States in the SEOS program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State, and the Movement Coordination Centre Europe.

"(2) If facilities, equipment, or funds of the Department of Defense are used to support the SEOS program, the written arrangement or agreement entered into under paragraph (1) shall specify the details of any equitable cost sharing or other funding arrangement.

"(3) Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities resulting from an unequal exchange or transfer of surface transportation services shall be liquidated, not less than once every five years, through the SEOS program.

"(c) IMPLEMENTATION.—In carrying out any arrangement or agreement entered into under subsection (b)(1), the Secretary of Defense may—

"(1) from funds available to the Department of Defense for operation and maintenance, pay the equitable share of the United States for the operating expenses of the Movement Coordination Centre Europe and the SEOS program; and

"(2) assign members of the armed forces or civilian personnel of the Department of Defense, from among members and personnel within billets authorized for the United States European Command, to duty at the Movement Coordination Centre Europe as necessary to fulfill the obligations of the United States under that arrangement or agreement.

"(d) CREDITING OF RECEIPTS.—Any amount received by the United States as part of the SEOS program shall be credited, at the option of the Secretary of Defense, to—

"(1) the appropriation, fund, or account used in incurring the obligation for which such amount is received; or

"(2) an appropriate appropriation, fund, or account currently available for the purposes for which the expenditures were made.

"(e) EXPIRATION.—The authority provided by this section to participate in the SEOS program shall expire five years after the date on which the Secretary of Defense first enters into a written arrangement or agreement under subsection (b). The Secretary shall publish notice of such date on a public website of the Department of Defense.

"(f) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to authorize the use of foreign sealift in violation of section 2631 of this title.".

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

"2350o. Participation in European program on multilateral exchange of surface transportation services.".

SEC. 1203. EXTENSION OF AUTHORITY TO TRANSFER EXCESS HIGH MOBILITY MULTIPURPOSE WHEELED VEHICLES TO FOREIGN COUNTRIES.

Section 1276 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1699) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph(A), by adding at the end the following: "Such description may in-

clude, if applicable, a description of the priority United States security or defense cooperation interest with the recipient country that is fulfilled by the waiver.''; and

(B) by striking subparagraph (B) and inserting the following:

''(B) An explanation of why it is in the national interests of the United States to make the transfer notwithstanding the requirements of subsection (a)(1).''; and

(2) in subsection (c)(2), by striking ''three'' and inserting ''five''.

SEC. 1204. MODIFICATION AND EXTENSION OF UPDATE OF DEPARTMENT OF DEFENSE FREEDOM OF NAVIGATION REPORT.

(a) IN GENERAL.—Subsection (a) of section 1275 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2540) is amended—

(1) by striking ''an annual basis'' and inserting ''a biannual basis''; and

(2) by striking ''the previous year'' and inserting ''the previous 6 months''.

(b) ELEMENTS.—Subsection (b) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''the year'' and inserting ''the period'';

(2) in paragraph (1), by inserting ''the number of maritime and overflight challenges to each such claim and'' before ''the country'';

(3) in paragraph (5), by inserting ''have been protested by the United States but'' before ''have not been challenged''; and

(4) by adding at the end the following:

''(6) A summary of each excessive maritime claim challenged jointly with international partners and allies.''.

(c) FORM.—Subsection (c) of such section is amended by adding at the end before the period the following: ''and made publicly available''.

(d) SUNSET.—Subsection (d) of such section is amended by striking ''December 31, 2021'' and inserting ''December 31, 2025''.

(e) CONFORMING AMENDMENT.—The heading of such section is amended by striking ''**ANNUAL**'' and inserting ''**BIANNUAL**''.

SEC. 1205. EXTENSION OF REPORT ON WORKFORCE DEVELOPMENT.

Section 1250(b)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328;

130 Stat. 2529) is amended by striking ''through 2021'' and inserting ''through 2026''.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393) is amended by striking ''October 1, 2019, and ending on December 31, 2020'' and inserting ''October 1, 2020, and ending on December 31, 2021''.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking ''October 1, 2019, and ending on December 31, 2020'' and inserting ''October 1, 2020, and ending on December 31, 2021''; and

(2) by striking ''$450,000,000'' and inserting ''$180,000,000''.

SEC. 1212. EXTENSION OF THE AFGHAN SPECIAL IMMIGRANT VISA PROGRAM.

(a) IN GENERAL.—Section 602(b)(3)(F) of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) is amended—

(1) in the heading, by striking ''2020'' and inserting ''2021'';

(2) in clause (i), by striking ''December 31, 2021'' and inserting ''December 31, 2022''; and

(3) in clause (ii), the striking ''December 31, 2021'' inserting ''December 31, 2022''.

(b) REPORT EXTENSION.—Section 602(b)(13) of such Act (8 U.S.C. 1101 note) is amended by striking ''January 31, 2021'' and inserting ''January 31, 2023''.

SEC. 1213. LIMITATION ON USE OF FUNDS TO REDUCE DEPLOYMENT TO AFGHANISTAN.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) it is in the national security interests of the United States to deny terrorists safe haven in Afghanistan, protect the United States homeland, uphold the United States partnership with the Government of Afghanistan and cooperation with the Afghan National Defense and Security Forces, and protect the hard-fought rights of women, girls, and other vulnerable populations in Afghanistan;

(2) a rapid military drawdown and a lack of United States commitment to the security and stability of Afghanistan would undermine diplomatic efforts for peace;

(3) the current agreement between the United States and the Taliban does not provide for the appropriate protections for vulnerable populations, does not create conditions for the rejection of violence and prevention of terrorist safe havens, and does not represent a realistic diplomatic solution, based on verifiable facts and conditions on the ground, that provides for long-term stability; and

(4) the Administration has a constitutional obligation to provide Congress with timely and comprehensive information on the status of security operations and diplomatic efforts in a form that can be transparently communicated to the American people.

(b) LIMITATION.—Until the date on which the Secretary of Defense, in concurrence with each covered official, submits the report described in subsection (c) to the appropriate congressional committees, none of the amounts authorized to be appropriated for fiscal year 2020 or 2021 for the Department of Defense may be obligated or expended for any activity having either of the following effects:

(1) Reducing the total number of Armed Forces deployed to Afghanistan below the lesser of—

(A) 8,000, or

(B) the total number of the Armed Forces deployed as of the date of the enactment of this Act.

(2) Reducing the total number of Armed Forces deployed to Afghanistan below 4,000.

(c) REPORT.—The report described in this subsection shall include each of the following:

(1) A certification that the intended withdrawal of the United States Armed Forces in Afghanistan—

(A) will not compromise or otherwise negatively affect the ongoing United States counter-terrorism mission against the Islamic State, al-Qaeda, and associated forces;

(B) will not unduly increase the risk to United States personnel in Afghanistan;

(C) will not increase the risk for the expansion of existing or formation of new terrorist safe havens inside Afghanistan;

(D) will be undertaken with the consultation and coordination of allies supporting the

United States- and North Atlantic Treaty Organization-led missions; and

(E) is in the best interest of United States national security and in furtherance of United States policy toward Afghanistan for achieving an enduring diplomatic solution.

(2) An analysis of the impact that the intended withdrawal of United States Armed Forces from Afghanistan would have on each of the following:

(A) The threat posed by the Taliban and terrorist organizations, including by each covered terrorist organization, to—

(i) the United States homeland;

(ii) United States interests abroad;

(iii) allied countries of the North Atlantic Treaty Organization;

(iv) the Government of Afghanistan; and

(v) regional peace and security.

(B) The status of the human and civil rights (including access to voting, education, justice, and economic opportunities) of women, girls, people with disabilities, religious and ethnic minorities, and other vulnerable populations in Afghanistan.

(C) Transparent, credible, and inclusive political processes in Afghanistan.

(D) The capacity of the Afghan National Defense and Security Forces to effectively—

(i) prevent or defend against attacks by the Taliban or by terrorist organizations (including by each covered terrorist organization) on civilian populations;

(ii) prevent the takeover of one or more provincial capitals by the Taliban or by associated organizations;

(iii) conduct counterterrorism operations necessary to deny safe harbor to terrorist organizations, including each covered terrorist organization; and

(iv) maintain institutional order and discipline.

(E) The influence of malign state actors on the sovereignty of Afghanistan and the strategic national security interests of the United States in the region.

(F) Any other matter the Secretary of Defense, in concurrence with each covered official, determines appropriate.

(3) An assessment of the manner and extent to which—

(A) state actors have provided any incentives to the Taliban, their affiliates, or other foreign terrorist organizations for attacks against United States, coalition, or Afghan security forces or civilians in Afghanistan in the last 2 years, including the details of any attacks believed to have been connected with such incentives;

(B) the Taliban has publicly renounced al-Qaeda;

(C) the Taliban has made any efforts to break with al-Qaeda since February 29, 2020, and a description of these efforts;

(D) any senior al-Qaeda leaders, including Ayman al-Zawahiri, or any leaders of al-Qaeda in the Indian Subcontinent, have been present in Afghanistan since February 29, 2020, and if so, the names of the leaders, the dates they were present in Afghanistan, and their other locations since February 29, 2020;

(E) any members of al-Qaeda, al-Qaeda in the Indian Subcontinent, al-Qaeda-affiliated

1 groups, or any covered terrorist organization
2 have, since February 29, 2020—
3 (i) fought alongside, trained alongside,
4 otherwise operated alongside, or sheltered
5 with the Taliban in Afghanistan;
6 (ii) conducted attacks inside Afghani-
7 stan, and, if so, the dates and locations of
8 such attacks;
9 (iii) operated training camps or re-
10 lated facilities inside Afghanistan, and, if
11 so, the locations of those camps or facili-
12 ties;
13 (iv) traveled from Afghanistan to
14 Pakistan or Iran, or from Pakistan or Iran
15 to Afghanistan;
16 (v) continued to have ties to any
17 Taliban leaders or members located in
18 Pakistan; or
19 (vi) continued to work with the
20 Haqqani Network;
21 (F) any of the prisoners released by the
22 Government of Afghanistan as a result of the
23 February 29, 2020, agreement between the
24 United States and Taliban—

(i) are members of, or have ties to, any covered terrorist organizations or any other organization designated by the United States as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and, if so, the names of such former prisoners and the reasons for their detention inside Afghanistan; or

(ii) are suspected of taking part in attacks against American service members or civilians or attacks that caused American casualties and, if so, the names of the prisoners, the date and location of such attacks, and the number of American casualties attributed to such attacks;

(G) any of the prisoners the Taliban has requested for release, but who have not yet been released as of the date of the enactment of this Act, are members of, or have ties to, any covered terrorist organizations or any other organization designated by the United States as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) and, if so, the names of the pris-

1 oners and the organizations to which they are
2 affiliated; and
3 (H) senior Taliban leaders, including mem-
4 bers of the Haqqani Network, who are located
5 in Pakistan continue to exercise control over the
6 insurgency in Afghanistan.
7 (4) The number of attacks that the Taliban has
8 carried out in Afghanistan since February 29, 2020,
9 including the location and date of each attack as
10 well as casualties related to each attack.
11 (d) FORM.—The report described in subsection (c)
12 shall be submitted in unclassified form without any des-
13 ignation relating to dissemination control, but may contain
14 a classified annex that is accompanied by an unclassified
15 summary of the annex.
16 (e) WAIVER.—The Secretary of Defense may waive
17 the limitation under subsection (b) if, in consultation with
18 the Chairman of the Joint Chiefs of Staff and the Com-
19 mander of United States Forces, Afghanistan, the Sec-
20 retary—
21 (1) determines that the waiver is—
22 (A) necessary due to an imminent and ex-
23 traordinary threat to members of the United
24 States Armed Forces in the Afghanistan; or

(B) vital to the national security interests of the United States; and

(2) submits to the appropriate congressional committees a detailed, written justification for such waiver, not later than 10 days after the effective date of the waiver; and

(3) in the case of a determination described in paragraph (1)(A), includes in such justification each of the following:

(A) A detailed description of the change in threat assessment leading to the determination.

(B) An explanation for the reasons for which existing force protection mechanisms were not sufficient to reasonably ensure the safety of members of the Armed Forces.

(C) The steps that have been taken to ensure that United States equipment does not fall into enemy hands.

(D) A description of the coordination with allied countries of the North Atlantic Treaty Organization and with other allies and partners with respect to the withdrawal.

(E) A description of the coordination with the Department of State to ensure the safety of

American citizens in Afghanistan in light of and subsequent to the withdrawal.

(f) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate;

(B) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate; and

(C) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) COVERED OFFICIAL.—The term ''covered official'' means—

(A) the Secretary of State;

(B) the Director of National Intelligence;

(C) the Chairman of the Joint Chiefs of Staff;

(D) the Commander of United States Central Command;

(E) the Commander of United States Forces, Afghanistan; and

(F) the United States Permanent Representative to the North Atlantic Treaty Organization.

(3) COVERED TERRORIST ORGANIZATION.—The term ''covered terrorist organization'' means any of the following:

(A) al-Qaeda and affiliates, including al-Qaeda in the Indian Subcontinent.

(B) The Islamic State and affiliates.

(C) Tehrik-e Taliban Pakistan.

(D) The Haqqani Network.

(E) Islamic Movement of Uzbekistan.

(F) Eastern Turkistan Islamic Movement.

(G) Ansralluh.

(H) Lashkar-e-Tayyiba (including under the alias Jamaat-ud-Dawa).

(I) Jaish-e-Mohammed.

(J) Harakat ul-Jihad-Islami.

(K) Harakat ul-Mujahidin.

(L) Jaysh al-Adl.

(M) Lashkar-i-Jhangvi.

(N) Mullah Nasir Group.

(O) Hafiz Gul Bahadar Group.

(P) Lashkar-i-Islam.

(Q) Islamic Jihad Union Group.

(R) Jamaat-ud-Dawa al Quran.

(S) Ansarul Islam.

SEC. 1214. REPORT ON OPERATION FREEDOM SENTINEL.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and as part of the materials relating to Operation Freedom Sentinel submitted to Congress by the Secretary of Defense in support of the budget of the President for the following two fiscal years, the Secretary shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on Operation Freedom Sentinel.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include a list and description of activities, exercises, and funding amounts carried out under the operation, including—

(1) specific direct war costs;

(2) activities that occur in Afghanistan;

(3) activities that occur outside of Afghanistan, including training and costs relating to personnel;

(4) activities that provide funding to any of the services that is part of the operation's budget request; and

(5) activities related to transportation, logistics, and other support.

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

SEC. 1221. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) IN GENERAL.—Subsection (a) of section 1236 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3558) is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(b) FUNDING.—Subsection (g) of such section is amended—

(1) by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''; and

(2) by striking ''$645,000,000'' and inserting ''$500,000,000''.

(c) WAIVER AUTHORITY; SCOPE.—Subsection (j)(3) of such section is amended—

(1) by striking ''congressional defense committees'' each place it appears and inserting ''appropriate congressional committees''; and

(2) by adding at the end the following:

"(C) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term 'appropriate congressional committees' means—

"(i) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

"(ii) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.".

(d) ANNUAL REPORT.—Such section is amended by adding at the end the following:

"(o) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of this subsection, and annually thereafter for two years, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report that includes—

"(1) a detailed description of the weapons and equipment purchased using the Counter-ISIS Train and Equip Fund in the previous fiscal year; and

"(2) a detailed description of the incremental costs for operations and maintenance for Operation Inherent Resolve in the previous fiscal year.".

(e) BUDGET DISPLAY SUBMISSION.—

(1) IN GENERAL.—The Secretary of Defense shall include in the budget materials submitted by the Secretary in support of the budget of the President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for each of fiscal years 2022 and 2023 a detailed budget display for funds requested for the Department of Defense for such fiscal year for Operation Inherent Resolve.

(2) MATTERS TO BE INCLUDED.—The detailed budget display required under paragraph (1) shall include the following:

(A) With respect to procurement accounts—

(i) amounts displayed by account, budget activity, line number, line item, and line item title; and

(ii) a description of the requirements for each such amount.

(B) With respect to research, development, test, and evaluation accounts—

(i) amounts displayed by account, budget activity, line number, program element, and program element title; and

(ii) a description of the requirements for each such amount.

(C) With respect to operation and maintenance accounts—

(i) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(ii) a description of the specific manner in which each such amount would be used.

(D) With respect to military personnel accounts—

(i) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(ii) a description of the requirements for each such amount.

(E) With respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

SEC. 1222. EXTENSION OF AUTHORITY TO PROVIDE ASSISTANCE TO THE VETTED SYRIAN OPPOSITION.

(a) IN GENERAL.—Subsection (a) of section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National

Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3451) is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(b) NOTICE BEFORE PROVISION OF ASSISTANCE.—Subsection (b)(2)(A) of such section is amended by striking ''fiscal year 2019 or fiscal year 2020'' and inserting ''fiscal year 2019, fiscal year 2020, or fiscal year 2021''.

(c) CERTIFICATION.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on Foreign Relations of the Senate that no United States military forces are being used or have been used for the extraction, transport, transfer, or sale of oil from Syria.

SEC. 1223. EXTENSION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

Section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (10 U.S.C. 113 note) is amended—

(1) in subsections (c) and (d), by striking ''fiscal year 2020'' each place it appears and inserting ''each of fiscal years 2020 and 2021''; and

(2) in subsection (h), by striking ''Of the amount made available for fiscal year 2020 to carry out section 1215 of the National Defense Authorization Act for Fiscal Year 2012, not more than $20,000,000'' and inserting ''Of the amounts made available for fiscal years 2020 and 2021 to carry out this section, not more than $20,000,000 for each such fiscal year''.

SEC. 1224. PROHIBITION ON PROVISION OF WEAPONS AND OTHER FORMS OF SUPPORT TO CERTAIN ORGANIZATIONS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2021 may be used to knowingly provide weapons or any other form of support to Al Qaeda, the Islamic State of Iraq and Syria (ISIS), Jabhat Fateh al Sham, Hamas, Hizballah, Palestine Islamic Jihad, al-Shabaab, Islamic Revolutionary Guard Corps, or any individual or group affiliated with any such organization.

SEC. 1225. CONSOLIDATED BUDGET DISPLAY AND REPORT ON OPERATION SPARTAN SHIELD.

(a) BUDGET DISPLAY SUBMISSION.—

(1) IN GENERAL.—The Secretary of Defense shall include in the budget materials submitted by the Secretary in support of the budget of the President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for each of fiscal years 2022 and 2023 a detailed budget display for funds requested for the Department of Defense for such fiscal year for Operation Spartan Shield and Iran deterrence-related programs and activities of the Department of Defense in the United States Central Command area of operation.

(2) MATTERS TO BE INCLUDED.—The detailed budget display required under paragraph (1) shall include the following:

(A) With respect to procurement accounts—

(i) amounts displayed by account, budget activity, line number, line item, and line item title; and

(ii) a description of the requirements for each such amount.

(B) With respect to research, development, test, and evaluation accounts—

(i) amounts displayed by account, budget activity, line number, program element, and program element title; and

(ii) a description of the requirements for each such amount.

(C) With respect to operation and maintenance accounts—

(i) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(ii) a description of the specific manner in which each such amount would be used.

(D) With respect to military personnel accounts—

(i) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(ii) a description of the requirements for each such amount.

(E) With respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the

country, location, project title, and project amount for each fiscal year.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, and annually thereafter in conjunction with the submission of the budget of President (as submitted to Congress pursuant to section 1105 of title 31, United States Code) for each of fiscal years 2022 and 2023, the Secretary of Defense shall submit to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a report on Operation Spartan Shield.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) should include—

(A)(i) for the first report, a history of the operation and its objectives; and

(ii) for each subsequent report, a description of the operation and its objectives during the prior year;

(B) a list and description of significant activities and exercises carried out under the operation during the prior year;

(C) a description of the purpose and goals of such activities and exercises and an assess-

ment of the degree to which stated goals were achieved during the prior year;

(D) a description of criteria used to judge the effectiveness of joint exercises to build partner capacity under the operation during the prior year;

(E) an identification of incremental and estimated total costs of the operation during the prior year, including a separate identification of incremental costs of increased force presence in the United States Central Command area of responsibility to counter Iran since May 2019; and

(F) any other matters the Secretary determines appropriate.

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

SEC. 1226. SENSE OF CONGRESS ON PESHMERGA FORCES AS A PARTNER IN OPERATION INHERENT RESOLVE.

It is the sense of Congress that—

(1) the Peshmerga of the Kurdistan Region of Iraq have made, and continue to make, significant contributions to the security of Northern Iraq, by

defending nearly 650 miles of critical terrain, to degrade, dismantle, and ultimately defeat the Islamic State of Iraq and Syria (ISIS) in Iraq as a partner in Operation Inherent Resolve;

(2) although ISIS has been severely degraded, their ideology and combatants still linger and pose a threat of resurgence if regional security is not sustained;

(3) a strong Peshmerga and Kurdistan Regional Government is critical to maintaining a stable and tolerant Iraq in which all faiths, sects, and ethnicities are afforded equal protection under the law and full integration into the Government and society of Iraq;

(4) continued security assistance, as appropriate, to the Ministry of Peshmerga Affairs of the Kurdistan Region of Iraq in support of counter-ISIS operations, in coordination with the Government of Iraq, is critical to United States national security interests; and

(5) continued United States support to the Peshmerga, coupled with security sector reform in the region, will enable them to more effectively partner with other elements of the Iraqi Security Forces, the United States, and other coalition members to

consolidate gains, hold territory, and protect infrastructure from ISIS and its affiliates in an effort to deal a lasting defeat to ISIS and prevent its reemergence in Iraq.

Subtitle D—Matters Relating to Russia

SEC. 1231. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the restriction on the obligation or expenditure of funds required by subsection (a) if the Secretary of Defense—

(1) determines that to do so is in the national security interest of the United States; and

(2) submits a notification of the waiver, at the time the waiver is invoked, to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Com-

mittee on Armed Services and the Committee on Foreign Relations of the Senate.

SEC. 1232. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488), is amended by striking ", 2019, or 2020" and inserting "2019, 2020, or 2021".

SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

(a) IN GENERAL.—Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068) is amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking "50 percent of the funds available for fiscal year 2020 pursuant to subsection (f)(5)" and inserting "50 percent of the funds available for fiscal year 2021 pursuant to subsection (f)(6)"; and

(B) in paragraph (3), by striking "fiscal year 2020" and inserting "fiscal year 2021"; and

(C) in paragraph (5), by striking "Of the funds available for fiscal year 2020 pursuant to

subsection (f)(5)'' and inserting ''Of the funds available for fiscal year 2021 pursuant to subsection (f)(6)'';

(2) in subsection (f), by adding at the end the following:

''(6) For fiscal year 2021, $250,000,000.''; and

(3) in subsection (h), by striking ''December 31, 2022'' and inserting ''December 31, 2023''.

(b) EXTENSION OF REPORTS ON MILITARY ASSISTANCE TO UKRAINE.—Section 1275(e) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3592) is amended by striking ''January 31, 2021'' and inserting ''December 31, 2023''.

SEC. 1234. UNITED STATES PARTICIPATION IN THE OPEN SKIES TREATY.

(a) NOTIFICATION REQUIRED.—

(1) IN GENERAL.—Upon withdrawal of the United States from the Open Skies Treaty pursuant to Article XV of the Treaty, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees—

(A) a notification that the United States has concluded agreements with other state parties to the Treaty that host United States mili-

tary forces and assets to ensure that after such withdrawal the United States will be provided sufficient notice by such state parties of requests for observation flights over the territories of such state parties under the Treaty; or

(B) if the United States has not concluded the agreements described in subparagraph (A), a description of how the United States will consistently and reliably be provided with sufficient warning of observation flights described in subparagraph (A) by other means, including a description of assets and personnel and policy implications of using such other means.

(2) SUBMISSION OF AGREEMENTS.—Upon withdrawal of the United States from the Open Skies Treaty pursuant to Article XV of the Treaty, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate congressional committees copies of the agreements described in paragraph (1)(A).

(b) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State, in coordination with the Director of National Intelligence and

the Under Secretary of Defense for Intelligence and Security, shall jointly submit to the appropriate congressional committees a report on the effects of a potential withdrawal of the United States from the Open Skies Treaty.

(2) MATTERS TO BE INCLUDED.—The report required by paragraph (1) shall include the following:

(A) A description of how the United States will replace benefits of cooperation with United States allies under the Treaty.

(B) A description of—

(i) how the United States will obtain unclassified, publicly-releasable imagery it currently receives under the Treaty;

(ii) if national technical means are used as a replacement to obtain such imagery—

(I) how the requirements satisfied by collection under the Treaty will be prioritized within the National Intelligence Priorities Framework;

(II) a plan to mitigate any gaps in collection; and

(III) requirements and timelines for declassification of data for public release; and

(iii) if commercial imagery is used as a replacement to obtain such imagery—

(I) contractual actions and associated timelines needed to purchase such imagery;

(II) costs to purchase commercial imagery equivalent to that which is obtained under the Treaty; and

(III) estimates of costs to share that data with other state parties to the Treaty that are United States partners.

(C) A description of how the United States will replace intelligence information, other than imagery, obtained under the Treaty.

(D) A description of how the United States will ensure continued dialogue with Russia in a manner similar to formal communications as confidence-building measures to reinforce strategic stability required under the Treaty.

(E) All unedited responses to the questionnaire provided to United States allies by the

United States in 2019 and all official statements provided to the United States by United States allies in 2019 or 2020 relating to United States withdrawal from the Treaty.

(F) An assessment of the impact of such withdrawal on—

(i) United States leadership in the North Atlantic Treaty Organization (NATO); and

(ii) cohesion and cooperation among NATO member states.

(G) A description of options to continue confidence-building measures under the Treaty with other state parties to the Treaty that are United States allies.

(H) An assessment of the Defense Intelligence Agency of the impact on national security of such withdrawal.

(I) An assessment of how the United States will influence decisions regarding certifications of new sensors, primarily synthetic aperture radar sensors, under the Treaty that could pose additional risk to deployed United States military forces and assets.

(3) FORM.—The report required by paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) OBSERVATION FLIGHT.—The term ''observation flight'' has the meaning given such term in Article II of the Open Skies Treaty.

(3) OPEN SKIES TREATY; TREATY.—The term ''Open Skies Treaty'' or ''Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

Subtitle E—Matters Relating to Europe and NATO

SEC. 1241. LIMITATIONS ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE STATIONED IN GERMANY, TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES STATIONED IN EUROPE, AND TO DIVEST MILITARY INFRASTRUCTURE IN EUROPE.

(a) LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE STATIONED IN GERMANY.—None of the funds authorized to be appropriated or otherwise made available to the Department of Defense may be used during the period beginning on the date of the enactment of this Act and ending on December 31, 2021, to take any action to reduce the total number of members of the Armed Forces serving on active duty who are stationed in Germany below the levels present on June 10, 2020, until 180 days after the date on which the Secretary of Defense and the Chairman of the Joint Chiefs of Staff have separately submitted to the congressional defense committees the following:

(1) A certification that—

(A) such a reduction is in the national security interest of the United States and will not significantly undermine the security of the United States or its allies in the region, including a justification explaining the analysis behind the certification; and

(B) the Secretary has appropriately consulted with United States allies and partners in Europe, including all members of the North Atlantic Treaty Organization (NATO), regarding such a reduction.

(2) A detailed analysis of the impact such a reduction would have on the security of United States allies and partners in Europe and on interoperability and joint activities with such allies and partners, including major military exercises.

(3) A detailed analysis of the impact such a reduction would have on the ability to deter Russian aggression and ensure the territorial integrity of United States allies and partners in Europe.

(4) A detailed analysis of the impact such a reduction would have on the ability to counter Russian malign activity.

(5) A detailed analysis of where the members of the Armed Forces will be moved and stationed as a consequence of such a reduction.

(6) A detailed plan for how such a reduction would be implemented.

(7) A detailed analysis of the cost implications of such a reduction, to include the cost associated with new facilities to be constructed at the location to which the members of the Armed Forces are to be moved and stationed.

(8) A detailed analysis of the impact such a reduction would have on United States service members and their families stationed in Europe.

(9) A detailed analysis of the impact such a reduction would have on Joint Force Planning.

(10) A detailed explanation of the impact such a reduction would have on implementation of the National Defense Strategy and a certification that the reduction would not negatively affect implementation of the National Defense Strategy.

(b) LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES STATIONED IN EUROPE.—None of the funds authorized to be appropriated or otherwise made available for the Department of Defense may be used during the period begin-

ning on the date of the enactment of this Act and ending on December 31, 2021, to reduce the total number of members of the Armed Forces serving on active duty who are stationed in Europe below the levels present on June 10, 2020, until 180 days after the date on which the Secretary of Defense and the Chairman of the Joint Chiefs of Staff have separately submitted to the congressional defense committees the following:

(1) A certification that—

(A) such a reduction is in the national security interest of the United States and will not significantly undermine the security of the United States or its allies in the region, including a justification explaining the analysis behind the certification.

(B) the Secretary has appropriately consulted with United States allies and partners in Europe, including all members of NATO, regarding such a reduction.

(2) A detailed analysis of the impact such a reduction would have on the security of United States allies and partners in Europe and on interoperability and joint activities with such allies and partners, including major military exercises.

(3) A detailed analysis of the impact such a reduction would have on the ability to deter Russian aggression and ensure the territorial integrity of United States allies and partners in Europe.

(4) A detailed analysis of the impact such a reduction would have on the ability to counter Russian malign activity.

(5) A detailed analysis of where the forces will be moved and stationed as a consequence of such a reduction.

(6) A detailed plan for how such a reduction would be implemented.

(7) A detailed analysis of the cost implications of such a reduction, to include the cost associated with new facilities to be constructed at the location to which the members of the Armed Forces are to be moved and stationed.

(8) A detailed analysis of the impact such a reduction would have on service members and their families stationed in Europe.

(9) A detailed analysis of the impact such a reduction would have on Joint Force Planning.

(10) A detailed explanation of the impact such a reduction would have on implementation of the National Defense Strategy and a certification that

the reduction would not negatively affect implementation of the National Defense Strategy.

(c) LIMITATION TO DIVEST MILITARY INFRASTRUCTURE IN EUROPE.—

(1) IN GENERAL.—The Secretary of Defense may not take any action to divest any infrastructure or real property in Europe under the operational control of the Department of Defense unless, prior to taking such action, the Secretary certifies to the congressional defense committees that no military requirement for future use of the infrastructure or real property is foreseeable.

(2) SUNSET.—This subsection shall terminate on the date that is 5 years after the date of the enactment of this Act.

SEC. 1242. SENSE OF CONGRESS ON SUPPORT FOR COORDINATED ACTION TO ENSURE THE SECURITY OF BALTIC ALLIES.

It is the sense of Congress that—

(1) the continued security of the Baltic states of Estonia, Latvia, and Lithuania is critical to achieving United States national security interests and defense objectives against the acute and formidable threat posed by Russia;

(2) the United States and the Baltic states are leaders in the mission of defending independence and democracy from aggression and in promoting stability and security within the North Atlantic Treaty Organization (NATO), with non-NATO partners, and with other international organizations such as the European Union;

(3) the Baltic states are model NATO allies in terms of burden sharing and capital investment in materiel critical to United States and allied security, investment of over 2 percent of their gross domestic product on defense expenditure, allocating over 20 percent of their defense budgets on capital modernization, matching security assistance from the United States, frequently deploying their forces around the world in support of allied and United States objectives, and sharing diplomatic, technical, military, and analytical expertise on defense and security matters;

(4) the United States should continue to strengthen bilateral and multilateral defense by, with, and through allied nations, particularly those which possess expertise and dexterity but do not enjoy the benefits of national economies of scale;

(5) the United States should pursue consistent efforts focused on defense and security assistance, coordination, and planning designed to ensure the continued security of the Baltic states and on deterring current and future challenges to the national sovereignty of United States allies and partners in the Baltic region; and

(6) such an initiative should include an innovative and comprehensive conflict deterrence strategy for the Baltic region encompassing the unique geography of the Baltic states, modern and diffuse threats to their land, sea, and air spaces, and necessary improvements to their defense posture, including command-and-control infrastructure, intelligence, surveillance, and reconnaissance capabilities, communications equipment and networks, and special forces.

SEC. 1243. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic countries of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts demonstrating the United States' commitment to its European partners and allies, including the Baltic countries of Estonia, Latvia, and Lithuania, with the shared goal of peace and stability in the region. Operation Atlantic Resolve strengthens communication and understanding, and is an important effort to deter Russian aggression in the region.

(3) Through Operation Atlantic Resolve, the European Deterrence Initiative undertakes exercises, training, and rotational presence necessary to reassure and integrate our allies, including the Baltic countries, into a common defense framework.

(4) All three Baltic countries contributed to the NATO-led International Security Assistance Force in Afghanistan, sending troops and operating with few caveats. The Baltic countries continue to commit resources and troops to the Resolute Support Mission in Afghanistan.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms its support for the principle of collective defense in Article 5 of the North Atlantic Treaty for our NATO allies, including Estonia, Latvia, and Lithuania;

(2) supports the sovereignty, independence, territorial integrity, and inviolability of Estonia, Latvia, and Lithuania as well as their internationally recognized borders, and expresses concerns over increasingly aggressive military maneuvering by the Russian Federation near their borders and airspace;

(3) expresses concern over and condemns subversive and destabilizing activities by the Russian Federation within the Baltic countries; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

SEC. 1244. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.

(a) FINDINGS.—Congress finds the following:

(1) Georgia is a valued friend of the United States and has repeatedly demonstrated its commitment to advancing the mutual interests of both countries, including the deployment of Georgian forces as part of the former International Security Assistance Force (ISAF) and the current Resolute Support Mission led by the North Atlantic Treaty

Organization (NATO) in Afghanistan and the Multi-National Force in Iraq.

(2) The European Deterrence Initiative builds the partnership capacity of Georgia so it can work more closely with the United States and NATO, as well as provide for its own defense.

(3) In addition to the European Deterrence Initiative, Georgia's participation in the NATO initiative Partnership for Peace is paramount to interoperability with the United States and NATO, and establishing a more peaceful environment in the region.

(4) Despite the losses suffered, as a NATO partner, Georgia is committed to the Resolute Support Mission in Afghanistan with the fifth-largest contingent on the ground.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the United States should—

(1) reaffirm support for an enduring strategic partnership between the United States and Georgia;

(2) support Georgia's sovereignty and territorial integrity within its internationally-recognized borders, and does not recognize the independence of the Abkhazia and South Ossetia regions currently occupied by the Russian Federation;

(3) continue support for multi-domain security assistance for Georgia in the form of lethal and non-lethal measures to build resiliency, bolster deterrence against Russian aggression, and promote stability in the region, by—

(A) strengthening defensive capabilities and promote readiness; and

(B) improving interoperability with NATO forces; and

(4) further enhance security cooperation and engagement with Georgia and other Black Sea regional partners.

SEC. 1245. SENSE OF CONGRESS ON BURDEN SHARING BY PARTNERS AND ALLIES.

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

(1) The United States' alliances and other critical defense partnerships are a cornerstone of Department of Defense (DOD) efforts to deter aggression from our adversaries, counter violent extremism, and preserve United States national security interests in the face of challenges to those interests by Russia, China and other actors.

(2) The North Atlantic Treaty Organization (NATO) is the most successful military alliance in

history, having deterred war between major state powers for more than 70 years.

(3) Collective security and the responsibility of each member of the security of the other members as well as the alliance as a whole is a pillar of the NATO alliance.

(4) NATO members other than the United States collectively expend over $300,000,000,000 in defense investments annually and maintain military forces totaling an estimated 1,900,000 service members, bolstering the alliance's collective capacity to counter shared threats.

(5) At the NATO Wales Summit in 2014, NATO members pledged to strive to increase their own defense spending to 2 percent of their respective gross domestic products and to spend at least 20 percent of their defense budgets on equipment by 2024 as part of their burden sharing commitments.

(6) Since 2014, there has been a steady increase in allied defense spending, with 22 member countries meeting defense spending targets in 2018 and having submitted plans to meet the targets by 2024.

(7) In addition to individual defense spending contributions, NATO allies and partners also con-

tribute to NATO and United States operations around the world, including the Resolute Support Mission in Afghanistan and the Global Coalition to Defeat the Islamic State in Iraq and Syria (ISIS).

(8) South Korea hosts a baseline of 28,500 United States forces including the Eighth Army and Seventh Air Force.

(9) South Korea maintains Aegis Ballistic Missile Defense and Patriot Batteries that contribute to regional Ballistic Missile Defense, is a participant in the Enforcement Coordination Center, and is a significant contributor to United Nations peacekeeping operations.

(10) South Korea is an active consumer of United States Foreign Military Sales (FMS) with approximately $30,500,000,000 in active FMS cases and makes significant financial contributions to support forward deployed United States forces in South Korea, including contributions of $924,000,000 under the Special Measures Agreement in 2019 and over 90 percent of the cost of developing Camp Humphreys.

(11) Japan hosts 54,000 United States forces including the Seventh Fleet, the only forward-deployed United States aircraft carrier, and the United

States Marine Corps' III Marine Expeditionary Force.

(12) Japan maintains Aegis Ballistic Missile Defense and Patriot Batteries that contribute to regional Ballistic Missile Defense, conducts bilateral presence operations and mutual asset protection missions with United States forces, and is a capacity building contributor to United Nations peacekeeping operations.

(13) Japan is an active consumer of United States FMS with approximately $28,400,000,000 in active FMS cases and makes significant financial contributions to enable optimized United States military posture, including contributions of approximately $2,000,000,000 annually under the Special Measures Agreement, $187,000,000 annually under the Japan Facilities Improvement Program, $12,100,000,000 for the Futenma Replacement Facility, $4,800,000,000 for Marine Corps Air Station Iwakuni, and $3,100,000,000 for construction on Guam to support the movement of United States Marines from Okinawa.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States Government should focus on United States national security requirements for investment in forward presence, joint exercises, investments, and commitments that contribute to the security of the United States and collective security, and cease efforts that solely focus on the financial contributions of United States allies and partners when negotiating joint security arrangements;

(2) the United States must continue to strengthen its alliances and security partnerships with like-minded democracies around the world to deter aggression from authoritarian competitors and promote peace and respect for democratic values and human rights around the world;

(3) United States partners and allies should continue to increase their military capacity and enhance their ability to contribute to global peace and security;

(4) NATO allies should continue working toward their 2014 Wales Defense Investment Pledge commitments;

(5) the United States should maintain forward-deployed United States forces in order to better ensure United States national security and global stability; and

(6) alliances and partnerships are the cornerstone of United States national security and critical to countering the threat posed by malign actors to the post-World War II liberal international order.

SEC. 1246. SENSE OF CONGRESS ON NATO'S RESPONSE TO THE COVID-19 PANDEMIC.

(a) FINDINGS.—Congress finds the following:

(1) The North Atlantic Treaty Organization (NATO) has been working with allies and partners to provide support to the civilian response to the Coronavirus Disease 2019 (commonly referred to as ''COVID-19'') pandemic, including logistics and planning, field hospitals, and transport, while maintaining NATO's operational readiness and continuing to carry out critical NATO missions.

(2) Since the beginning of the pandemic, NATO allies and partners have completed more than 350 airlift flights, supplying hundreds of tons of critical supplies globally, have built nearly 100 field hospitals and dedicated more than half a million troops to support the civilian response to the pandemic.

(3) NATO's Euro-Atlantic Disaster Response Coordination Centre has been operating 24 hours, seven days a week to coordinate requests for supplies and resources.

(4) The NATO Support and Procurement Agency's Strategic Airlift Capability and Strategic Airlift International Solution programs have chartered flights to transport medical supplies between partners and allies.

(5) NATO established Rapid Air Mobility to speed up military air transport of medical supplies and resources to allies and partners experiencing a shortage of medical supplies and personal protective equipment.

(6) In June 2020, NATO Defense Ministers agreed to future steps to prepare for a potential second wave of the COVID-19 pandemic, including a new operation plan, establishing a stockpile of medical equipment and supplies, and a new fund to acquire medical supplies and services.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) NATO's response to the COVID-19 pandemic is an excellent example of the democratic alliance's capacity tackling overwhelming logistical challenges through close collaboration;

(2) the United States should remain committed to strengthening NATO's operational response to the pandemic; and

(3) the United States should fulfill its commitments made at the 2020 NATO Defense Ministerial and continue to bolster the work of the Euro-Atlantic Disaster Response Coordination Centre, the NATO Support and Procurement Agency's Strategic Airlift Capability and Strategic Airlift International Solution programs, and other efforts to utilize NATO's capabilities to support the civilian pandemic response.

Subtitle F—Matters Relating to the Indo-Pacific Region

SEC. 1251. INDO-PACIFIC REASSURANCE INITIATIVE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a stable, peaceful, and secure Indo-Pacific region is vital to United States economic and national security;

(2) revisionist states, rogue states, violent extremist organizations, and natural and manmade disasters are persistent challenges to regional stability and security;

(3) maintaining stability and upholding a rules-based order requires a holistic United States strategy that—

(A) synchronizes all elements of national power;

(B) is inclusive of United States allies and partner countries; and

(C) ensures a persistent, predictable United States presence to reinforce regional defense;

(4) enhancing regional defense requires robust efforts to increase capability, readiness, and responsiveness to deter and mitigate destabilizing activities;

(5) the Department of Defense should pursue an integrated program of activities to—

(A) reassure United States allies and partner countries in the Indo-Pacific region;

(B) appropriately prioritize activities and resources to implement the National Defense Strategy; and

(C) enhance the ability of Congress to provide oversight of and support to Department of Defense efforts;

(6) an integrated, coherent, and strategic program of activities in the Indo-Pacific region, similar to the European Deterrence Initiative (originally the European Reassurance Initiative), will enhance United States presence and positioning, allow for ad-

ditional exercises, improve infrastructure and logistics, and build allied and partner capacity to deter aggression, strengthen ally and partner interoperability, and demonstrate United States commitment to Indo-Pacific countries;

(7) an integrated, coherent, and strategic program of activities in the Indo-Pacific region will also assist in resourcing budgetary priorities and enhancing transparency and oversight of programs and activities to better enable a coordinated and strategic plan for Department of Defense programs;

(8) not less than $3,578,360,000 of base funding should be allocated to fully support such program of activities in fiscal year 2021; and

(9) the Department of Defense should ensure adequate, consistent planning is conducted for future funding and build upon the activities identified in fiscal year 2021 in future budget requests, as appropriate.

(b) INDO-PACIFIC REASSURANCE INITIATIVE.—The Secretary of Defense shall carry out a program of prioritized activities to reassure United States allies and partner countries in the Indo-Pacific region that shall be known as the ''Indo-Pacific Reassurance Initiative'' (in this section referred to as the ''Initiative'').

(c) OBJECTIVES.—The objectives of the Initiative shall include reassuring United States allies and partner countries in the Indo-Pacific region by—

(1) optimizing the presence of United States Armed Forces in the region;

(2) strengthening and maintaining bilateral and multilateral military exercises and training with such countries;

(3) improving infrastructure in the region to enhance the responsiveness of United States Armed Forces;

(4) enhancing the prepositioning of equipment and materiel in the region; and

(5) building the defense and security capabilities, capacity, and cooperation of such countries.

(d) PLAN RELATING TO TRANSPARENCY FOR THE INDO-PACIFIC REASSURANCE INITIATIVE.—

(1) PLAN REQUIRED.—

(A) IN GENERAL.—Not later than February 1, 2022, and annually thereafter, the Secretary of Defense, in consultation with the Commander of the United States Indo-Pacific Command, shall submit to the congressional defense committees a future years plan on activities and resources of the Initiative.

(B) APPLICABILITY.—The plan shall apply to the Initiative with respect to the first fiscal year beginning after the date of submission of the plan and at least the four succeeding fiscal years.

(2) MATTERS TO BE INCLUDED.—The plan required under paragraph (1) shall include each of the following:

(A) A summary of progress made towards achieving the objectives of the Initiative.

(B) An assessment of resource requirements to achieve such objectives.

(C) An assessment of capabilities requirements to achieve such objectives.

(D) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, and maintenance requirements, to achieve such objectives.

(E) An identification of the intended force structure and posture of the assigned and allocated forces within the area of responsibility of the United States Indo-Pacific Command for the last fiscal year of the plan and the manner in which such force structure and posture support such objectives.

(F) An identification and assessment of required infrastructure and military construction investments to achieve such objectives, including potential infrastructure investments proposed by host countries, new construction or modernization of existing sites that would be funded by the United States, and a master plan that includes the following:

(i) A list of specific locations, organized by country, in which the Commander of the United States Indo-Pacific Command anticipates requiring infrastructure investments to support an enduring or periodic military presence in the region.

(ii) A list of specific infrastructure investments required at each location identified under clause (i), to include the project title and estimated cost of each project.

(iii) A brief explanation for how each location identified under clause (i) and infrastructure investments identified under clause (ii) support a validated requirement or component of the overall strategy in the region.

(iv) A discussion of any gaps in the current infrastructure authorities that would preclude implementation of the infrastructure investments identified under clause (ii).

(v) A description of the type and size of military force elements that would maintain an enduring presence or operate periodically from each location identified under clause (i).

(vi) A summary of kinetic and non-kinetic vulnerabilities for current locations and each location identified in clause (i), to include—

(I) the level of risk associated with each vulnerability; and

(II) the proposed mitigations and projected costs to address each such vulnerability, to include—

(aa) hardening and other resilience measures;

(bb) active and passive counter-Intelligence, Surveillance, and Reconnaissance;

(cc) active and passive counter Positioning, Navigation, and Timing;

(dd) air and missile defense capabilities;

(ee) enhanced logistics and sea lines of communication security; and

(ff) other issues identified by the Commander of the United States Indo-Pacific Command.

(G) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, fuel storage and distribution, and maintenance requirements, to achieve such objectives.

(H) An analysis of the challenges to the ability of the United States to deploy significant forces from the continental United States to the Indo-Pacific theater in the event of a major contingency, and a description of the plans of the Department of Defense, including military exercises, to address such challenges.

(I) An assessment and plan for security cooperation investments to enhance such objectives.

(J) A plan to resource United States force posture and capabilities, including—

(i) the infrastructure capacity of existing locations and their ability to accommodate additional United States forces in the Indo-Pacific region;

(ii) the potential new locations for additional United States Armed Forces in the Indo-Pacific region, including an assessment of infrastructure and military construction resources necessary to accommodate such forces;

(iii) a detailed timeline to achieve desired posture requirements;

(iv) a detailed assessment of the resources necessary to achieve the requirements of the plan, including specific cost estimates for each project under the Initiative to support optimized presence, exercises and training, enhanced prepositioning, improved infrastructure, and building partnership capacity; and

(v) a detailed timeline to achieve the force posture and capabilities, including force requirements.

(K) A detailed explanation of any significant modifications of the requirements or resources, as compared to plans previously submitted under paragraph (1).

(L) Any other matters the Secretary of Defense determines should be included.

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

(e) BUDGET SUBMISSION INFORMATION.—For fiscal year 2022 and each fiscal year thereafter, the Secretary of Defense shall include in the budget justification materials submitted to Congress in support of the Department of Defense budget for that fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code)—

(1) the amounts, by budget function and as a separate item, requested for the Department of Defense for such fiscal year for all programs and activities under the Initiative; and

(2) a detailed budget display for the Initiative, including—

(A) with respect to procurement accounts—

(i) amounts displayed by account, budget activity, line number, line item, and line item title; and

(ii) a description of the requirements for each such amounts;

(B) with respect to research, development, test, and evaluation accounts—

(i) amounts displayed by account, budget activity, line number, program element, and program element title; and

(ii) a description of the requirements for each such amount;

(C) with respect to operation and maintenance accounts—

(i) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(ii) a description of how such amounts will specifically be used;

(D) with respect to military personnel accounts—

(i) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(ii) a description of the requirements for each such amount; and

(E) with respect to each project under military construction accounts (including with respect to unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

(f) END OF FISCAL YEAR REPORT.—Not later than November 20, 2022, and annually thereafter, the Secretary of Defense shall submit to the congressional defense committees a report that contains—

(1) a detailed summary of funds obligated for the Initiative during the preceding fiscal year; and

(2) a detailed comparison of funds obligated for the Initiative during the preceding fiscal year to the amount of funds requested for the Initiative for such fiscal year in the materials submitted to Congress by the Secretary in support of the budget of the President for that fiscal year as required by subsection (e), including with respect to each of the accounts described in subparagraphs (A), (B), (C), (D), and

(E) of subsection (e)(2) and the information required under each such subparagraph.

(g) BRIEFINGS REQUIRED.—Not later than March 1, 2023, and annually thereafter, the Secretary of Defense shall provide to the congressional defense committees a briefing on the status of all matters covered by the report required by section (f).

(h) RELATIONSHIP TO BUDGET.—Nothing in this section shall be construed to affect section 1105(a) of title 31, United States Code.

(i) CONFORMING REPEAL.—Section 1251 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1676) is repealed.

SEC. 1252. LIMITATION ON USE OF FUNDS TO REDUCE THE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO SOUTH KOREA.

None of the funds authorized to be appropriated by this Act may be used to reduce the total number of members of the Armed Forces serving on active duty who are deployed to South Korea below 28,500 until 180 days after the date on which the Secretary of Defense certifies to the congressional defense committees the following:

(1) Such a reduction is in the national security interest of the United States and will not signifi-

cantly undermine the security of United States allies in the region.

(2) Such a reduction is commensurate with a reduction in the threat posed to the United States and its allies in the region by the Democratic People's Republic of Korea.

(3) Following such a reduction, the Republic of Korea would be capable of deterring a conflict on the Korean Peninsula.

(4) The Secretary has appropriately consulted with allies of the United States, including South Korea and Japan, regarding such a reduction.

SEC. 1253. IMPLEMENTATION OF GAO RECOMMENDATIONS ON PREPAREDNESS OF UNITED STATES FORCES TO COUNTER NORTH KOREAN CHEMICAL AND BIOLOGICAL WEAPONS.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall develop a plan to address the recommendations in the U.S. Government Accountability Office's report entitled "Preparedness of U.S. Forces to Counter North Korean Chemical and Biological Weapons" (GAO-20-79C).

(2) ELEMENTS.—The plan required under paragraph (1) shall, with respect to each rec-

ommendation in the report described in paragraph (1) that the Secretary of Defense has implemented or intends to implement, include—

(A) a summary of actions that have been or will be taken to implement the recommendation; and

(B) a schedule, with specific milestones, for completing implementation of the recommendation.

(b) SUBMITTAL TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees the plan required under subsection (a).

(c) DEADLINE FOR IMPLEMENTATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), not later than 18 months after the date of the enactment of this Act, the Secretary of Defense shall carry out activities to implement the plan developed under subsection (a).

(2) EXCEPTION FOR IMPLEMENTATION OF CERTAIN RECOMMENDATIONS.—

(A) DELAYED IMPLEMENTATION.—The Secretary of Defense may initiate implementation of a recommendation in the report described in subsection (a)(1) after the date speci-

fied in paragraph (1) if the Secretary provides the congressional defense committees with a specific justification for the delay in implementation of such recommendation on or before such date.

(B) NONIMPLEMENTATION.—The Secretary of Defense may decide not to implement a recommendation in the report described in subsection (a)(1) if the Secretary provides to the congressional defense committees, on or before the date specified in paragraph (1)—

(i) a specific justification for the decision not to implement the recommendation; and

(ii) a summary of alternative actions the Secretary plans to take to address the conditions underlying the recommendation.

SEC. 1254. PUBLIC REPORTING OF CHINESE MILITARY COMPANIES OPERATING IN THE UNITED STATES.

(a) DETERMINATION OF OPERATIONS.—Not later than 1 year after the date of the enactment of this Act, and on an ongoing basis thereafter, the Secretary of Defense shall identify each entity the Secretary determines, based on the most recent information available, is—

(1)(A) directly or indirectly owned, controlled, or beneficially owned by, or in an official or unofficial capacity acting as an agent of or on behalf of, the People's Liberation Army or any of its affiliates; or

(B) identified as a military-civil fusion contributor to the Chinese defense industrial base;

(2) engaged in providing commercial services, manufacturing, producing, or exporting; and

(3) operating directly or indirectly in the United States, including any of its territories and possessions.

(b) SUBMISSION; PUBLICATION.—

(1) SUBMISSION.—Not later than 1 year after the date of the enactment of this Act, and every 2 years thereafter, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate an updated list of each entity determined to be a Chinese military company pursuant to subsection (a), in classified and unclassified forms.

(2) PUBLICATION.—Concurrent with the submission of a list under paragraph (1), the Secretary shall publish the unclassified portion of such list in the Federal Register.

(c) CONSULTATION.—The Secretary may consult with the head of any appropriate Federal department or agency in making the determinations required under subsection (a) and shall transmit a copy of each list submitted under subsection (b)(1) to the heads of each appropriate Federal department and agency.

(d) DEFINITIONS.—

(1) MILITARY-CIVIL FUSION CONTRIBUTOR.—In this section, the term ''military-civil fusion contributor'' includes—

(A) entities receiving assistance from the Government of China through science and technology efforts initiated under the Chinese military industrial planning apparatus;

(B) entities affiliated with the Chinese Ministry of Industry and Information Technology, including entities connected through Ministry schools, research partnerships, and state-aided science and technology projects;

(C) entities receiving assistance from the Government of China or operational direction or policy guidance from the State Administration for Science, Technology and Industry for National Defense;

(D) entities recognized and awarded with receipt of an innovation prize for science and technology by such State Administration;

(E) any other entity or subsidiary defined as a ''defense enterprise'' by the Chinese State Council; and

(F) entities residing in or affiliated with a military-civil fusion enterprise zone or receiving assistance from the Government of China through such enterprise zone.

(2) PEOPLE'S LIBERATION ARMY.—The term ''People's Liberation Army'' means the land, naval, and air military services, the police, and the intelligence services of the Government of China, and any member of any such service or of such police.

SEC. 1255. INDEPENDENT STUDY ON THE DEFENSE INDUSTRIAL BASE OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the defense industrial base of the People's Republic of China.

(b) ELEMENTS OF STUDY.—The study required under subsection (a) shall assess the resiliency and capacity of China's defense industrial base to support its objectives in competition and conflict, including with respect to the following:

(1) The manufacturing capacity and physical plant capacity of the defense industrial base, including its ability to modernize to meet future needs.

(2) Gaps in national-security-related domestic manufacturing capabilities, including non-existent, extinct, threatened, and single-point-of-failure capabilities.

(3) Supply chains with single points of failure or limited resiliency, especially suppliers at third-tier and lower.

(4) Energy consumption and vulnerabilities.

(5) Domestic education and manufacturing workforce skills.

(6) Exclusive or dominant supply of military and civilian materiel, raw materials, or other goods (or components thereof) essential to China's national security by the United States or United States allies and partners.

(7) The ability to meet the likely repair and new construction demands of the People's Liberation Army in the event of a protracted conflict.

(8) The availability of substitutes or alternative sources for goods identified pursuant to paragraph (6).

(9) Recommendations for legislative, regulatory, and policy changes and other actions by the President and the heads of Federal agencies as appropriate based upon a reasoned assessment that the benefits outweigh the costs (broadly defined to include any economic, strategic, and national security benefits or costs) over the short, medium, and long-term to erode, in the event of a conflict, the ability of China's defense industrial base to support the national objectives of China.

(c) SUBMISSION TO DEPARTMENT OF DEFENSE.—Not later than 210 days after the date of the enactment of this Act, the federally funded research and development center shall submit to the Secretary a report containing the study conducted under subsection (a).

(d) SUBMISSION TO CONGRESS.—Not later than 240 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the report submitted to the Secretary under sub-

1 section (c), without change but with any comments of the
2 Secretary with respect to the report.

3 **SEC. 1256. REPORT ON CHINA'S ONE BELT, ONE ROAD INI-**
4 **TIATIVE IN AFRICA.**

5 (a) IN GENERAL.—Not later than one year after the
6 date of the enactment of this Act, the Secretary of De-
7 fense, in coordination with the Secretary of State and the
8 Director of National Intelligence, shall submit to the ap-
9 propriate congressional committees a report on the mili-
10 tary and defense implications of China's One Belt, One
11 Road Initiative in Africa and a strategy to address im-
12 pacts on United States military and defense interests in
13 Africa.

14 (b) MATTERS TO BE INCLUDED.—The report re-
15 quired by subsection (a) shall include the following:

16 (1) An assessment of Chinese dual-use invest-
17 ments in Africa, including a description of which in-
18 vestments that are of greatest concern to United
19 States military or defense interests.

20 (2) A description of such investments that are
21 associated with People's Liberation Army coopera-
22 tion with African countries.

23 (3) An assessment of the potential military, in-
24 telligence, and logistical threats facing United
25 States' key regional military infrastructure, supply

chains, and staging grounds due to such investments.

(4) An identification of Department of Defense measures taken to mitigate the risk posed to United States forces and defense interests by such investments.

(5) A strategy to address ongoing military and defense implications posed by the expansion of such investments.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Armed Services, the Committee on Foreign Relations, and Select Committee on Intelligence of the Senate.

(2) CHINESE DUAL-USE INVESTMENTS IN AFRICA.—The term ''Chinese dual-use investments in Africa'' means investments made by the Government of the People's Republic of China, the Chinese Communist Party, or companies owned or controlled by

such Government or Party in the infrastructure of African countries or related projects for both commercial and military or proliferation purposes.

(d) FORM.—The report required by subsection (a) shall—

(1) be submitted in unclassified form but may contain a classified annex; and

(2) be made available to the public on the website of the Department of Defense.

SEC. 1257. SENSE OF CONGRESS ON ENHANCEMENT OF THE UNITED STATES-TAIWAN DEFENSE RELATIONSHIP.

It is the sense of Congress that—

(1) Taiwan is a vital partner of the United States and is critical to a free and open Indo-Pacific region;

(2) the Taiwan Relations Act (22 U.S.C. 3301 et seq.) and the ''Six Assurances'' are both cornerstones of United States relations with Taiwan;

(3) the United States should continue to strengthen defense and security cooperation with Taiwan to support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain a sufficient self-defense capability;

(4) consistent with the Taiwan Relations Act, the United States should strongly support the acquisition by Taiwan of defense articles and services through foreign military sales, direct commercial sales, and industrial cooperation, with an emphasis on anti-ship, coastal defense, anti-armor, air defense, defensive naval mining, and resilient command and control capabilities that support the asymmetric defense strategy of Taiwan;

(5) the President and Congress should determine the nature and quantity of such defense articles and services based solely upon their judgment of the needs of Taiwan, as required by the Taiwan Relations Act and in accordance with procedures established by law;

(6) the United States should continue efforts to improve the predictability of United States arms sales to Taiwan by ensuring timely review of and response to requests of Taiwan for defense articles and services;

(7) the Secretary of Defense should promote policies concerning exchanges that enhance the security of Taiwan, including—

(A) opportunities with Taiwan for practical training and military exercises that—

(i) enable Taiwan to maintain a sufficient self-defense capability, as described in section 3(a) of the Taiwan Relations Act (22 U.S.C. 3302(a)); and

(ii) emphasize capabilities consistent with the asymmetric defense strategy of Taiwan;

(B) exchanges between senior defense officials and general officers of the United States and Taiwan, consistent with the Taiwan Travel Act (Public Law 115–135), especially for the purpose of enhancing cooperation on defense planning and improving the interoperability of United States and Taiwan forces; and

(C) opportunities for exchanges between junior officers and senior enlisted personnel of the United States and Taiwan;

(8) the Secretary of Defense should consider expanded air and naval engagements and training with Taiwan to enhance regional security;

(9) the United States and Taiwan should expand cooperation in humanitarian assistance and disaster relief including conducting port calls in Taiwan with the United States Naval Ship Comfort and United States Naval Ship Mercy;

(10) the Secretary of Defense should consider options, including exercising ship visits and port calls, as appropriate, to expand the scale and scope of humanitarian assistance and disaster response cooperation with Taiwan and other regional partners so as to improve disaster response planning and preparedness;

(11) the Secretary of Defense should continue regular transits of United States Navy vessels through the Taiwan Strait and encourage allies and partners to follow suit in conducting such transits to demonstrate the commitment of the United States and its allies and partners to fly, sail, and operate anywhere international law allows;

(12) the violation of international law by the Government of China with respect to the Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong, done at Beijing December 19, 1984, is gravely concerning and erodes international confidence in China's willingness to honor its international commitments, including not to change the status quo with respect to Taiwan by force;

(13) the increasingly coercive and aggressive behavior of China towards Taiwan, including growing military maneuvers targeting Taiwan, is contrary to the expectation of the peaceful resolution of the future of Taiwan; and

(14) the United States and Taiwan should expand consultation and cooperation on combating the Coronavirus Disease 2019 (''COVID-19'') and seek to share the best practices and cooperate on a range of activities under this partnership.

SEC. 1258. REPORT ON SUPPLY CHAIN SECURITY COOPERATION WITH TAIWAN.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the head of each appropriate Federal department and agency, shall submit to the congressional defense committees a report on the following:

(1) The feasibility of establishing a high-level, interagency United States-Taiwan working group for coordinating cooperation related to supply chain security.

(2) A discussion of the Department of Defense's current and future plans to engage with Taiwan with respect to activities ensuring supply chain security.

(3) A discussion of obstacles encountered in forming, executing, or implementing agreements with Taiwan for conducting activities to ensure supply chain security.

(4) Any other matters the Secretary of Defense determines should be included.

SEC. 1259. REPORT ON UNITED STATES-TAIWAN MEDICAL SECURITY PARTNERSHIP.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of Health and Human Services, shall submit to the congressional defense committees a report on the following:

(1) The goals, objectives, and feasibility of developing a United States-Taiwan medical security partnership on issues related to pandemic preparedness and control.

(2) A discussion of current and future plans to engage with Taiwan in medical security activities.

(3) An evaluation of cooperation on a range of activities under the partnership to include—

(A) research and production of vaccines and medicines;

(B) joint conferences with scientists and experts;

(C) collaboration relating to and exchanges of medical supplies and equipment; and

(D) the use of hospital ships such as the United States Naval Ship Comfort and United States Naval Ship Mercy.

(4) Any other matters the Secretary of Defense determines appropriate.

Subtitle G—Other Matters

SEC. 1261. PROVISION OF GOODS AND SERVICES TO KWAJALEIN ATOLL.

(a) AUTHORITY FOR PROVISION OF GOODS AND SERVICES.—Chapter 767 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 7596. Provision of goods and services to Kwajalein Atoll

''(a) AUTHORITY.—

''(1) IN GENERAL.—The Secretary of the Army may, subject to the concurrence of the Secretary of State as provided in paragraph (2), use any amounts appropriated to the Department of the Army to provide goods and services, including inter-atoll transportation, to the Government of the Republic of the Marshall Islands and to other eligible patrons at Kwajalein Atoll, under regulations and at rates to be

prescribed by the Secretary of the Army in accordance with this section.

"(2) EFFECT ON COMPACT.—The Secretary of State may not concur to the provision of goods and services under paragraph (1) if the Secretary determines that such provision would be inconsistent with the Compact of Free Association between the Government of the United States of America and the Government of the Republic of the Marshall Islands (as set forth in title II of the Compact of Free Association Act of 1985 (48 U.S.C. 1901 et seq.)) or with any subsidiary agreement or implementing arrangement with respect to such Compact.

"(b) REIMBURSEMENT.—

"(1) AUTHORITY TO COLLECT REIMBURSEMENT.—The Secretary of the Army may collect reimbursement from the Government of the Republic of the Marshall Islands or eligible patrons for the provision of goods and services under this section in an amount that does not exceed the costs to the United States of providing such goods or services.

"(2) MAXIMUM REIMBURSEMENT.—The total amount collected in a fiscal year pursuant to the authority under paragraph (1) may not exceed $7,000,000.".

(b) CLERICAL AMENDMENTS.—The table of contents for chapter 767 of title 10, United States Code, is amended by adding at the end the following new item:

"Sec. 7595. Provision of goods and services to Kwajalein Atoll.".

SEC. 1262. ANNUAL BRIEFINGS ON CERTAIN FOREIGN MILITARY BASES OF ADVERSARIES.

(a) IN GENERAL.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 130l. Annual briefings on certain foreign military bases of adversaries.

"(a) REQUIREMENT.—Not later than February 15 of each year, the Chairman of the Joint Chiefs of Staff and the Secretary of Defense, acting through the Under Secretary of Defense for Intelligence and Security, shall provide to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a briefing on—

"(1) covered foreign military bases and the related capabilities of that foreign military; and

"(2) the effects of such bases and capabilities on—

"(A) the military installations of the United States located outside the United States; and

"(B) current and future deployments and operations of the armed forces of the United States.

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

"(1) An assessment of covered foreign military bases, including such bases established by China, Russia, and Iran, and any updates to such assessment provided in a previous briefing under such subsection.

"(2) Information regarding known plans for any future covered foreign military base.

"(3) An assessment of the capabilities, including those pertaining to anti-access and area denial, provided by covered foreign military bases to that foreign military, including an assessment of how such capabilities could be used against the armed forces of the United States in the country and the geographic combatant command in which such base is located.

"(4) A description of known ongoing activities and capabilities at covered foreign military bases, and how such activities and capabilities advance the foreign policy and national security priorities of the relevant foreign countries.

"(5) The extent to which covered foreign military bases could be used to counter the defense priorities of the United States.

"(c) FORM.—Each briefing under subsection (a) shall be provided in classified form.

"(d) COVERED FOREIGN MILITARY BASE DEFINED.—In this section, the term 'covered foreign military base' means, with respect to a foreign country that is an adversary of the United States, a military base of that country located in a different country.".

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

"130l. Annual briefings on certain foreign military bases of adversaries.".

SEC. 1263. REPORT ON PROGRESS OF THE DEPARTMENT OF DEFENSE WITH RESPECT TO DENYING A FAIT ACCOMPLI BY A STRATEGIC COMPETITOR AGAINST A COVERED DEFENSE PARTNER.

(a) DEFINITIONS.—In this section:

(1) COVERED DEFENSE PARTNER.—The term "covered defense partner" means a partner identified in the "Department of Defense Indo-Pacific Strategy Report" issued on June 1, 2019, located within 100 miles off the coast of a strategic competitor.

(2) FAIT ACCOMPLI.—The term ''fait accompli'' means the strategy of a strategic competitor designed to allow such strategic competitor to use military force to seize control of a covered defense partner before the United States Armed Forces are able to respond effectively.

(3) STRATEGIC COMPETITOR.—The term ''strategic competitor'' means a country labeled as a strategic competitor in the ''Summary of the 2018 National Defense Strategy of the United States of America: Sharpening the American Military's Competitive Edge'' issued by the Department of Defense pursuant to section 113 of title 10, United States Code.

(b) REPORT ON PROGRESS OF THE DEPARTMENT OF DEFENSE WITH RESPECT TO DENYING A FAIT ACCOMPLI BY A STRATEGIC COMPETITOR AGAINST A COVERED DEFENSE PARTNER.—

(1) IN GENERAL.—Not later than April 30 each year, beginning in 2021 and ending in 2026, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the Department of Defense with respect to improving the ability of the United States Armed Forces to conduct combined joint operations to deny

the ability of a strategic competitor to execute a fait accompli against a covered defense partner.

(2) MATTERS TO BE INCLUDED.—Each report under paragraph (1) shall include the following:

(A) An explanation of the objectives for the United States Armed Forces that would be necessary to deny the fait accompli by a strategic competitor against a covered defense partner.

(B) An identification of joint warfighting capabilities and current efforts to organize, train, and equip the United States Armed Forces in support of the objectives referred to in paragraph (1), including—

(i) an assessment of whether the programs included in the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code, are sufficient to enable the United States Armed Forces to conduct joint combined operations to achieve such objectives;

(ii) a description of additional investments or force posture adjustments required to maintain or improve the ability

of the United States Armed Forces to conduct joint combined operations to achieve such objectives;

(iii) a description of the manner in which the Secretary of Defense intends to develop and integrate Army, Navy, Air Force, Marine Corps, and Space Force operational concepts to maintain or improve the ability of the United States Armed Forces to conduct joint combined operations to achieve such objectives; and

(iv) an assessment of the manner in which different options for pre-delegating authorities may improve the ability of the United States Armed Forces to conduct joint combined operations to achieve such objectives.

(C) An assessment of options for deterring limited use of nuclear weapons by a strategic competitor in the Indo-Pacific region without undermining the ability of the United States Armed Forces to maintain deterrence against other strategic competitors and adversaries.

(D) An assessment of a strategic competitor theory of victory for invading and unifying

a covered defense partner with such a strategic competitor by military force.

(E) A description of the military objectives a strategic competitor would need to achieve in a covered defense partner campaign.

(F) A description of the military missions a strategic competitor would need to execute a covered defense partner invasion campaign, including—

(i) blockade and bombing operations;

(ii) amphibious landing operations; and

(iii) combat operations.

(G) An assessment of competing demands on a strategic competitor's resources and how such demands impact such a strategic competitor's ability to achieve its objectives in a covered defense partner campaign.

(H) An assessment of a covered defense partner's self-defense capability and a summary of defense articles and services that are required to enhance such capability.

(I) An assessment of the capabilities of partner and allied countries to conduct com-

bined operations with the United States Armed Forces in a regional contingency.

(3) FORM.—Each report under paragraph (1) shall be submitted in classified form but may include an unclassified executive summary.

SEC. 1264. MODIFICATION TO REQUIREMENTS OF THE INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

(a) ENHANCED INFORMATION SHARING.—Subsection (d)(1) section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note) is amended by striking ''(other than basic research)''.

(b) PUBLICATION OF UPDATED LIST.—Subsection (e) of such section is amended by adding at the end the following new paragraph:

''(4) PUBLICATION OF UPDATED LIST.—

''(A) IN GENERAL.—Not later than January 1, 2021, and annually thereafter, the Secretary shall submit to the congressional defense committees the most recently updated list described in subsection (c)(8) in unclassified form (but with a classified annex as applicable) and

make the unclassified portion of each such list publicly available on an internet website in a searchable format.

"(B) INTERVENING PUBLICATION.—The Secretary may submit and publish an updated list described in subparagraph (A) more frequently than required by such subparagraph if the Secretary determines necessary.".

SEC. 1265. REPORT ON DIRECTED USE OF FISHING FLEETS.

Not later than 180 days after the date of the enactment of this Act, the Commander of the Office of Naval Intelligence shall submit to the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate an unclassified report on the use of distant-water fishing fleets by foreign governments as extensions of such countries' official maritime security forces, including the manner and extent to which such fishing fleets are leveraged in support of naval operations and foreign policy more generally. The report shall also consider the threats, on a country-by-country basis, posed by such use of distant-water fishing fleets to—

(1) fishing or other vessels of the United States and partner countries;

(2) United States and partner naval and coast guard operations; and

(3) other interests of the United States and partner countries.

SEC. 1266. EXPANDING THE STATE PARTNERSHIP PROGRAM IN AFRICA.

The Secretary of Defense, in coordination with the Chief of the National Guard Bureau, shall seek to build partner capacity and interoperability in the United States Africa Command area of responsibility through increased partnerships with countries on the African continent, military-to-military engagements, and traditional activities of the combatant commands.

SEC. 1267. REPORT RELATING TO REDUCTION IN THE TOTAL NUMBER OF UNITED STATES ARMED FORCES DEPLOYED TO UNITED STATES AFRICA COMMAND AREA OF RESPONSIBILITY.

(a) REDUCTION DESCRIBED.—

(1) IN GENERAL.—If the Department of Defense reduces the number of United States Armed Forces deployed to the United States Africa Command area of responsibility (in this section referred to as ''AFRICOM AOR'') (other than United States Armed Forces described in paragraph (2)) to a number that is below 80 percent of the number deployed

as of the day before the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State and the Director of National Intelligence, shall, not later than 90 days after date of such a reduction, submit to the appropriate congressional committees a report described in subsection (b).

(2) UNITED STATES ARMED FORCES DESCRIBED.—United States Armed Forces described in this paragraph are United States Armed Forces that are deployed to AFRICOM AOR but are not under the direct authority of the Commander of United States Africa Command, including—

(A) forces deployed in conjunction with other Commands;

(B) forces participating in joint exercises;

(C) forces identified for pre-planned activities;

(D) forces used to assist in emergency situations; and

(E) forces designated or assigned for diplomatic or embassy security.

(b) REPORT.—

(1) IN GENERAL.—A report described in this subsection is a report that includes each of the following:

(A) A strategic plan to—

(i) degrade each of the violent extremist organizations described in paragraph (2) within the AFRICOM AOR, to include an assessment of the extent to which such violent extremist organizations pose a direct threat to the United States; and

(ii) counter the military influence of China and Russia within the AFRICOM AOR.

(B) The average number of United States Armed Forces that are under the direct authority of the Commander of United States Africa Command and deployed to AFRICOM AOR and the amount of associated expenditures, to be listed by month for each of the fiscal years 2019 and 2020 and disaggregated by mission and country, to include those forces deployed to secure United States embassies.

(C) The average number of United States Armed Forces that are planned to be under the direct authority of the Commander of United

States Africa Command and deployed to AFRICOM AOR and the amount of projected associated expenditures, to be listed by month for fiscal years 2021 and 2022 and disaggregated by mission and country, to include those forces deployed to secure United States embassies.

(D) The effect that a reduction described in subsection (a) would have on military and intelligence efforts to combat each of the violent extremist organizations described in paragraph (2), including a statement of the current objectives of the Secretary of Defense with respect to such efforts.

(E) A description of any consultation or coordination with the Department of State or the United States Agency for International Development with respect to such a reduction and the effect that such a reduction would have on diplomatic, developmental, or humanitarian efforts in Africa, including statements of the current objectives of the Secretary of State and the Administrator of the United States Agency for International Development with respect to such efforts.

(F) The strength, regenerative capacity, and intent of such violent extremist organizations in the AFRICOM AOR, including—

(i) an assessment of the number of fighters in the Sahel, the Horn of Africa, and West Africa who are members of such violent extremist organizations;

(ii) the threat such violent extremist organizations pose to host nations and United States allies and partners, and the extent to which such violent extremist organizations pose a direct threat to the United States; and

(iii) the likely reaction of such violent extremist organizations to the withdrawal of United States Armed Forces.

(G) The strategic risks involved with countering such violent extremist organizations following such a reduction.

(H) The operational risks involved with conducting United States led or enabled operations in Africa against such violent extremist organizations following such a reduction.

(I) For any region of the AFRICOM AOR in which United States Armed Forces currently

are present or conduct activities, the effect such a reduction would have on power and influence of China and Russia in such region.

(J) Any consultation or coordination with United States allies and partners concerning such a reduction.

(K) An assessment of the response from the governments and military forces of France, the United Kingdom, and Canada to such a reduction.

(2) VIOLENT EXTREMIST ORGANIZATIONS DESCRIBED.—The violent extremist organizations described in this paragraph are adversarial groups and forces in the AFRICOM AOR, as determined by the Secretary of Defense.

(c) ADDITIONAL REPORTING REQUIREMENT.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate congressional committees a report that includes the information required by subsection (b)(1)(B).

(d) FORM.—The reports required by subsections (b) and (c) shall be submitted in unclassified form, but may contain a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees (which has the meaning given the term in section 101(a)(16) of title 10, United States Code);

(2) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(3) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

SEC. 1268. REPORT ON ENHANCING PARTNERSHIPS BETWEEN THE UNITED STATES AND AFRICAN COUNTRIES.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than June 1, 2021, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report on the activities and resources required to enhance security and economic partnerships between the United States and African countries.

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

(A) An assessment of the infrastructure accessible to the Department of Defense on the continent of Africa.

(B) An identification of the ability of the Department to conduct freedom of movement on the continent, including identifying the activities of partners, allies, and other Federal departments and agencies that are facilitated by the Department's ability to conduct freedom of movement.

(C) Recommendations to meet the requirements identified in subparagraph (B), including—

(i) dual-use infrastructure projects;

(ii) military construction;

(iii) the acquisition of additional mobility capability by African countries or the United States Armed Forces, including strategic air lift, tactical air lift, or sealift capability; or

(iv) any other option as determined by the Secretary.

(D) Recommendations to expand and strengthen partner and ally capability, including traditional activities of the combatant com-

mands, train and equip opportunities, partnerships with the National Guard and the United States Coast Guard, and multilateral contributions.

(E) Recommendations for enhancing joint exercises and training.

(F) An analysis of the security, economic, and stability benefits of the recommendations identified under subparagraphs (C) through (E).

(G)(i) A plan to fully resource United States force posture, capabilities, and stability operations, including—

(I) a detailed assessment of the resources required to address the elements described in subparagraphs (B) through (E), including specific cost estimates for recommended investments or projects; and

(II) a detailed timeline to achieve the recommendations described in subparagraphs (B) through (D).

(ii) The specific cost estimates required by clause (i)(I) shall, to the max-

1 imum extent practicable, include the fol-
2 lowing:
3 (I) With respect to procurement
4 accounts—
5 (aa) amounts displayed by
6 account, budget activity, line
7 number, line item, and line item
8 title; and
9 (bb) a description of the re-
10 quirements for each such
11 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
21 amount.
22 (III) With respect to operation
23 and maintenance accounts—
24 (aa) amounts displayed by
25 account title, budget activity

title, line number, and subactivity group title; and

(bb) a description of the specific manner in which each such amount would be used.

(IV) With respect to military personnel accounts—

(aa) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(bb) a description of the requirements for each such amount.

(V) With respect to each project under military construction accounts (including unspecified minor military construction and amounts for planning and design), the country, location, project title, and project amount for each fiscal year.

(VI) With respect to any expenditure or proposed appropriation not described in clause (i) through (iv), a level of detail equivalent or greater

than the level of detail provided in the future-years defense program submitted pursuant to section 221(a) of title 10, United States Code.

(3) CONSIDERATIONS.—In preparing the report required under paragraph (1), the Secretary shall consider—

(A) the economic development and stability of African countries;

(B) the strategic and economic value of the relationships between the United States and African countries;

(C) the military, intelligence, diplomatic, developmental, and humanitarian efforts of China and Russia on the African continent; and

(D) the ability of the United States, allies, and partners to combat violent extremist organizations operating in Africa.

(4) FORM.—The report required under paragraph (1) may be submitted in classified form, but shall include an unclassified summary.

(b) INTERIM BRIEFING REQUIRED.—Not later than April 15, 2021, the Secretary of Defense (acting through the Under Secretary of Defense for Policy, the Under Secretary of Defense (Comptroller), and the Director of Cost

Assessment and Program Evaluation) and the Chairman of the Joint Chiefs of Staff shall provide to the congressional defense committees a joint interim briefing, and any written comments the Secretary of Defense and the Chairman of the Joint Chiefs of Staff consider necessary, with respect to their assessments of the report anticipated to be submitted under subsection (a).

(c) DEFINITIONS.—In this section:

(1) DUAL-USE INFRASTRUCTURE PROJECTS.—The term ''dual-use infrastructure projects'' means projects that may be used for either military or civilian purposes.

(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1269. SENSE OF CONGRESS WITH RESPECT TO QATAR.

It is the sense of Congress that—

(1) the United States and the country of Qatar have built a strong, enduring, and forward-looking strategic partnership based on long-standing and

mutually beneficial cooperation, including through security, defense, and economic ties;

(2) robust security cooperation between the United States and Qatar is crucial to promoting peace and stability in the Middle East region;

(3) Qatar plays a unique role as host of the forward headquarters for the United States Central Command, and that partnership facilitates United States coalition operations countering terrorism;

(4) Qatar is a major security cooperation partner of the United States, as recognized in the 2018 Strategic Dialogue and the 2019 Memorandum of Understanding to expand Al Udeid Air Base to improve and expand accommodation for United States military personnel;

(5) the United States values Qatar's provision of access to its military facilities and its management and financial assistance in expanding the Al Udeid Air Base, which supports the continued security presence of the United States in the Middle East region; and

(6) the United States should—

(A) continue to strengthen the relationship between the United States and Qatar, including through security and economic cooperation; and

(B) seek a resolution to the dispute between partner countries of the Arabian Gulf, which would promote peace and stability in the Middle East region.

SEC. 1270. SENSE OF CONGRESS ON UNITED STATES MILITARY SUPPORT FOR AND PARTICIPATION IN THE MULTINATIONAL FORCE AND OBSERVERS.

It is the sense of Congress that—

(1) the mission of the Multinational Force and Observers (MFO) is to supervise implementation of the security provisions of the Egypt-Israel Peace Treaty, signed at Washington on March 26, 1979, and employ best efforts to prevent any violation of its terms;

(2) the MFO was established by the Protocol to the Egypt-Israel Peace Treaty, signed on August 3, 1981, and remains a critical institution for regional peace and stability; and

(3) as a signatory to the Egypt-Israel Peace Treaty and subsequent Protocol, the United States strongly supports and encourages continued United States military support for and participation in the MFO.

SEC. 1271. PROHIBITION ON SUPPORT FOR MILITARY PARTICIPATION AGAINST THE HOUTHIS.

(a) PROHIBITION RELATING TO SUPPORT.—None of the funds authorized to be appropriated or otherwise made available by this Act may be made available to provide United States logistical support to the Saudi-led coalition's operations against the Houthis in Yemen for coalition strikes, specifically by providing maintenance or transferring spare parts to coalition members flying warplanes engaged in anti-Houthi bombings for coalition strikes.

(b) PROHIBITION RELATING TO MILITARY PARTICIPATION.—None of the funds authorized to be appropriated or otherwise made available by this Act may be made available for any civilian or military personnel of the Department of Defense or contractors of the Department to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of the Saudi and United Arab Emirates-led coalition forces engaged in hostilities against the Houthis in Yemen or in situations in which there exists an imminent threat that such coalition forces become engaged in such hostilities, unless and until the President has obtained specific statutory authorization, in accordance with section 8(a) of the War Powers Resolution (50 U.S.C. 1547(a)).

(c) RULE OF CONSTRUCTION.—The prohibitions under this section may not be construed to apply with respect to United States Armed Forces engaged in operations directed at al-Qaeda or associated forces.

SEC. 1272. RULE OF CONSTRUCTION RELATING TO USE OF MILITARY FORCE.

Nothing in this Act or any amendment made by this Act may be construed to authorize the use of military force.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. FUNDING ALLOCATIONS; SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FUNDING ALLOCATION.—Of the $373,690,000 authorized to be appropriated to the Department of Defense for fiscal year 2021 in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711), the following amounts may be obligated for the purposes specified:

(1) For strategic offensive arms elimination, $2,924,000.

(2) For chemical weapons destruction, $12,856,000.

(3) For global nuclear security, $33,919,000.

(4) For cooperative biological engagement, $216,200,000.

(5) For proliferation prevention, $79,869,000.

(6) For activities designated as Other Assessments/Administrative Costs, $27,922,000.

(b) SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2021, 2022, and 2023.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4501.

SEC. 1402. CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4501.

SEC. 1404. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4501.

SEC. 1405. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the Defense Health Program for use of the Armed Forces and other activities and agencies of the Department of Defense for providing for the health of eligible beneficiaries, as specified in the funding table in section 4501.

SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the National Defense Sealift Fund, as specified in the funding tables in section 4501.

Subtitle B—Other Matters

SEC. 1411. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation

and maintenance, $137,000,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

SEC. 1412. AUTHORIZATION OF APPROPRIATIONS FOR ARMED FORCES RETIREMENT HOME.

There is hereby authorized to be appropriated for fiscal year 2021 from the Armed Forces Retirement Home

Trust Fund the sum of $70,300,000 for the operation of the Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this title is to authorize appropriations for the Department of Defense for fiscal year 2021 to provide additional funds for overseas contingency operations being carried out by the Armed Forces.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2021 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4102.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4202.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4302.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, military personnel accounts, as specified in the funding table in section 4402.

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the use of the Armed Forces and other activities and agencies of the Department of Defense for providing capital for working capital and revolving funds, as specified in the funding table in section 4502.

SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for Drug Interdiction and Counter-Drug Activities, Defense-wide, as specified in the funding table in section 4502.

SEC. 1508. DEFENSE INSPECTOR GENERAL.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for the Office of the Inspector General of the Department of Defense, as specified in the funding table in section 4502.

SEC. 1509. DEFENSE HEALTH PROGRAM.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2021 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 1511. TREATMENT AS ADDITIONAL AUTHORIZATIONS.

The amounts authorized to be appropriated by this title are in addition to amounts otherwise authorized to be appropriated by this Act.

SEC. 1512. SPECIAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this title for fiscal year 2021 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be

available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $2,500,000,000.

(b) TERMS AND CONDITIONS.—

(1) IN GENERAL.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(2) ADDITIONAL LIMITATION ON TRANSFERS FROM THE NATIONAL GUARD AND RESERVE EQUIPMENT.—The authority provided by subsection (a) may not be used to transfer any amount from National Guard and Reserve Equipment.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Other Matters

SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2021 shall be subject to the conditions contained in—

(1) subsections (b) through (f) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428); and

(2) section 1521(d)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2577) (as amended by subsection (b)).

(b) EXTENSION OF PRIOR NOTICE AND REPORTING REQUIREMENTS.—Section 1521(d)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2577) is amended by striking ''through January 31, 2021'' and inserting ''through January 31, 2023''.

(c) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts authorized to be appropriated for the Afghanistan Security Forces Fund by this Act and is intended for transfer to the security forces of the Ministry of Defense and the Ministry of the Interior of the Government of Afghanistan, but is not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that such equipment was procured for the purpose of meeting requirements of the security forces of the Ministry of Defense and the Ministry of the Interior of the Government of Afghanistan, as agreed to by both the Government of Afghanistan and the Government of the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to the acceptance of such equipment by the Secretary. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks

of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary shall submit to the congressional defense committees a report describing the equipment accepted during the period covered by such report under the following:

(i) This subsection.

(ii) Section 1521(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2575).

(iii) Section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1088).

(iv) Section 1532(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year

2015 (Public Law 113–291; 128 Stat. 3613).

(v) Section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note).

(B) ELEMENTS.—Each report under subparagraph (A) shall include a list of all equipment that was accepted during the period covered by such report and treated as stocks of the Department of Defense and copies of the determinations made under paragraph (2), as required by paragraph (3).

(d) SECURITY OF AFGHAN WOMEN.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2021, it is the goal that $29,100,000, but in no event less than $10,000,000, shall be used for the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces.

(2) TYPES OF PROGRAMS AND ACTIVITIES.—Such programs and activities may include—

(A) efforts to recruit and retain women into the Afghan National Defense and Security Forces, including the special operations forces;

(B) programs and activities of the Directorate of Human Rights and Gender Integration of the Ministry of Defense of Afghanistan and the Office of Human Rights, Gender and Child Rights of the Ministry of Interior of Afghanistan;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Ministry of Defense and the Ministry of Interior of Afghanistan;

(D) efforts to address harassment and violence against women within the Afghan National Defense and Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Defense and Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units;

(G) security provisions for high-profile female police and military officers;

(H) programs to promote conflict prevention, management, and resolution through the meaningful participation of Afghan women in the Afghan National Defense and Security Forces, by exposing Afghan women and girls to the activities of and careers available with such forces, encouraging their interest in such careers, or developing their interest and skills necessary for service in such forces; and

(I) enhancements to Afghan National Defense and Security Forces recruitment programs for targeted advertising with the goal of increasing the number of female recruits.

(e) ASSESSMENT OF AFGHANISTAN PROGRESS ON OBJECTIVES.—

(1) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Secretary of State, submit to the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives and the Committee on Armed Services and the Committee on

1 Foreign Relations of the Senate an assessment de-
2 scribing—
3 (A) the progress of the Government of the
4 Islamic Republic of Afghanistan toward meeting
5 shared security objectives; and
6 (B) the efforts of the Government of the
7 Islamic Republic of Afghanistan to manage, em-
8 ploy, and sustain the equipment and inventory
9 provided under subsection (a).
10 (2) MATTERS TO BE INCLUDED.—In conducting
11 the assessment required by paragraph (1), the Sec-
12 retary of Defense shall include each of the following:
13 (A) The extent to which the Government of
14 Afghanistan has a strategy for, and has taken
15 steps toward, increased accountability and the
16 reduction of corruption within the Ministry of
17 Defense and the Ministry of Interior of Afghan-
18 istan.
19 (B) The extent to which the capability and
20 capacity of the Afghan National Defense and
21 Security Forces have improved as a result of
22 Afghanistan Security Forces Fund investment,
23 including through training, and an articulation
24 of the metrics used to assess such improve-
25 ments.

(C) The extent to which the Afghan National Defense and Security Forces have been able to increase pressure on the Taliban, al-Qaeda, the Haqqani network, the Islamic State of Iraq and Syria-Khorasan, and other terrorist organizations, including by re-taking territory, defending territory, and disrupting attacks.

(D) The distribution practices of the Afghan National Defense and Security Forces and whether the Government of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to, and employed by, security forces charged with fighting the Taliban and other terrorist organizations.

(E) A description of—

(i) the policy governing the use of Acquisition and Cross Servicing Agreements (ACSA) in Afghanistan;

(ii) each ACSA transaction by type, amount, and recipient for calendar year 2020; and

(iii) for any transactions from the United States to Afghan military forces, an explanation for why such transaction

was not carried out under the authorities of the Afghanistan Security Forces Fund.

(F) The extent to which the Government of Afghanistan has designated the appropriate staff, prioritized the development of relevant processes, and provided or requested the allocation of resources necessary to support a peace and reconciliation process in Afghanistan.

(G) A description of the ability of the Ministry of Defense and the Ministry of Interior of Afghanistan to manage and account for previously divested equipment, including a description of any vulnerabilities or weaknesses of the internal controls of such Ministry of Defense and Ministry of Interior and any plan in place to address shortfalls.

(H) A description of any significant irregularities in the divestment of equipment to the Afghan National Defense and Security Forces during the period beginning on May 1, 2020, and ending on May 1, 2021, including any major losses of such equipment or any inability on the part of the Afghan National Defense and Security Forces to account for equipment so procured.

(I) A description of the sustainment and maintenance costs required during the 5-year period beginning on the date of the enactment of this Act, for major weapons platforms previously divested, and a description of the plan for the Afghan National Defense and Security Forces to maintain such platforms in the future.

(J) The extent to which the Government of Afghanistan is adhering to conditions for receiving assistance established in annual financial commitment letters or any other bilateral agreements with the United States.

(K) The extent to which the Government of Afghanistan has made progress in achieving security sector benchmarks as outlined by the United States-Afghan Compact (commonly known as the ''Kabul Compact'') and a description of any other documents, plans, or agreements used by the United States to measure security sector progress.

(L) The extent to which the Government of Afghanistan or the Secretary has developed a plan to integrate former Taliban fighters into the Ministries of Defense or Interior.

(M) Such other factors as the Secretaries consider appropriate.

(3) FORM.—The assessment required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(4) WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.—

(A) IN GENERAL.—If the Secretary of Defense determines, in coordination with the Secretary of State and pursuant to the assessment under paragraph (1), that the Government of Afghanistan has made insufficient progress in the areas described in paragraph (2), the Secretary of Defense shall—

(i) withhold $401,500,000, to be derived from amounts made available for assistance for the Afghan National Defense and Security Forces, from expenditure or obligation until the date on which the Secretary certifies to the congressional defense committees that the Government of Afghanistan has made sufficient progress; and

(ii) notify the congressional defense committees not later than 30 days before withholding such funds.

(B) WAIVER.—If the Secretary of Defense determines that withholding such assistance would impede the national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of assistance, the Secretary may waive the withholding requirement under subparagraph (A) if the Secretary, in coordination with the Secretary of State, certifies such determination to the congressional defense committees not later than 30 days before the effective date of the waiver.

(f) ADDITIONAL REPORTING REQUIREMENTS.—The Secretary of Defense shall include in the materials submitted in support of the budget for fiscal year 2022 that is submitted by the President under section 1105(a) of title 31, United States Code, each of the following:

(1) The amount of funding provided in fiscal year 2020 through the Afghanistan Security Forces Fund to the Government of Afghanistan in the form of direct government-to-government assistance or on-budget assistance for the purposes of supporting any

entity of such government, including the Afghan National Defense and Security Forces, the Afghan Ministry of Interior, or the Afghan Ministry of Defense.

(2) The amount of funding provided and anticipated to be provided, as of the date of the submission of the materials, in fiscal year 2021 through such Fund in such form.

(3) To the extent the amount described in paragraph (2) exceeds the amount described in paragraph (1), an explanation as to the reason why the such amount is greater and the specific entities and purposes that were supported by such increase.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. NATIONAL SECURITY SPACE LAUNCH PROGRAM.

(a) PHASE TWO ACQUISITION STRATEGY.—In carrying out the phase two acquisition strategy, the Secretary of the Air Force—

(1) may not change the mission performance requirements;

(2) may not change the acquisition schedule;

(3) may not award phase two contracts after September 30, 2024;

(4) shall award phase two contracts to not more than two National Security Space Launch providers;

(5) shall ensure that launch services are procured only from National Security Space Launch providers that meet the requirements for the phase two contracts;

(6) not later than 180 days after the date on which phase two contracts are awarded, shall terminate launch service agreement contracts awarded under such phase two acquisition strategy to each National Security Space Launch provider that is not a down-selected National Security Launch provider; and

(7) may not increase the total amount of funding included in the initial launch service agreements with down-selected National Security Launch providers.

(b) REUSABILITY.—

(1) CERTIFICATION.—Not later than 18 months after the date on which the Secretary determines the down-selected National Security Space Launch providers, the Secretary shall certify to the appropriate congressional committees that the Secretary has completed all non-recurring design validation of previously flown launch hardware for National Security

Space Launch providers offering such hardware for use in phase two contracts or in future national security space missions.

(2) REPORT.—Not later than 180 days after the date on which the Secretary determines the down-selected National Security Space Launch providers, the Secretary shall submit to the appropriate congressional committees a report on the progress of the Secretary with respect to completing all non-recurring design validation of previously flown launch hardware described in paragraph (1), including—

(A) a justification for any deviation from the new entrant certification guide; and

(B) a description of such progress with respect to National Security Space Launch providers that are not down-selected National Security Space Launch providers, if applicable.

(c) FUNDING FOR CERTIFICATION, INFRASTRUCTURE, AND TECHNOLOGY DEVELOPMENT.—

(1) AUTHORITY.—Pursuant to section 2371b of title 10, United States Code, not later than September 30, 2021, the Secretary of the Air Force shall enter into three agreements described in paragraph (3) with National Security Space Launch providers—

(A) to maintain competition in order to maximize the likelihood of at least three National Security Space Launch providers competing for phase three contracts; and

(B) to support innovation for national security launches under phase three contracts.

(2) COMPETITIVE PROCEDURES.—The Secretary shall carry out paragraph (1) by conducting a full and open competition among all National Security Space Launch providers that may submit bids for a phase three contract.

(3) AGREEMENTS.—An agreement described in this paragraph is an agreement that provides a National Security Space Launch provider with not more than $150,000,000 for the provider to conduct either or both of the following activities:

(A) Meet the certification and infrastructure requirements that are—

(i) unique to national security space missions; and

(ii) necessary for a phase three contract.

(B) Develop transformational technologies in support of the national security space launch capability for phase three contracts (such as

technologies regarding launch, maneuver, and transport capabilities for enhanced resiliency and security technologies, as identified in the National Security Launch Architecture study of the Space and Missile Systems Center of the Space Force).

(4) REPORT.—Not later than 30 days after the date on which the Secretary enters into an agreement under paragraph (1), the Secretary shall submit to the appropriate congressional committees a report explaining how the Secretary determined the certification and infrastructure requirements and the transformational technologies covered under paragraph (3).

(d) BRIEFING.—Not later than December 31, 2020, the Secretary shall provide to the congressional defense committees a briefing on the progress made by the Secretary in ensuring that full and open competition exists for phase three contracts, including—

(1) a description of progress made to establish the requirements for phase three contracts, including such requirements that the Secretary determines cannot be met by the commercial market;

(2) whether the Secretary determines that additional development funding will be necessary for such phase;

(3) a description of the estimated costs for the development described in subparagraphs (A) and (B) of subsection (c)(3); and

(4) how the Secretary will—

(A) ensure full and open competition for technology development for phase three contracts; and

(B) maintain competition.

(e) RULE OF CONSTRUCTION.—Nothing in this section may be construed to delay the award of phase two contracts.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''down-selected National Security Launch provider'' means a National Security Space

Launch provider that the Secretary of the Air Force selected to be awarded phase two contracts.

(3) The term ''phase three contract'' means a contract awarded using competitive procedures for launch services under the National Security Space Launch program after fiscal year 2024.

(4) The term ''phase two acquisition strategy'' means the process by which the Secretary of the Air Force enters into phase two contracts during fiscal year 2020, orders launch missions during fiscal years 2020 through 2024, and carries out such launches under the National Security Space Launch program.

(5) The term ''phase two contract'' means a contract awarded during fiscal year 2020 using competitive procedures for launch missions ordered under the National Security Space Launch program during fiscal years 2020 through 2024.

SEC. 1602. REQUIREMENT TO BUY CERTAIN SATELLITE COMPONENT FROM NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 2534(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

"(7) STAR TRACKER.—A star tracker used in a satellite weighing more than 400 pounds whose principle purpose is to support the national security, defense, or intelligence needs of the United States Government.".

SEC. 1603. COMMERCIAL SPACE DOMAIN AWARENESS CAPABILITIES.

(a) PROCUREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall procure commercial space domain awareness services by awarding at least two contracts for such services.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the enterprise space battle management command and control, not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense, without delegation, certifies to the congressional committees that the Secretary of the Air Force has awarded the contracts under subsection (a).

(c) REPORT.—Not later than January 31, 2021, the Chief of Space Operations, in coordination with the Secretary of the Air Force, shall submit to the congressional defense committees a report detailing the commercial space domain awareness services, data, and analytics of

objects in low-earth orbit that have been purchased during the two-year period preceding the date of the report. The report shall be submitted in unclassified form.

(d) COMMERCIAL SPACE DOMAIN AWARENESS SERVICES DEFINED.—In this section, the term ''commercial space domain awareness services'' means space domain awareness data, processing software, and analytics derived from best-in-breed commercial capabilities to address warfighter requirements in low-earth orbit and fill gaps in current space domain capabilities of the Space Force, including commercial capabilities to—

(1) provide conjunction and maneuver alerts;

(2) monitor breakup and launch events; and

(2) detect and track objects smaller than 10 centimeters in size.

SEC. 1604. RESPONSIVE SATELLITE INFRASTRUCTURE.

(a) IN GENERAL.—The Secretary of Defense shall establish a domestic responsive satellite manufacturing capability for Department of Defense space operations to be used—

(1) for the development of components, systems, structures, and payloads necessary to reconstitute a national security space asset that has been destroyed, failed, or otherwise determined to be incapable of performing mission requirements; and

(2) to rapidly acquire and field necessary space-based capabilities needed to maintain continuity of national security space missions and limit capability disruption to the warfighter.

(b) PLAN FOR RESPONSIVE SATELLITE INFRASTRUCTURE.—The Secretary of Defense, in consultation with the Secretary of the Air Force, the Chief of Space Operations, and the Commander of United States Space Command, shall develop an operational plan and acquisition strategy for responsive satellite infrastructure to swiftly identify need, develop capability, and launch a responsive satellite to fill a critical capability gap in the event of destruction or failure of a space asset or otherwise determined need.

(c) MATTERS INCLUDED.—The plan outlined under subsection (b) shall include the following:

(1) A process for determining whether the reconstitution of a space asset is necessary.

(2) The timeframe in which a developed satellite is determined to be ''responsive''.

(3) A plan to leverage domestic commercial entities in the ''new space'' supply chain that have already demonstrated rapid satellite product development and delivery capability to meet new ''mission responsiveness'' requirements being passed down by

Department of Defense prime satellite contractors in—

(A) power systems and solar arrays;

(B) payloads and integration features; and

(C) buses and structures.

(4) An assessment of acquisition requirements and standards necessary for commercial entities to meet Department of Defense validation of supply chains, processes, and technologies while operating under rapid development cycles needed to maintain a responsive timeframe as determined by paragraph (2).

(5) Such other matters as the Secretary considers appropriate.

(d) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report detailing the plan under subsection (b).

SEC. 1605. POLICY TO ENSURE LAUNCH OF SMALL-CLASS PAYLOADS.

(a) IN GENERAL.—The Secretary of Defense shall establish a small launch and satellite policy to ensure responsive and reliable access to space through the processing and launch of Department of Defense small-class payloads.

(b) POLICY.—The policy under subsection (a) shall include, at a minimum, providing resources and policy guidance to sustain—

(1) the availability of small-class payload launch service providers using launch vehicles capable of delivering into space small payloads designated by the Secretary of Defense as a national security payload;

(2) a robust small-class payload space launch infrastructure and industrial base;

(3) the availability of rapid, responsive, and reliable space launches for national security space programs to—

(A) improve the responsiveness and flexibility of a national security space system;

(B) lower the costs of launching a national security space system; and

(C) maintain risks of mission success at acceptable levels;

(4) a minimum number of dedicated launches each year; and

(5) full and open competition including small launch providers and rideshare opportunities.

(c) ACQUISITION STRATEGY.—The Secretary shall develop and carry out a five-year phased acquisition strat-

1 egy, including near and long term, for the small launch
2 and satellite policy under subsection (a).
3 (d) ELEMENTS.—The acquisition strategy under sub-
4 section (c) shall—
5 (1) provide the necessary—
6 (A) stability in budgeting and acquisition
7 of capabilities;
8 (B) flexibility to the Federal Government;
9 and
10 (C) procedures for fair competition; and
11 (2) specifically take into account, as appro-
12 priate per competition, the effect of—
13 (A) contracts or agreements for launch
14 services or launch capability entered into by the
15 Department of Defense with small-class payload
16 space launch providers;
17 (B) the requirements of the Department of
18 Defense, including with respect to launch capa-
19 bilities and pricing data, that are met by such
20 providers;
21 (C) the cost of integrating a satellite onto
22 a launch vehicle;
23 (D) launch performance history (at least
24 three successful launches of the same launch ve-
25 hicle design) and maturity;

(E) ability of a launch provider to provide the option of dedicated and rideshare launch capabilities; and

(F) any other matters the Secretary considers appropriate.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report describing a plan for the policy under subsection (a), including with respect to the cost of launches and an assessment of mission risk.

SEC. 1606. TACTICALLY RESPONSIVE SPACE LAUNCH OPERATIONS.

The Secretary of the Air Force shall implement a tactically responsive space launch program—

(1) to provide long-term continuity for tactically responsive space launch operations across the future-years defense program submitted to Congress under section 221 of title 10, United States Code;

(2) to accelerate the development of—

(A) responsive launch concepts of operations;

(B) tactics;

(C) training; and

(D) procedures;

(3) to develop appropriate processes for tactically responsive space launch, including—

(A) mission assurance processes; and

(B) command and control, tracking, telemetry, and communications; and

(4) to identify basing capabilities necessary to enable tactically responsive space launch, including mobile launch range infrastructure.

SEC. 1607. LIMITATION ON AVAILABILITY OF FUNDS FOR PROTOTYPE PROGRAM FOR MULTI-GLOBAL NAVIGATION SATELLITE SYSTEM RECEIVER DEVELOPMENT.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for increment 2 of the acquisition of military Global Positioning System user equipment terminals, not more than 80 percent may be obligated or expended until the date on which the Secretary of Defense—

(1) certifies to the congressional defense committees that the Secretary of the Air Force is carrying out the program required under section 1607 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1724); and

(2) provides to the Committees on Armed Services of the House of Representatives and the Senate a briefing on how the Secretary is implementing such program, including with respect to addressing each element specified in subsection (b) of such section.

SEC. 1608. LIMITATION ON AWARDING CONTRACTS TO ENTITIES OPERATING COMMERCIAL TERRESTRIAL COMMUNICATION NETWORKS THAT CAUSE INTERFERENCE WITH THE GLOBAL POSITIONING SYSTEM.

The Secretary of Defense may not enter into a contract, or extend or renew a contract, with an entity that engages in commercial terrestrial operations using the 1525–1559 megahertz band or the 1626.5–1660.5 megahertz band unless the Secretary has certified to the congressional defense committees that such operations do not cause harmful interference to a Global Positioning System device of the Department of Defense.

SEC. 1609. PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN PURPOSES RELATING TO THE GLOBAL POSITIONING SYSTEM.

(a) FINDINGS.—Congress finds the following:

(1) On April 19, 2020, the Federal Communications Commission issued an order and authoriza-

tion granting Ligado Networks LLC the authority to operate a nationwide terrestrial communications network using the 1526–1536 megahertz band, the 1627.5–1637.5 megahertz band, or the 1646.5–1656.5 megahertz band.

(2) In an attempt to address interference to the Global Positioning System operating near those bands, Ligado Networks LLC has committed to assuming the costs mitigating any interference caused by their network.

(3) In the approval order, the Federal Communications Commission directed that ''Ligado takes all necessary mitigation measures to prevent or remediate any potential harmful interference to U.S. Government devices, including devices used by the military, that are identified both pre- and post-deployment of Ligado's network.''.

(4) In a letter to the Committee on Armed Services of the House of Representatives dated May 21, 2020, Ligado Networks LLC reaffirmed the commitment to bear the costs to the Department of Defense, stating that the ''FCC directed Ligado to provide protections to GPS devices using its spectrum by imposing stringent coordination, cooperation, and replacement obligations on Ligado, so that

Ligado bears the burden'' and ''Make no mistake: the obligation is ours, and the burden falls solely on our company.''.

(b) PROHIBITION.—Except as provided by subsection (c), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 or any subsequent fiscal year for the Department of Defense may be obligated or expended to retrofit any Global Positioning System device or system, or network that uses the Global Positioning System, in order to mitigate interference from commercial terrestrial operations using the 1526–1536 megahertz band, the 1627.5–1637.5 megahertz band, or the 1646.5–1656.5 megahertz band.

(c) ACTIONS NOT PROHIBITED.—The prohibition in subsection (a) shall not apply to any action taken by the Secretary of Defense relating to—

(1) conducting technical or information exchanges with the entity that operates the commercial terrestrial operations in the megahertz bands specified in such subsection;

(2) seeking compensation for interference from such entity; or

(3) Global Positioning System receiver upgrades needed to address other resiliency requirements.

SEC. 1610. REPORT ON RESILIENT PROTECTED COMMUNICATIONS SATELLITES.

(a) FINDINGS.—Congress finds the following:

(1) The national command, control, and communications system of the Department of Defense is essential to the national security of the United States.

(2) The Department of Defense requires the space segments of such system to be resilient and survivable to address advanced threats from Russia and China.

(3) The next-generation overhead persistent infrared missile warning satellites are being upgraded with enhanced resiliency features to make them much less vulnerable to attack and will begin launch in 2025.

(4) Because missile warning satellites rely on protected communications satellites to relay warnings and response orders, the next-generation overhead persistent infrared missile warning satellites will require protected communications satellites with enhanced resiliency features, however, the current plan of the Space Force is to provide those capabilities with the evolved strategic satellite communications program that will not be available until 2032 or later.

(5) As a result, the Chief of Space Operations should implement an accelerated plan to achieve more resilient protected communications satellites without delay.

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Chief of Space Operations shall submit to the congressional defense committees a report on how the Space Force will address the need for resilient protected communications satellites during the years 2025 through 2032.

Subtitle B—Defense Intelligence and Intelligence-Related Activities

SEC. 1611. VALIDATION OF CAPABILITY REQUIREMENTS OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

Section 442 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) VALIDATION.—The National Geospatial-Intelligence Agency shall assist the Joint Chiefs of Staff, combatant commands, and the military departments in establishing, coordinating, consolidating, and validating mapping, charting, geodetic data, and safety of navigation capability requirements through a formal process governed by the Joint Staff. Consistent with validated requirements,

the National Geospatial-Intelligence Agency shall provide aeronautical and nautical charts that are safe for navigation, maps, books, datasets, models, and geodetic products.''.

SEC. 1612. SAFETY OF NAVIGATION MISSION OF THE NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.

(a) MISSION OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Section 442 of title 10, United States Code, as amended by section 1611, is further amended—

(1) in subsection (b)—

(A) by striking ''means of navigating vessels of the Navy and the merchant marine'' and inserting ''the means for safe navigation''; and

(B) by striking ''and inexpensive nautical charts'' and all that follows and inserting ''geospatial information for use by the departments and agencies of the United States, the merchant marine, and navigators generally.''; and

(2) in subsection (c)—

(A) by striking ''shall prepare and'' and inserting ''shall acquire, prepare, and'';

(B) by striking ''charts'' and inserting ''safe-for-navigation charts and datasets''; and

(C) by striking ''geodetic'' and inserting ''geomatics''.

(b) MAPS, CHARTS, AND BOOKS.—

(1) IN GENERAL.—Section 451 of title 10, United States Code, is amended—

(A) in the heading, by striking ''**and books**'' and inserting ''**books, and datasets**'';

(B) in paragraph (1), by striking ''maps, charts, and nautical books'' and inserting ''nautical and aeronautical charts, topographic and geomatics maps, books, models, and datasets''; and

(C) by amending paragraph (2) to read as follows:

''(2) acquire (by purchase, lease, license, or barter) all necessary rights, including copyrights and other intellectual property rights, required to prepare, publish, and furnish to navigators the products described in paragraph (1).''.

(2) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 22 of title 10, United States Code, is amended by striking the item relating to section 451 and inserting the following new item:

''451. Maps, charts, books, and datasets.''.

(c) CIVIL ACTIONS BARRED.—Section 456 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following:

"No civil action may be brought against the United States on the basis of the content of geospatial information prepared or disseminated by the National Geospatial-Intelligence Agency.".

(d) DEFINITIONS.—Section 467 of title 10, United States Code, is amended—

(1) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by inserting "or about" after "boundaries on";

(B) in subparagraph (A), by striking "statistical"; and

(C) in subparagraph (B)—

(i) by striking "geodetic" and inserting "geomatics"; and

(ii) by inserting "and services" after "products"; and

(2) in paragraph (5), by inserting "or about" after "activities on".

SEC. 1613. NATIONAL ACADEMIES CLIMATE SECURITY ROUNDTABLE.

(a) IN GENERAL.—The Under Secretary of Defense for Intelligence and Security, in coordination with the Director of National Intelligence, shall enter into a joint agreement with the Academies to create a new ''National Academies Climate Security Roundtable'' (in this section referred to as the ''roundtable'').

(b) PARTICIPANTS.—The roundtable shall include—

(1) the members of the Climate Security Advisory Council established under section 120 of the National Security Act of 1947 (50 U.S.C. 3060);

(2) senior representatives and practitioners from Federal science agencies, elements of the intelligence community, and the Department of Defense, who are not members of the Council; and

(3) key stakeholders in the United States scientific enterprise, including institutions of higher education, Federal research laboratories (including the national security laboratories), industry, and nonprofit research organizations.

(c) PURPOSE.—The purpose of the roundtable is—

(1) to support the duties and responsibilities of the Climate Security Advisory Council under section 120(c) of the National Security Act of 1947 (50 U.S.C. 3060(c));

(2) to develop best practices for the exchange of data, knowledge, and expertise among elements of the intelligence community, elements of the Federal Government that are not elements of the intelligence community, and non-Federal researchers;

(3) to facilitate dialogue and collaboration about relevant collection and analytic priorities among participants of the roundtable with respect to climate security;

(4) to identify relevant gaps in the exchange of data, knowledge, or expertise among participants of the roundtable with respect to climate security, and consider viable solutions to address such gaps; and

(5) to provide any other assistance, resources, or capabilities that the Director of National Intelligence or the Under Secretary determines necessary with respect to the Council carrying out the duties and responsibilities of the Council under such section 120(c).

(d) MEETINGS.—The roundtable shall meet at least quarterly, in coordination with the meetings of the Climate Security Advisory Council under section 120(c)(1) of the National Security Act of 1947 (50 U.S.C. 3060(c)(1)).

(e) REPORTS AND BRIEFINGS.—The joint agreement under subsection (a) shall specify that—

(1) the roundtable shall organize workshops, on at least a biannual basis, that include both participants of the roundtable and persons who are not participants, and may be conducted in classified or unclassified form in accordance with subsection (f);

(2) on a regular basis, the roundtable shall produce classified and unclassified reports on the topics described in subsection (c) and the activities of the roundtable, and other documents in support of the duties and responsibilities of the Climate Security Advisory Council under section 120(c) of the National Security Act of 1947 (50 U.S.C. 3060(c));

(3) the Academies shall provide recommendations by consensus to the Council on both the topics described in subsection (c) and specific topics as identified by participants of the roundtable;

(4) not later than March 1, 2021, and annually thereafter during the life of the roundtable, the Academies shall provide a briefing to the appropriate congressional committees on the progress and activities of the roundtable; and

(5) not later than September 30, 2025, the Academies shall submit a final report to the appropriate congressional committees on the activities of the roundtable.

(f) SECURITY CLEARANCES.—Each participant of the roundtable shall have a security clearance at the appropriate level to carry out the duties of the participant under this section. A person who is not a participant who attends a workshop under subsection (e)(1) is not required to have a security clearance, and the roundtable shall ensure that any such workshop is held at the appropriate classified or unclassified level.

(g) TERMINATION.—The roundtable shall terminate on September 30, 2025.

(h) DEFINITIONS.—In this section:

(1) The term ''Academies'' means the National Academies of Sciences, Engineering, and Medicine.

(2) The term ''appropriate congressional committees'' means—

(A) the Committee on Science, Space, and Technology, the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(B) the Committee on Commerce, Science, and Transportation, the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate.

(3) The term ''Federal science agency'' means any agency or department of the Federal Government with at least $100,000,000 in basic and applied research obligations in fiscal year 2019.

(4) The term ''intelligence community'' has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(5) The term ''national security laboratory'' has the meaning given the term in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501).

SEC. 1614. REPORT ON RISK TO NATIONAL SECURITY POSED BY QUANTUM COMPUTING TECHNOLOGIES.

(a) REPORT.—

(1) REQUIREMENT.—Not later than December 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report containing an assessment of the current and potential threats and risks posed by quantum computing technologies. The Secretary shall conduct the assessment in a manner that allows the Secretary to better understand and prepare to counter the risks of quantum computing to national security.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An identification of national security systems that are vulnerable to current and potential threats and risks posed by quantum computing technologies.

(B) An assessment of quantum-resistant cryptographic standards, including a timeline for the development of such standards.

(C) An assessment of the feasibility of alternate quantum-resistant models.

(D) A description of any funding shortfalls in public and private efforts to develop such standards and models.

(E) Recommendations to counter the threats and risks posed by quantum computing technologies that prioritize, secure, and resource the defense of national security systems identified under subparagraph (A).

(b) BRIEFINGS.—During the period preceding the date on which the Secretary submits the report under subsection (a), the Secretary shall include in the quarterly briefings under section 484 of title 10, United States Code, an update on the assessment conducted under such subsection.

(c) FORM.—The report under subsection (a) may be submitted in classified form.

Subtitle C—Cyberspace-Related Matters

SEC. 1621. CYBER MISSION FORCES AND CYBERSPACE OPERATIONS FORCES.

Subsection (a) of section 238, title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''The Secretary'' and inserting ''Not later than five days after the submission by the President under section 1105(a) of title 31 of the budget, the Secretary'';

(B) by inserting ''in both electronic and print formats'' after ''submit''; and

(C) by striking ''2017'' and inserting ''2021'';

(2) in paragraph (1), by inserting ''and the cyberspace operations forces'' before the semicolon; and

(3) in paragraph (2), by inserting ''and the cyberspace operations forces'' before the period.

SEC. 1622. CYBERSPACE SOLARIUM COMMISSION.

Section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A), by—

(i) striking clauses (i) through (iv); and

(ii) redesignating clauses (v) through (viii) as clauses (i) through (iv), respectively; and

(B) in subparagraph (B)(i), by striking ''and who are appointed under clauses (iv) through (vii) of subparagraph (A)'';

(2) in subsection (d)(2), by striking ''Seven'' and inserting ''Six'';

(3) in subsection (h), by—

(A) striking ''(1) IN GENERAL.—(A)''; and

(B) striking paragraph (2);

(4) in subsection (i)(1)(B), by striking ''officers or employees of the United States or''; and

(5) in subsection (k)(2)—

(A) in subparagraph (A), by striking ''at the end of the 120-day period beginning on'' and inserting ''two years after'';

(B) in subparagraph (B), by—

(i) striking ''may use the 120-day'' and inserting ''shall use the two year'';

(ii) striking ''for the purposes of concluding its activities, including providing

testimony to Congress concerning the final report referred to in that paragraph and disseminating the report'' and inserting the following: ''for the purposes of—'':

''(i) collecting and assessing comments and feedback from the Executive Branch, academia, and the public on the analysis and recommendations contained in the Commission's report;

''(ii) collecting and assessing any developments in cybersecurity that may affect the analysis and recommendations contained in the Commission's report;

''(iii) reviewing the implementation of the recommendations contained in the Commission's report;

''(iv) revising, amending, or making new recommendations based on the assessments and reviews required under clauses (i)–(iii);

''(v) providing an annual update to the congressional defense committees, the congressional intelligence committees, the Committee on Homeland Security of the House of Representatives, the Committee

on Homeland Security and Governmental Affairs of the Senate, the Director of National Intelligence, the Secretary of Defense, and the Secretary of Homeland Security in a manner and format determined by the Commission regarding any such revisions, amendments, or new recommendations; and

''(vi) concluding its activities, including providing testimony to Congress concerning the final report referred to in that paragraph and disseminating the report.''; and

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

''(C) If the Commission is extended, and the effective date of such extension is after the date on which the Commission terminated, the Commission shall be deemed reconstituted with the same members and powers that existed on the day before such termination date, except that—

''(i) a member of the Commission may serve only if the member's position continues to be authorized under subsection (b);

"(ii) no compensation or entitlements relating to a person's status with the Commission shall be due for the period between the termination and reconstitution of the Commission;

"(iii) nothing in this subparagraph may be construed as requiring the extension or reemployment of any staff member or contractor working for the Commission;

"(iv) the staff of the Commission shall be—

"(I) selected by the co-chairs of the Commission in accordance with subsection (h)(1);

"(II) comprised of not more than four individuals, including a staff director; and

"(III) resourced in accordance with subsection (g)(4)(A);

"(v) with the approval of the co-chairs, may be provided by contract with a nongovernmental organization;

"(vi) any unexpended funds made available for the use of the Commission shall continue to be available for use for the life of the Commission, as well as any additional funds appropriated to the Department of Defense that are

made available to the Commission, provided that the total such funds does not exceed $1,000,000 from the reconstitution of the Commission to the completion of the Commission; and

''(vii) the requirement for an assessment of the final report in subsection (l) shall be updated to require annually for a period of two years further assessments of the Federal Government's responses to the Commission's recommendations contained in such final report.''.

SEC. 1623. TAILORED CYBERSPACE OPERATIONS ORGANIZATIONS.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy, in conjunction with the Chief of Naval Operations, shall submit to the congressional defense committees a study of the Navy Cyber Warfare Development Group (NCWDG).

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

(1) An examination of NCWDG's structure, manning, authorities, funding, and operations.

(2) A review of organizational relationships both within the Navy and to other Department of

Defense organizations, as well as non-Department of Defense organizations.

(3) Recommendations for how the NCWDG can be strengthened and improved, without growth in size.

(c) DESIGNATION.—Notwithstanding any other provision of law, the Secretary of the Navy shall designate the NCWDG as a screened command.

(d) RELEASE.—The Secretary of the Navy shall transmit the study required under subsection (a) to the secretaries of the military services and the Commander of United States Special Operations Command.

(e) EXEMPLAR.—The service secretaries and the Commander of United States Special Operations Command are authorized to establish counterpart tailored cyberspace operations organizations of comparable size to the NCWDG within the military service or command, respectively, of each such secretary and Commander. Such counterpart organizations shall have the same authorities as the NCWDG. Not later than 30 days after receipt by each of the service secretaries and the Commander under subsection (d) of the study required under subsection (a), each such service secretary and Commander, as the case may be, shall brief the congressional defense committees regarding whether or not each such service secretary or

1 Commander intends to utilize the authority under this
2 subsection.

3 **SEC. 1624. RESPONSIBILITY FOR THE SECTOR RISK MAN-**
4 **AGEMENT AGENCY FUNCTION OF THE DE-**
5 **PARTMENT OF DEFENSE.**

6 (a) DEFINITIONS.—

7 (1) IN GENERAL.—In this section:

8 (A) CRITICAL INFRASTRUCTURE.—The
9 term ''critical infrastructure'' has the meaning
10 given such term in section 1016(e) of the Unit-
11 ing and Strengthening America by Providing
12 Appropriate Tools Required to Intercept and
13 Obstruct Terrorism (USA PATRIOT ACT) Act
14 of 2001 (42 U.S.C. 5195c(e)).

15 (B) SECTOR RISK MANAGEMENT AGEN-
16 CY.—The term ''Sector Risk Management
17 Agency'' means a Federal department or agen-
18 cy designated as a Sector Specific Agency under
19 Presidential Policy Directive-21 to be respon-
20 sible for providing institutional knowledge and
21 specialized expertise to, as well as leading, fa-
22 cilitating, or supporting, the security and resil-
23 ience programs and associated activities of its
24 designated critical infrastructure sector in the
25 all-hazards environment.

(2) REFERENCE.—Any reference to a Sector-Specific Agency in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Sector Risk Management Agency of the Federal Government for the relevant critical infrastructure sector.

(b) DESIGNATION.—The Secretary of Defense shall designate the Principal Cyber Advisor of the Department of Defense as the lead official, and the Office of the Principal Cyber Advisor as the lead component, for the Department's role and functions as the Sector Risk Management Agency for the Defense Industrial Base.

(c) RESPONSIBILITIES.—As the lead official for the Department of Defense's Sector Risk Management Agency functions, the Principal Cyber Advisor of the Department shall be responsible for all activities performed by the Department in its support of the Defense Industrial Base, as one of the critical infrastructure sectors of the United States. Such activities shall include the following:

(1) Synchronization, harmonization, de-confliction, and management for the execution of all Department programs, initiatives, efforts, and communication related to the Department's Sector Risk Management Agency function, including any Depart-

ment program, initiative, or effort that addresses the cybersecurity of the Defense Industrial Base.

(2) Leadership and management of the Defense Industrial Base Government Coordinating Council.

(3) Direct interface and sponsorship of the Defense Industrial Base Sector Coordinating Council.

(4) Organization of quarterly in-person meetings of both the Defense Industrial Base Government Coordinating Council and the Defense Industrial Base Sector Coordinating Council.

(d) ADDITIONAL FUNCTIONS.—In carrying out this section, the Principal Cyber Advisor of the Department of Defense shall—

(1) coordinate with relevant Federal departments and agencies, and collaborate with critical infrastructure owners and operators, where appropriate with independent regulatory agencies, and with State, local, territorial, and Tribal entities, as appropriate;

(2) serve as a day-to-day Federal interface for the dynamic prioritization and coordination of sector-specific activities;

(3) carry out incident management responsibilities;

(4) provide, support, or facilitate technical assistance and consultations for the Defense Industrial Base to identify cyber or physical vulnerabilities and help mitigate incidents, as appropriate; and

(5) support the statutorily required reporting requirements of such relevant Federal departments and agencies by providing to such departments and agencies on an annual basis sector-specific critical infrastructure information.

SEC. 1625. DEPARTMENT OF DEFENSE CYBER WORKFORCE EFFORTS.

(a) RESOURCES FOR CYBER EDUCATION.—

(1) IN GENERAL.—The Chief Information Officer of the Department of Defense, in consultation with the Director of the National Security Agency (NSA), shall examine the current policies permitting National Security Agency employees to use up to 140 hours of paid time toward NSA's cyber education programs.

(2) REPORT.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Chief Information Officer shall submit to the congressional defense committees and the congressional intelligence committees a strategy for

1 expanding the policies described in paragraph
2 (1) to—
3 (i) individuals who occupy positions
4 described in section 1599f of title 10,
5 United States Code; and
6 (ii) any other individuals who the
7 Chief Information Officer determines ap-
8 propriate.
9 (B) IMPLEMENTATION PLAN.—The report
10 required under subparagraph (A) shall detail
11 the utilization of the policies in place at the Na-
12 tional Security Agency, as well as an implemen-
13 tation plan that describes the mechanisms need-
14 ed to expand the use of such policies to accom-
15 modate wider participation by individuals de-
16 scribed in such subparagraph. Such implemen-
17 tation plan shall detail how such individuals
18 would be able to connect to the instructional
19 and participatory opportunities available
20 through the efforts, programs, initiatives, and
21 investments accounted for in the report re-
22 quired under section 1649 of the National De-
23 fense Authorization Act for Fiscal Year 2020
24 (Public Law 116–92), including the following
25 programs:

(i) GenCyber.

(ii) Centers for Academic Excellence – Cyber Defense.

(iii) Centers for Academic Excellence – Cyber Operations.

(C) DEADLINE.—Not later than 120 days after the submission of the report required under subparagraph (A), the Chief Information Officer of the Department of Defense shall carry out the implementation plan contained in such report.

(b) IMPROVING THE TRAINING WITH INDUSTRY PROGRAM.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Principal Cyber Advisor of the Department of Defense, in consultation with the Principal Cyber Advisors of the military services and the Under Secretary of Defense for Personnel and Readiness, shall submit to the congressional defense committees a review of the current utilization and utility of the Training With Industry (TWI) programs, including relating to the following:

(A) Recommendations regarding how to improve and better utilize such programs, in-

cluding regarding individuals who have completed such programs.

(B) An implementation plan to carry out such recommendations.

(2) ADDITIONAL .—Not later than 90 days after the submission of the report required under paragraph (1), the Principal Cyber Advisor of the Department of Defense shall carry out the implementation plan required under paragraph (1).

(c) ALIGNMENT OF CYBERSECURITY TRAINING PROGRAMS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing recommendations on how cybersecurity training programs described in section 1649 of the National Defense Authorization Act for Fiscal Year 2020 can be better aligned and harmonized.

(2) REPORT.—The report required under paragraph (1) shall provide recommendations concerning the following topics and information:

(A) Developing a comprehensive mechanism for utilizing and leveraging the Cyber Excepted Service workforce of the Department of

Defense referred to in subsection (a), as well as mechanisms for military participation.

(B) Unnecessary redundancies in such programs, or in any related efforts, initiatives, or investments.

(C) Mechanisms for tracking participation and transition of participation from one such program to another.

(D) Department level oversight and management of such programs.

(3) CYBER WORKFORCE PIPELINE AND EARLY CHILDHOOD EDUCATION.—

(A) ELEMENTS.—The Secretary of Defense shall, when completing the report required under paragraph (1), take into consideration existing Federal childhood cyber education programs, including the programs identified in the report required under section 1649 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) and the Department of Homeland Security's Cybersecurity Education and Training Assistance Program (CETAP), that can provide opportunities to military-connected students and members of the Armed Forces to pursue cyber careers.

(B) DEFINITION.—In this paragraph, the term ''military-connected student'' means an individual who—

(i) is a dependent a member of the Armed Forces serving on active duty; and

(ii) is enrolled in a preschool, an elementary or secondary school, or an institution of higher education.

SEC. 1626. REPORTING REQUIREMENTS FOR CROSS DOMAIN COMPROMISES AND EXEMPTIONS TO POLICIES FOR INFORMATION TECHNOLOGY.

(a) COMPROMISE REPORTING.—

(1) IN GENERAL.—Effective beginning in October 2020, the Secretary of Defense and the secretaries of the military services shall submit to the congressional defense committees a monthly report in writing that documents each instance or indication of a cross-domain compromise within the Department of Defense.

(2) PROCEDURES.—The Secretary of Defense shall submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify

such committees in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

(3) DEFINITION.—In this subsection, the term ''cross domain compromise'' means any unauthorized connection between software, hardware, or both designed for use on a network or system built for classified data and the public internet.

(b) EXEMPTIONS TO POLICY FOR INFORMATION TECHNOLOGY.—Not later than six months after the date of the enactment of this Act and biannually thereafter, the Secretary of Defense and the secretaries of the military services shall submit to the congressional defense committees a report in writing that enumerates and details each current exemption to information technology policy, interim Authority To Operate (ATO) order, or both. Each such report shall include other relevant information pertaining to each such exemption, including relating to the following:

(1) Risk categorization.

(2) Duration.

(3) Estimated time remaining.

SEC. 1627. ASSESSING PRIVATE-PUBLIC COLLABORATION IN CYBERSECURITY.

(a) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall—

(1) conduct a review and assessment of any ongoing public-private collaborative initiatives involving the Department of Defense and the private sector related to cybersecurity and defense of critical infrastructure, including—

(A) the United States Cyber Command's Pathfinder initiative and any derivative initiative;

(B) the Department's support to and integration with existing Federal cybersecurity centers and organizations; and

(C) comparable initiatives led by other Federal departments or agencies that support long-term public-private cybersecurity collaboration; and

(2) make recommendations for improvements and the requirements and resources necessary to institutionalize and strengthen the initiatives described in subparagraphs (A) through (C) of paragraph (1).

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Defense shall submit to the congressional defense committees a report on the review, assessment, and recommendations under subsection (a).

(2) FORM.—The report required under paragraph (1) may be submitted in unclassified or classified form, as necessary.

(c) DEFINITION.—In this section, the term ''critical infrastructure'' has the meaning given such term in section 1016(e) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 5195c(e)).

SEC. 1628. CYBER CAPABILITIES AND INTEROPERABILITY OF THE NATIONAL GUARD.

(a) EVALUATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in conjunction with the Chief of the National Guard Bureau, shall submit to the congressional defense committees, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate a review of the statutes, rules, regulations, and standards that pertain to the use of the National Guard for the response to and recovery from significant cyber incidents.

(b) RECOMMENDATIONS.—The review required under subsection (a) shall address the following::

(1) Regulations promulgated under section 903 of title 32, United States Code, to allow the National Guard to conduct homeland defense activities that the Secretary of Defense determines to be necessary and appropriate in accordance with section 902 of such title in response to a cyber attack.

(2) Compulsory guidance from the Chief of the National Guard Bureau regarding how the National Guard shall collaborate with the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security and the Federal Bureau of Investigation of the Department of Justice through multi-agency task forces, information-sharing groups, incident response planning and exercises, and other relevant forums and activities.

(3) A plan for how the Chief of the National Guard Bureau will collaborate with the Secretary of Homeland Security to develop an annex to the National Cyber Incident Response Plan that details the regulations and guidance described in paragraphs (1) and (2).

(c) DEFINITION.—The term ''significant cyber incident'' means a cyber incident that results, or several re-

lated cyber incidents that result, in demonstrable harm to—

(1) the national security interests, foreign relations, or economy of the United States; or

(2) the public confidence, civil liberties, or public health and safety of the American people.

SEC. 1629. EVALUATION OF NON-TRADITIONAL CYBER SUPPORT TO THE DEPARTMENT OF DEFENSE.

(a) REQUIREMENT.—Not later than 270 days after the date of the enactment of this Act, the Principal Cyber Advisor to the Secretary of Defense, in conjunction with the Under Secretary for Personnel and Readiness of the Department of Defense and the Principal Cyber Advisors of the military services, shall complete an assessment and evaluation of reserve models tailored to the support of cyberspace operations for the Department.

(b) EVALUATION COMPONENTS.—The assessment and evaluation required under subsection (a) shall include the following components:

(1) A current assessment of reserve and National Guard support to Cyber Operations Forces.

(2) An enumeration and evaluation of various reserve, National Guard, auxiliary, and non-traditional support models which are applicable to cyber-

space operations, including a consideration of models utilized domestically and internationally.

(3) A utility assessment of a dedicated reserve cadre specific to United States Cyber Command and Cyber Operations Forces.

(4) An analysis of the costs associated with the models evaluated pursuant to paragraph (2).

(5) An assessment of the recruitment programs necessary for implementation of the models evaluated pursuant to paragraph (2).

(b) REPORT.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Principal Cyber Advisor of the Department of Defense, shall submit to the congressional defense committees a report on the assessment and evaluation required under subsection (a).

(2) FORM.—The report required under paragraph (1) may be submitted in classified or unclassified form, as necessary.

SEC. 1630. ESTABLISHMENT OF INTEGRATED CYBER CENTER.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal

1 Bureau of Investigation, and the Director of National In-
2 telligence, shall submit to the relevant congressional com-
3 mittees a report on Federal cybersecurity centers and the
4 potential for better coordination of Federal cyber efforts
5 at an integrated cyber center within the national cybersec-
6 urity and communications integration center of the De-
7 partment of Homeland Security established pursuant to
8 section 2209 of the Homeland Security Act of 2002 (6
9 U.S.C. 659).

10 (b) CONTENTS.—To prepare the report required by
11 subsection (a), the Secretary of Homeland Security shall
12 aggregate information from components of the Depart-
13 ment of Homeland Security with information provided to
14 the Secretary of Homeland Security by the Secretary of
15 Defense, the Attorney General, the Director of the Federal
16 Bureau of Investigation, and the Director of National In-
17 telligence. Such aggregated information shall relate to the
18 following topics:

19 (1) Any challenges regarding capacity and
20 funding identified by the Secretary of Homeland Se-
21 curity, the Director of the Federal Bureau of Inves-
22 tigation, the Attorney General, the Secretary of De-
23 fense, or the Director of National Intelligence that
24 negatively impact coordination with the national cy-
25 bersecurity and communications integration center

of the Department of Homeland Security in furtherance of the security and resilience of critical infrastructure.

(2) Distinct statutory authorities identified by the Secretary of Homeland Security, the Attorney General, the Director of the Federal Bureau of Investigation, the Secretary of Defense, or the Director of National Intelligence that should not be leveraged by an integrated cyber center within the national cybersecurity and communications integration center.

(3) Any challenges associated with effective mission coordination and deconfliction between the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security and other Federal agencies that could be addressed with the creation of an integrated cyber center within the national cybersecurity and communications integration center.

(4) How capabilities or missions of existing Federal cyber centers could benefit from greater integration or collocation to support cybersecurity collaboration with critical infrastructure at an integrated cyber center within the national cybersecurity

and communications integration center, including the following Federal cyber centers:

(A) The National Security Agency's Cyber Threat Operations Center.

(B) United States Cyber Command's Joint Operations Center.

(C) The Office of the Director of National Intelligence's Cyber Threat Intelligence Integration Center.

(D) The Federal Bureau of Investigation's National Cyber Investigative Joint Task Force.

(E) The Department of Defense's Defense Cyber Crime Center.

(F) The Office of the Director of National Intelligence's Intelligence Community Security Coordination Center.

(c) ELEMENTS.—The report required under subsection (a) shall—

(1) identify any challenges regarding the Cybersecurity and Infrastructure Security Agency's current authorities, structure, resources, funding, ability to recruit and retain its workforce, or interagency coordination that negatively impact the ability of the Agency to fulfill its role as the central coordinator for critical infrastructure cybersecurity

and resilience pursuant to its authorities under the Homeland Security Act of 2002, and information on how establishing an integrated cyber center within the national cybersecurity and communications integration center would address such challenges;

(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 serve as the primary coordinating body charged with forging whole-of-government, public-private collaboration in cybersecurity, pursuant to such authorities;

(3) identify any lessons from the United Kingdom's National Cybersecurity Center model to determine whether an integrated cyber center within the Cybersecurity and Infrastructure Security Agency should be similarly organized into an unclassified environment and a classified environment;

(4) recommend any changes to procedures and criteria for increasing and expanding the participation and integration of public- and private-sector personnel into Federal cyber defense and security efforts, including continuing limitations or hurdles in the security clearance program for private sector partners and integrating private sector partners into

a Cybersecurity and Infrastructure Security Agency integrated cyber center; and

(5) propose policies, programs, or practices that could overcome challenges identified in the aggregated information under subsection (b), including the creation of an integrated cyber center within the national cybersecurity and communications integration center, accompanied by legislative proposals, as appropriate.

(d) PLAN.—Upon submitting the report pursuant to subsection (a), the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall develop a plan to establish an integrated cyber center within the national cybersecurity and communications integration center.

(e) ESTABLISHMENT.—Not later than one year after the submission of the report required under subsection (a), the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall begin establishing an integrated cyber center in the national cybersecurity and communications integration center.

(f) ANNUAL UPDATES.—Beginning one year after the submission of the report required under subsection (a) and annually thereafter, the Secretary of Homeland Security, in coordination with the Secretary of Defense, the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of National Intelligence, shall submit to the relevant congressional committees updates regarding efforts to establish and operate an integrated cyber center in the national cybersecurity and communications integration center pursuant to subsection (e), including information on progress made toward overcoming any challenges identified in the report required by subsection (a).

(g) PRIVACY REVIEW.—The Privacy Officers of the Department of Homeland Security, the Department of Defense, the Department of Justice, and the Federal Bureau of Investigation, and the Director of National Intelligence shall review and provide to the relevant congressional committees comment, as appropriate, on each report and legislative proposal submitted under this section.

(h) DEFINITION.—In this section, the term ''relevant congressional committees'' means—

(1) in the House of Representatives—

(A) the Committee on Armed Services;

(B) the Committee on the Judiciary;

(C) the Permanent Select Committee on Intelligence; and

(D) the Committee on Homeland Security; and

(2) in the Senate—

(A) the Committee on Armed Services;

(B) the Committee on the Judiciary;

(C) the Select Committee on Intelligence; and

(D) the Committee on Homeland Security and Governmental Affairs.

SEC. 1631. CYBER THREAT INFORMATION COLLABORATION ENVIRONMENT.

(a) IN GENERAL.—In consultation with the Cyber Threat Data Standards and Interoperability Council established pursuant to subsection (d), the Secretary of Homeland Security, in coordination with the Secretary of Defense and the Director of National Intelligence (acting through the Director of the National Security Agency), shall develop an information collaboration environment and associated analytic tools that enable entities to identify, mitigate, and prevent malicious cyber activity to—

(1) provide limited access to appropriate operationally relevant data about cybersecurity risks and cybersecurity threats, including malware forensics

and data from network sensor programs, on a platform that enables query and analysis;

(2) allow such tools to be used in classified and unclassified environments drawing on classified and unclassified data sets;

(3) enable cross-correlation of data on cybersecurity risks and cybersecurity threats at the speed and scale necessary for rapid detection and identification;

(4) facilitate a comprehensive understanding of cybersecurity risks and cybersecurity threats; and

(5) facilitate collaborative analysis between the Federal Government and private sector critical infrastructure entities and information and analysis organizations.

(b) IMPLEMENTATION OF INFORMATION COLLABORATION ENVIRONMENT.—

(1) EVALUATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Homeland Security, acting through the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, in coordination with the Secretary of Defense and the Director of National Intelligence (acting

through the Director of the National Security Agency), shall—

(A) identify, inventory, and evaluate existing Federal sources of classified and unclassified information on cybersecurity threats;

(B) evaluate current programs, applications, or platforms intended to detect, identify, analyze, and monitor cybersecurity risks and cybersecurity threats; and

(C) coordinate with private sector critical infrastructure entities and, as determined appropriate by the Secretary of Homeland Security, in consultation with the Secretary of Defense, other private sector entities, to identify private sector cyber threat capabilities, needs, and gaps.

(2) IMPLEMENTATION.—Not later than one year after the evaluation required under paragraph (1), the Secretary of Homeland Security, acting through the Director of the Cybersecurity and Infrastructure Security Agency, in coordination with the Secretary of Defense and the Director of National Intelligence (acting through the Director of the National Security Agency), shall begin implementation of the information collaboration environment devel-

1 oped pursuant to subsection (a) to enable partici-
2 pants in such environment to develop and run ana-
3 lytic tools referred to in such subsection on specified
4 data sets for the purpose of identifying, mitigating,
5 and preventing malicious cyber activity that is a
6 threat to government and critical infrastructure.
7 Such environment and use of such tools shall—
8 (A) operate in a manner consistent with
9 relevant privacy, civil rights, and civil liberties
10 policies and protections, including such policies
11 and protections established pursuant to section
12 1016 of the Intelligence Reform and Terrorism
13 Prevention Act of 2004 (6 U.S.C. 485);
14 (B) account for appropriate data standards
15 and interoperability requirements, consistent
16 with the standards set forth in subsection (d);
17 (C) enable integration of current applica-
18 tions, platforms, data, and information, includ-
19 ing classified information, in a manner that
20 supports integration of unclassified and classi-
21 fied information on cybersecurity risks and cy-
22 bersecurity threats;
23 (D) incorporate tools to manage access to
24 classified and unclassified data, as appropriate;

(E) ensure accessibility by entities the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Director of National Intelligence (acting through the Director of the National Security Agency), determines appropriate;

(F) allow for access by critical infrastructure stakeholders and other private sector partners, at the discretion of the Secretary of Homeland Security, in consultation with the Secretary of Defense;

(G) deploy analytic tools across classification levels to leverage all relevant data sets, as appropriate;

(H) identify tools and analytical software that can be applied and shared to manipulate, transform, and display data and other identified needs; and

(I) anticipate the integration of new technologies and data streams, including data from government-sponsored network sensors or network-monitoring programs deployed in support of State, local, Tribal, and territorial governments or private sector entities.

(c) ANNUAL REVIEW OF IMPACTS ON PRIVACY, CIVIL RIGHTS, AND CIVIL LIBERTIES.—The Secretary of Homeland Security and the Director of National Intelligence (acting through the Director of the Cybersecurity and Infrastructure Security Agency and the Director of the National Security Agency, respectively) shall direct the Privacy, Civil Rights, and Civil Liberties Officers of their respective agencies, in consultation with Privacy, Civil Rights, and Civil Liberties Officers of other Federal agencies participating in the information collaboration environment, to conduct an annual review of the information collaboration environment for compliance with fair information practices and civil rights and civil liberties policies. Each such report shall be—

(1) unclassified, to the maximum extent possible, but may contain a non-public or classified annex to protect sources or methods and any other sensitive information restricted by Federal law;

(2) with respect to the unclassified portions of each such report, made available on the public internet websites of the Department of Homeland Security and the Office of the Director of National Intelligence—

(A) not later than 30 days after submission to the appropriate congressional committees; and

(B) in an electronic format that is fully indexed and searchable; and

(3) with respect to a classified annex, submitted to the appropriate congressional committees in an electronic format that is fully indexed and searchable.

(d) POST-DEPLOYMENT ASSESSMENT.—Not later than two years after the implementation of the information collaboration environment under subsection (b), the Secretary of Homeland Security, the Secretary of Defense, and the Director of National Intelligence (acting through the Director of the National Security Agency) shall jointly submit to te appropriate congressional committees an assessment of whether to include additional entities, including critical infrastructure information sharing and analysis organizations, in such environment.

(e) CYBER THREAT DATA STANDARDS AND INTEROPERABILITY COUNCIL.—

(1) ESTABLISHMENT.—There is established an interagency council, to be known as the ''Cyber Threat Data Standards and Interoperability Council'' (in this subsection referred to as the ''council''),

chaired by the Secretary of Homeland Security, to establish data standards and requirements for public and private sector entities to participate in the information collaboration environment developed pursuant to subsection (a).

(2) OTHER MEMBERSHIP.—

(A) PRINCIPAL MEMBERS.—In addition to the Secretary of Homeland Security, the council shall be composed of the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, the Secretary of Defense, and the Director of National Intelligence (acting through the Director of the National Security Agency).

(B) ADDITIONAL MEMBERS.—The President shall identify and appoint council members from public and private sector entities who oversee programs that generate, collect, or disseminate data or information related to the detection, identification, analysis, and monitoring of cybersecurity risks and cybersecurity threats, based on recommendations submitted by the Secretary of Homeland Security, the Secretary of Defense, and the Director of National Intel-

ligence (acting through the Director of the National Security Agency).

(3) DATA STREAMS.—The council shall identify, designate, and periodically update programs that shall participate in or be interoperable with the information collaboration environment developed pursuant to subsection (a), which may include the following:

(A) Network-monitoring and intrusion detection programs.

(B) Cyber threat indicator sharing programs.

(C) Certain government-sponsored network sensors or network-monitoring programs.

(D) Incident response and cybersecurity technical assistance programs.

(E) Malware forensics and reverse-engineering programs.

(F) The defense industrial base threat intelligence program of the Department of Defense.

(4) DATA GOVERNANCE.—The council shall establish a committee comprised of the privacy officers of the Department of Homeland Security, the Department of Defense, and the National Security

Agency. Such committee shall establish procedures and data governance structures, as necessary, to protect sensitive data, comply with Federal regulations and statutes, and respect existing consent agreements with private sector critical infrastructure entities that apply to critical infrastructure information.

(5) RECOMMENDATIONS.—The council shall, as appropriate, submit recommendations to the President to support the operation, adaptation, and security of the information collaboration environment developed pursuant to subsection (a).

(f) NO ADDITIONAL ACTIVITIES AUTHORIZED.—Nothing in section may be construed to—

(1) alter the responsibility of entities to follow guidelines issued pursuant to section 105(b) of the Cybersecurity Act of 2015 (6 U.S.C. 1504(b); enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113)) with respect to data obtained by an entity in connection with activities authorized under the Cybersecurity Act of 2015 and shared through the information collaboration environment developed pursuant to subsection (a); or

1 (2) authorize Federal or private entities to
2 share information in a manner not already permitted
3 by law.
4 (g) DEFINITIONS.—In this section:
5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—The term ''appropriate congressional com-
7 mittees'' means—
8 (A) in the House of Representatives—
9 (i) the Permanent Select Committee
10 on Intelligence;
11 (ii) the Committee on Homeland Se-
12 curity;
13 (iii) the Committee on the Judiciary;
14 and
15 (iv) the Committee on Armed Serv-
16 ices; and
17 (B) in the Senate—
18 (i) the Select Committee on Intel-
19 ligence;
20 (ii) the Committee on Homeland Se-
21 curity and Governmental Affairs;
22 (iii) the Committee on the Judiciary;
23 and
24 (iv) the Committee on Armed Serv-
25 ices.

(2) CRITICAL INFRASTRUCTURE.—The term ''critical infrastructure'' has the meaning given such term in section 1016(e) of Public Law 107–56 (42 U.S.C. 5195c(e)).

(3) CRITICAL INFRASTRUCTURE INFORMATION.—The term ''critical infrastructure information'' has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

(4) CYBER THREAT INDICATOR.—The term ''cyber threat indicator'' has the meaning given such term in section 102(6) of the Cybersecurity Act of 2015 (enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501(6))).

(5) CYBERSECURITY RISK.—The term ''cybersecurity risk'' has the meaning given such term in section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659).

(6) CYBERSECURITY THREAT.—The term ''cybersecurity threat'' has the meaning given such term in section 102(5) of the Cybersecurity Act of 2015 (enacted as division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501(5))).

(7) INFORMATION SHARING AND ANALYSIS ORGANIZATION.—The term ''information sharing and analysis organization'' has the meaning given such term in section 2222 of the Homeland Security Act of 2002 (6 U.S.C. 671).

SEC. 1632. DEFENSE INDUSTRIAL BASE PARTICIPATION IN A THREAT INTELLIGENCE SHARING PROGRAM.

(a) DEFINITION.—In this section, the term ''defense industrial base'' means the worldwide industrial complex with capabilities to perform research and development, design, produce, deliver, and maintain military weapon systems, subsystems, components, or parts to meet military requirements.

(b) DEFENSE INDUSTRIAL BASE THREAT INTELLIGENCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall establish a threat intelligence program to share with and obtain from the defense industrial base information and intelligence on threats to national security.

(2) PROGRAM REQUIREMENTS.—At a minimum, the Secretary of Defense shall ensure the threat intelligence sharing program established pursuant to paragraph (1) includes the following:

(A) Cybersecurity incident reporting requirements that—

(i) extend beyond current mandatory incident reporting requirements;

(ii) set specific timeframes for all categories of such mandatory incident reporting; and

(iii) create a single clearinghouse for all such mandatory incident reporting to the Department of Defense, including covered unclassified information, covered defense information, and classified information.

(B) A mechanism for developing a shared and real-time picture of the threat environment.

(C) Joint, collaborative, and co-located analytics.

(D) Investments in technology and capabilities to support automated detection and analysis across the defense industrial base.

(E) Coordinated intelligence sharing with relevant domestic law enforcement and counterintelligence agencies, in coordination, respectively, with the Director of the Federal Bureau

of Investigation and the Director of National Intelligence.

(F) A process for direct sharing of threat intelligence related to a specific defense industrial base entity with such entity.

(3) EXISTING INFORMATION SHARING PROGRAMS.—The Secretary of Defense may utilize an existing Department of Defense information sharing program to satisfy the requirement under paragraph (1) if such existing program includes, or is modified to include, two-way sharing of threat information that is specifically relevant to the defense industrial base, including satisfying the requirements specified in paragraph (2).

(4) INTELLIGENCE QUERIES.—As part of a threat intelligence sharing program under this subsection, the Secretary of Defense shall require defense industrial base entities holding a Department of Defense contract to consent to queries of foreign intelligence collection databases related to such entity as a condition of such contract.

(c) THREAT INTELLIGENCE PROGRAM PARTICIPATION.—

(1) PROHIBITION ON PROCUREMENT.—Beginning on the date that is than one year after the date

of the enactment of this Act, the Secretary of Defense may not procure or acquire, or extend or renew a contract to procure or acquire, any item, equipment, system, or service from any entity that is not a participant in—

(A) the threat intelligence sharing program established pursuant paragraph (1) of subsection (b); or

(B) a comparably widely-utilized threat intelligence sharing program described in paragraph (3) of such subsection.

(2) APPLICATION TO SUBCONTRACTORS.—No entity holding a Department of Defense contract may subcontract any portion of such contract to another entity unless that second entity—

(A) is a participant in a threat intelligence sharing program under this section; or

(B) has received a waiver pursuant to subsection (d).

(3) IMPLEMENTATION.—In implementing the prohibition under paragraph (1), the Secretary of Defense—

(A) may create tiers of requirements and participation within the applicable threat intel-

ligence sharing program referred to in such paragraph based on—

(i) an evaluation of the role of and relative threats related to entities within the defense industrial base; and

(ii) cybersecurity maturity model certification level; and

(B) shall prioritize available funding and technical support to assist entities as is reasonably necessary for such entities to participate in a threat intelligence sharing program under this section.

(d) WAIVER AUTHORITY.—

(1) WAIVER.—The Secretary of Defense may waive the prohibition under subsection (b)—

(A) with respect to an entity or class of entities, if the Secretary determines that the requirement to participate in a threat intelligence sharing program under this section is unnecessary to protect the interests of the United States; or

(B) at the request of an entity, if the Secretary determines there is compelling justification for such waiver.

(2) PERIODIC REEVALUATION.—The Secretary of Defense shall periodically reevaluate any waiver issued pursuant to paragraph (1) and promptly revoke any waiver the Secretary determines is no longer warranted.

(e) REGULATIONS.—

(1) RULEMAKING AUTHORITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate such rules and regulations as are necessary to carry out this section.

(2) CMMC HARMONIZATION.—The Secretary of Defense shall ensure that the threat intelligence sharing program requirements set forth in the rules and regulations promulgated pursuant to paragraph (1) consider an entity's maturity and role within the defense industrial base, in accordance with the maturity certification levels established in the Department of Defense Cybersecurity Maturity Model Certification program.

SEC. 1633. ASSISTANCE FOR SMALL MANUFACTURERS IN THE DEFENSE INDUSTRIAL SUPPLY CHAIN ON MATTERS RELATING TO CYBERSECURITY.

(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Defense, in consultation

with the Director of the National Institute of Standards and Technology, may award financial assistance to a Center for the purpose of providing cybersecurity services to small manufacturers.

(b) CRITERIA.—If the Secretary carries out subsection (a), the Secretary, in consultation with the Director, shall establish and publish on the grants.gov website, or successor website, criteria for selecting recipients for financial assistance under this section.

(c) USE OF FINANCIAL ASSISTANCE.—Financial assistance under this section—

(1) shall be used by a Center to provide small manufacturers with cybersecurity services relating to—

(A) compliance with the cybersecurity requirements of the Department of Defense Supplement to the Federal Acquisition Regulation, including awareness, assessment, evaluation, preparation, and implementation of cybersecurity services; and

(B) achieving compliance with the Cybersecurity Maturity Model Certification framework of the Department of Defense; and

(2) may be used by a Center to employ trained personnel to deliver cybersecurity services to small manufacturers.

(d) BIENNIAL REPORTS.—

(1) IN GENERAL.—Not less frequently than once every two years, the Secretary shall submit to the congressional defense committees, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Science, Space, and Technology of the House of Representatives a biennial report on financial assistance awarded under this section.

(2) CONTENTS.—To the extent practicable, each report submitted under paragraph (1) shall include the following with respect to the years covered by the report:

(A) The number of small manufacturing companies assisted.

(B) A description of the cybersecurity services provided.

(C) A description of the cybersecurity matters addressed.

(D) An analysis of the operational effectiveness and cost-effectiveness of the cybersecurity services provided.

(e) TERMINATION.—The authority of the Secretary to award of financial assistance under this section shall terminate on the date that is five years after the date of the enactment of this Act.

(f) DEFINITIONS.—In this section:

(1) The term ''Center'' has the meaning given such term in section 25(a) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(a)).

(2) The term ''small manufacturer'' has the meaning given that tern in section 1644(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2224 note).

SEC. 1634. DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING AND SENSING, DISCOVERY, AND MITIGATION.

(a) DEFINITION.—In this section:

(1) DEFENSE INDUSTRIAL BASE.—The term ''defense industrial base'' means the worldwide industrial complex with capabilities to perform research and development, design, produce, deliver, and maintain military weapon systems, subsystems, components, or parts to meet military requirements.

(2) ADVANCED DEFENSE INDUSTRIAL BASE.—The term ''advanced defense industrial base'' means any entity in the defense industrial base holding a Department of Defense contract that requires a cybersecurity maturity model certification of level 4 or higher.

(b) DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING STUDY.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a study of the feasibility and resourcing required to establish the Defense Industrial Base Cybersecurity Threat Hunting Program (in this section referred to as the ''Program'') described in subsection (c).

(2) ELEMENTS.—The study required under paragraph (1) shall—

(A) establish the resources necessary, governance structures, and responsibility for execution of the Program, as well as any other relevant considerations determined by the Secretary;

(B) include a conclusive determination of the Department of Defense's capacity to estab-

lish the Program by the end of fiscal year 2021; and

(C) identify any barriers that would prevent such establishment.

(c) DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING PROGRAM.—

(1) IN GENERAL.—Upon a positive determination of the Program's feasibility pursuant to the study required under subsection (b), the Secretary of Defense shall establish the Program to actively identify cybersecurity threats and vulnerabilities within the information systems, including covered defense networks containing controlled unclassified information, of entities in the defense industrial base.

(2) PROGRAM LEVELS.—In establishing the Program in accordance with paragraph (1), the Secretary of Defense shall develop a tiered program that takes into account the following:

(A) The cybersecurity maturity of entities in the defense industrial base.

(B) The role of such entities.

(C) Whether each such entity possesses controlled unclassified information and covered defense networks.

(D) The covered defense information to which such an entity has access as a result of contracts with the Department of Defense.

(3) PROGRAM REQUIREMENTS.—The Program shall—

(A) include requirements for mitigating any vulnerabilities identified pursuant to the Program;

(B) provide a mechanism for the Department of Defense to share with entities in the defense industrial base malicious code, indicators of compromise, and insights on the evolving threat landscape;

(C) provide incentives for entities in the defense industrial base to share with the Department of Defense, including the National Security Agency's Cybersecurity Directorate, threat and vulnerability information collected pursuant to threat monitoring and hunt activities; and

(D) mandate a minimum level of program participation for any entity that is part of the advanced defense industrial base.

(d) THREAT IDENTIFICATION PROGRAM PARTICIPATION.—

(1) PROHIBITION ON PROCUREMENT.—If the Program is established pursuant to subsection (c), beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Defense may not procure or obtain, or extend or renew a contract to procure or obtain, any item, equipment, system, or service from any entity in the defense industrial base that is not in compliance with the requirements of the Program.

(2) IMPLEMENTATION.—In implementing the prohibition under paragraph (1), the Secretary of Defense shall prioritize available funding and technical support to assist affected entities in the defense industrial base as is reasonably necessary for such affected entities to commence participation in the Program and satisfy Program requirements.

(3) WAIVER AUTHORITY.—

(A) WAIVER.—The Secretary of Defense may waive the prohibition under paragraph (1)—

(i) with respect to an entity or class of entities in the defense industrial base, if the Secretary determines that the requirement to participate in the Program is un-

1 necessary to protect the interests of the
2 United States; or
3 (ii) at the request of such an entity,
4 if the Secretary determines there is a com-
5 pelling justification for such waiver.
6 (B) PERIODIC REEVALUATION.—The Sec-
7 retary of Defense shall periodically reevaluate
8 any waiver issued pursuant to subparagraph
9 (A) and revoke any such waiver the Secretary
10 determines is no longer warranted.
11 (e) USE OF PERSONNEL AND THIRD-PARTY THREAT
12 HUNTING AND SENSING CAPABILITIES.—In carrying out
13 the Program, the Secretary of Defense may—
14 (1) utilize Department of Defense personnel to
15 hunt for threats and vulnerabilities within the infor-
16 mation systems of entities in the defense industrial
17 base that have an active contract with Department
18 of Defense;
19 (2) certify third-party providers to hunt for
20 threats and vulnerabilities on behalf of the Depart-
21 ment of Defense;
22 (3) require the deployment of network sensing
23 technologies capable of identifying and filtering mali-
24 cious network traffic; or

(4) employ a combination of Department of Defense personnel and third-party providers and tools, as the Secretary determines necessary and appropriate, for the entity described in paragraph (1).

(f) REGULATIONS.—

(1) RULEMAKING AUTHORITY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall promulgate such rules and regulations as are necessary to carry out this section.

(2) CMMC HARMONIZATION.—In promulgating rules and regulations pursuant to paragraph (1), the Secretary of Defense shall consider how best to integrate the requirements of this section with the Department of Defense Cybersecurity Maturity Model Certification program.

SEC. 1635. DEFENSE DIGITAL SERVICE.

(a) RELATIONSHIP WITH UNITED STATES DIGITAL SERVICE.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator of the United States Digital Service shall establish a direct relationship between the Department of Defense and the United States Digital Service to address authorities, hiring processes, roles, and responsibilities.

(b) CERTIFICATION.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense and the Administrator of the United States Digital Service shall jointly certify to the congressional defense committees that the skills and qualifications of the Department of Defense personnel assigned to and supporting the core functions of the Defense Digital Service are consistent with the skills and qualifications United States Digital Service personnel.

SEC. 1636. LIMITATION OF FUNDING FOR NATIONAL DEFENSE UNIVERSITY.

Of the funds authorized to be appropriated by this Act for fiscal year 2021 for the National Defense University, not more than 60 percent of such funds may be obligated or expended until the Joint Staff and the National Defense University present to the congressional defense committees the following:

(1) A comprehensive plan for resourcing and growing the student population of the College of Information and Cyberspace, including by—

(A) enrolling a minimum of 350 cyber workforce students per academic year; and

(B) graduating a minimum of 42 students (including a minimum of 28 United States military students) in the Joint Professional Military

Education Phase II War College 10- month resident program in fiscal year 2021, and implementing a plan to graduate a minimum of 70 students (including a minimum of 50 United States military and civilian students) in fiscal year 2023 and in each year thereafter through the Future Year Defense Program.

(2) Budget documents for the Future Year Defense Program which show funding for the College of Information and Cyberspace to support the comprehensive plan described in subsection (a).

(3) A comprehensive presentation of how programs of study on cyber-related matters are being expanded and integrated into Joint Professional Military Education at all National Defense University constituent colleges.

Subtitle D—Nuclear Forces

SEC. 1641. COORDINATION IN TRANSFER OF FUNDS BY DEPARTMENT OF DEFENSE TO NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Section 179(f)(3) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(D) The Secretary of Defense and the Secretary of Energy shall ensure that a transfer of estimated nuclear

budget request authority is carried out in a manner that provides for coordination between the Secretary of Defense and the Administrator for Nuclear Security using appropriate interagency processes during the process in which the Secretaries develop the budget materials of the Department of Defense and the National Nuclear Security Administration, including by beginning such coordination by not later than June 30 for such budget materials that will be submitted during the following year.''.

(b) REPORTS.—Subparagraph (B) of such section is amended by adding at the end the following new clause:

''(iv) A description of the total amount of the proposed estimated nuclear budget request authority to be transferred by the Secretary of Defense to the Secretary of Energy to support the weapons activities of the National Nuclear Security Administration, including—

''(A) identification of any trade-offs made within the budget of the Department of Defense as part of such proposed transfer; and

''(B) a certification made jointly by the Secretaries that such proposed transfer was developed in a manner that allowed for the coordination described in subparagraph (D).''.

SEC. 1642. EXERCISES OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) REQUIREMENT.—Chapter 24 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 499b. Exercises of nuclear command, control, and communications system

"(a) REQUIRED EXERCISES.—Except as provided by subsection (b), beginning 2021, the President shall participate in a large-scale exercise of the nuclear command, control, and communications system during the first year of each term of the President, and may participate in such additional exercises as the President determines appropriate.

"(b) WAIVER.—The President may waive, on a case-by-case basis, the requirement to participate in an exercise under subsection (a) if the President—

"(1) determines that participating in such an exercise is infeasible by reason of a war declared by Congress, a national emergency declared by the President or Congress, a public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Service Act (42 U.S.C. 247d), or other similar exigent circumstance; and

"(2) submits to the congressional defense committees a notice of the waiver and a description of such determination.".

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

"499b. Exercises of nuclear command, control, and communications system.".

SEC. 1643. INDEPENDENT STUDIES ON NUCLEAR WEAPONS PROGRAMS OF CERTAIN FOREIGN STATES.

(a) STUDY.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a federally funded research and development center to conduct a study on the nuclear weapons programs of covered foreign countries.

(b) MATTERS INCLUDED.—The study under subsection (a) shall compile open-source data to conduct an analysis of the following for each covered foreign country:

(1) The activities, budgets, and policy documents, regarding the nuclear weapons program.

(2) The known research and development activities with respect to nuclear weapons.

(3) The inventories of nuclear weapons and delivery vehicles with respect to both deployed and nondeployed weapons.

(4) The capabilities of such nuclear weapons and delivery vehicles.

(5) The physical sites used for nuclear processing, testing, and weapons integration.

(6) The human capital of the scientific and technical workforce involved in nuclear programs, including with respect to matters relating to the education, knowledge, and technical capabilities of that workforce.

(7) The known deployment areas for nuclear weapons.

(8) Information with respect to the nuclear command and control system.

(9) The factors and motivations driving the nuclear weapons program and the nuclear command and control system.

(10) Any other information that the federally funded research and development center determines appropriate.

(c) SUBMISSION TO DOD.—Not later than 14 months after the date of the enactment of this Act, and each year thereafter for the following two years, the federally funded research and development center shall submit to the Secretary the study under subsection (a) and any updates to the study.

(d) SUBMISSION TO CONGRESS.—Not later than 30 days after the date on which the Secretary receives the study under subsection (a) or updates to the study, the Secretary shall submit to the appropriate congressional committees the study or such updates, without change.

(e) PUBLIC RELEASE.—The federally funded research and development center shall maintain an internet website on which the center—

(1) publishes the study under subsection (a) by not later than 30 days after the date on which the Secretary receives the study under subsection (c); and

(2) provides on an ongoing basis commentaries, analyses, updates, and other information regarding the nuclear weapons of covered foreign countries.

(f) FORM.—The study under subsection (a) shall be in unclassified form.

(g) MODIFICATION TO REPORT ON NUCLEAR FORCES OF THE UNITED STATES AND NEAR-PEER COUNTRIES.—Section 1676 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1778) is amended—

(1) in subsection (a), by striking "Not later than February 15, 2020, the Secretary of Defense, in coordination with the Director of National Intel-

ligence, shall'' and inserting ''Not later than February 15, 2020, and each year thereafter through 2023, the Secretary of Defense and the Director of National Intelligence shall jointly''; and

(2) in subsection (b), by adding at the end the following new paragraph:

''(4) With respect to the current and planned nuclear systems specified in paragraphs (1) through (3), the factors and motivations driving the development and deployment of the systems.''.

(h) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence of the House of Representatives; and

(C) the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate.

(2) The term ''covered foreign country'' means each of the following:

(A) China.

(B) North Korea.

(C) Russia.

(3) The term ''open-source data'' includes data derived from, found in, or related to any of the following:

(A) Geospatial information.

(B) Seismic sensors.

(C) Commercial data.

(D) Public government information.

(E) Academic journals and conference proceedings.

(F) Media reports.

(G) Social media.

Subtitle E—Missile Defense Programs

SEC. 1651. EXTENSION AND MODIFICATION OF REQUIREMENT FOR COMPTROLLER GENERAL OF THE UNITED STATES REVIEW AND ASSESSMENT OF MISSILE DEFENSE ACQUISITION PROGRAMS.

Section 232(a) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1339), as amended by section 1688 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1144), is amended—

(1) in paragraph (1), by striking ''through 2020'' and inserting ''through 2025''; and

(2) in paragraph (2)—

(A) by striking ''through 2021'' and inserting ''through 2026''; and

(B) by adding at the end the following new sentence: ''In carrying out this subsection, the Comptroller General shall review emergent issues relating to such programs and accountability and, in consultation with the congressional defense committees, either include any findings from the review in the reports submitted under this paragraph or provide to such committees a briefing on the findings.''.

SEC. 1652. EXTENSION OF TRANSITION OF BALLISTIC MISSILE DEFENSE PROGRAMS TO MILITARY DEPARTMENTS.

Section 1676(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is amended by striking ''2021'' and inserting ''2023''.

SEC. 1653. DEVELOPMENT OF HYPERSONIC AND BALLISTIC MISSILE TRACKING SPACE SENSOR PAYLOAD.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) Subsection (d) of section 1683 of the National Defense Authorization Act for Fiscal

Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note), as amended by section 1683 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), requires the Director of the Missile Defense Agency to develop a hypersonic and ballistic tracking space sensor payload to address missile defense tracking requirements.

(B) The budget of the President for fiscal year 2021 submitted under section 1105 of title 31, United States Code, did not provide any funding for the Missile Defense Agency to continue the development of such sensor payload.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) regardless of the overall architecture for a missile defense tracking space layer, the Director of the Missile Defense Agency should remain the material developer for the hypersonic and ballistic tracking space sensor payload to ensure that—

(i) unique hypersonic and ballistic missile tracking requirements are met; and

(ii) the system can be integrated into the existing missile defense system com-

mand and control, battle management, and communications system; and

(B) the Secretary of Defense should ensure transparency of funding for this effort to ensure proper oversight can be conducted on this critical capability.

(b) LIMITATION.—Subsection (d) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note), as amended by section 1683 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended by adding at the end the following new paragraph:

"(3) LIMITATION.—Of the funds authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2021 or otherwise made available for fiscal year 2021 for operation and maintenance, Defense-wide, for the Space Defense Agency, not more than 50 percent may be obligated or expended until the date on which the Secretary submits the certification under paragraph (2)(B).".

(c) COORDINATION.—Subsection (a) of such section is amended by striking "the Commander of the Air Force Space Command and" and inserting "the Chief of Space Operations, the Commander of the United States Space

Command, the Commander of the United States Northern Command, and''.

SEC. 1654. ANNUAL CERTIFICATION ON HYPERSONIC AND BALLISTIC MISSILE TRACKING SPACE SENSOR PAYLOAD.

(a) FINDING; SENSE OF CONGRESS.—

(1) FINDING.—Congress finds that the budget submitted by the President under section 1105(a) of title 31, United States Code, for fiscal year 2021 does not fully fund an operational capability for the hypersonic and ballistic missile tracking space sensor within the tracking layer of the persistent space-based sensor architecture of the Space Development Agency, despite such space sensor being a requirement by the combatant commanders and being highlighted as a needed capability against both hypersonic and ballistic threats in the Missile Defense Review published in 2019.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Missile Defense Agency hypersonic and ballistic missile tracking space sensor must be prioritized within the persistent space-based sensor architecture of the Space Development Agency to ensure the delivery of capabilities to the warfighter as soon as possible.

(b) ANNUAL CERTIFICATION.—Subsection (d) of section 1683 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note), as amended by section 1653, is further amended by adding at the end the following new paragraph:

"(4) ANNUAL CERTIFICATION.—On an annual basis until the date on which the hypersonic and ballistic tracking space sensor payload achieves full operational capability, the Secretary of Defense, without delegation, shall submit to the appropriate congressional committees a certification that—

"(A) the most recent future-years defense program submitted under section 221 of title 10, United States Code, includes estimated expenditures and proposed appropriations in amounts necessary to ensure the development and deployment of such space sensor payload as a component of the sensor architecture developed under subsection (a); and

"(B) the Commander of the United States Space Command has validated both the ballistic and hypersonic tracking requirements of, and the timeline to deploy, such space sensor payload.".

SEC. 1655. ALIGNMENT OF THE MISSILE DEFENSE AGENCY WITHIN THE DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress finds the following:

(1) Since the Missile Defense Agency was aligned to be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering pursuant to section 205(b) of title 10, United States Code, the advanced technology development budget requests in the defense budget materials (as defined in section 231(f) of title 10, United States Code) have decreased by more than 650 percent, from a request for $292,000,000 for fiscal year 2018 (the highest such request) to a request for $45,000,000 for fiscal year 2021.

(2) The overwhelming majority of the budget of the Missile Defense Agency is invested in programs that would be categorized as acquisition category 1 efforts if such programs were administered under the acquisition standards under Department of Defense Directive 5000.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, in light of the findings under subsection (a), upon the completion of the independent review of the organization of the Missile Defense Agency required by section 1688 of the National Defense Authorization Act for Fiscal

1 Year 2020 (Public Law 116–92; 133 Stat. 1787), the Sec-
2 retary of Defense should reassess the alignment of the
3 Agency within the Department of Defense to ensure that
4 missile defense efforts are being given proper oversight
5 and that the Agency is focused on delivering capability to
6 address current and future threats.

7 (c) REPORT.—Not later than February 28, 2021, the
8 Secretary of Defense shall submit to the congressional de-
9 fense committees a report on the alignment of the Missile
10 Defense Agency within the Department of Defense. The
11 report shall include—

12 (1) a description of the risks and benefits of
13 both—

14 (A) continuing the alignment of the Agen-
15 cy under the authority, direction, and control of
16 the Under Secretary of Defense for Research
17 and Engineering pursuant to section 205(b) of
18 title 10, United States Code; and

19 (B) realigning the Agency to be under the
20 authority, direction, and control of the Under
21 Secretary of Defense for Acquisition and
22 Sustainment; and

23 (2) if the Agency were to be realigned, the ac-
24 tions that would need to be taken to realign the
25 Agency to be under the authority, direction, and

control of the Under Secretary of Defense for Acquisition and Sustainment or another element of the Department of Defense.

SEC. 1656. ANALYSIS OF ALTERNATIVES FOR HOMELAND MISSILE DEFENSE MISSIONS.

(a) ANALYSIS OF ALTERNATIVES.—

(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Director of Cost Assessment and Program Evaluation, in coordination with the Secretary of the Navy, the Secretary of the Army, and the Director of the Missile Defense Agency, shall conduct an analysis of alternatives with respect to a complete architecture for using the regional terminal high altitude area defense system and the Aegis ballistic missile defense system to conduct homeland defense missions.

(2) SCOPE.—The analysis of alternatives under paragraph (1) shall include the following:

(A) The sensors needed for the architecture described in such paragraph.

(B) An assessment of the locations of each system included in the analysis to provide similar coverage as the ground-based midcourse defense system, including, with respect to such systems that are land-based, by giving pref-

erence to locations with completed environmental impact analyses conducted pursuant to section 227 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112– 239; 126 Stat. 1678), to the extent practicable.

(C) The acquisition objectives for interceptors of the terminal high altitude area defense system and standard missile–3 interceptors for homeland defense purposes.

(D) Any improvements needed to the missile defense system command and control, battle management, and communications system.

(E) The manning, training, and sustainment needed to support such architecture.

(F) A detailed schedule for the development, testing, production, and deployment of such systems.

(G) A lifecycle cost estimate of such architecture.

(H) A comparison of the capabilities, costs, schedules, and policies with respect to—

(i) deploying regional systems described in subsection (a) to conduct homeland defense missions; and

(ii) deploying future ground-based midcourse defense systems for such missions.

(3) SUBMISSION.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing—

(A) the analysis of alternatives under paragraph (1); and

(B) a certification by the Secretary that such analysis is sufficient.

(b) ASSESSMENT.—Not later than February 28, 2021, the Director of the Defense Intelligence Agency, and the head of any other element of the intelligence community that the Secretary of Defense determines appropriate, shall submit to the congressional defense committees an assessment of the following:

(1) How the development and deployment of regional terminal high altitude area defense systems and Aegis ballistic missile defense systems to conduct longer-range missile defense missions would be

perceived by near-peer foreign countries and rogue nations.

(2) How such near-peer foreign countries and rogue nations would likely respond to such deployments.

SEC. 1657. NEXT GENERATION INTERCEPTORS.

(a) NOTIFICATION OF CHANGED REQUIREMENTS.—During the acquisition and development process of the next generation interceptor program, not later than seven days after the date on which any changes are made to the requirements for such program that are established in the equivalent to capability development documentation, the Director of the Missile Defense Agency shall notify the congressional defense committees of such changes.

(b) BRIEFING ON CONTRACT.—Not later than 14 days after the date on which the Director awards a contract for the next generation interceptor, the Director shall provide the congressional defense committees a briefing on such contract, including with respect to the cost, schedule, performance, and requirements of the contract.

(c) REPORT ON GROUND-BASED MIDCOURSE DEFENSE SYSTEM.—

(1) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Under

Secretary of Defense for Policy, the Director of the Missile Defense Agency, and the Commander of the United States Northern Command, shall submit to the congressional defense committees a report on the ground-based midcourse defense system.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) An explanation of how contracts in existence as of the date of the report could be used to reestablish improvements and sustainment for kill vehicles and boosters for the ground-based midcourse defense system.

(B) An explanation of how such system could be improved through service life extensions or pre-planned product improvements to address some of the requirements of the next generation interceptor by 2026, including an identification of the costs, schedule, and any risks.

(C) A description of the costs and schedule with respect to restarting booster production to field 20 additional interceptors by 2026.

(D) An analysis of policy implications with respect to the requirements for the ground-based midcourse defense system.

SEC. 1658. OVERSIGHT OF NEXT GENERATION INTERCEPTOR PROGRAM.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds that the Secretary of Defense discovered major technical problems with the redesigned kill vehicle program, which led to cancelling the program in August 2019 and caused significant delays to the improved defense of the United States against rogue nation ballistic missile threats and wasted $1,200,000,000.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Secretary of Defense should ensure robust oversight and accountability for the acquisition of the future next generation interceptor program to avoid making the same errors that were experienced in the redesigned kill vehicle effort.

(b) INDEPENDENT COST ASSESSMENT AND VALIDATION.—

(1) ASSESSMENT.—The Director of Cost Assessment and Program Evaluation shall conduct an independent cost assessment of the next generation interceptor program.

(2) VALIDATION.—The Under Secretary of Defense for Acquisition and Sustainment shall validate the preliminary cost assessment conducted under

paragraph (1) that will be used to inform the award of the contract for the next generation interceptor.

(3) SUBMISSION.—Not later than the date on which the Director of the Missile Defense Agency awards a contract for the next generation interceptor, the Secretary of Defense shall submit to the congressional defense committees a report containing the preliminary independent cost assessment under paragraph (1) and the validation under paragraph (2).

(c) FLIGHT TESTS.—In addition to the requirements of section 2399 of title 10, United States Code, the Director of the Missile Defense Agency may not make any decision regarding the initial production, or equivalent, of the next generation interceptor unless the Director has—

(1) certified to the congressional defense committees that the Director has conducted not fewer than two successful intercept flight tests of the next generation interceptor; and

(2) provided to such committees a briefing on the details of such tests, including with respect to the operational realism of such tests.

SEC. 1659. MISSILE DEFENSE COOPERATION BETWEEN THE UNITED STATES AND ISRAEL.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the strong and enduring relationship between the United States and Israel is in the national security interest of both countries;

(2) the memorandum of understanding signed by the United States and Israel on September 14, 2016, including the provisions of the memorandum relating to missile and rocket defense cooperation, continues to be a critical component of the bilateral relationship;

(3) the United States and Israel should continue government-to-government collaboration and information sharing of technical data to investigate the potential operational use of Israeli missile defense systems for United States purposes; and

(4) in addition to the existing Israeli missile defense interceptor systems, there is potential for developing and incorporating directed energy platforms to assist the missile defense capabilities of both the United States and Israel.

(b) COOPERATION.—The Secretary of Defense may seek to extend existing cooperation with Israel to carry out, on a joint basis with Israel, research, development,

test, and evaluation activities to establish directed energy capabilities that address missile threats to the United States, the deployed members of the Armed Forces of the United States, or Israel. The Secretary shall ensure that any such activities are conducted—

(1) in accordance with Federal law and the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be deemed to be Excessively Injurious or to have Indiscriminate Effects, signed at Geneva October 10, 1980; and

(2) in a manner that appropriately protects sensitive information and the national security interests of the United States and the national security interests of Israel.

SEC. 1660. REPORT ON DEFENSE OF GUAM FROM INTEGRATED AIR AND MISSILE THREATS.

(a) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a study on the defense of Guam from integrated air and missile threats, including such threats from ballistic, hypersonic, and cruise missiles.

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

(1) The identification of existing deployed land- and sea-based air and missile defense programs of record within the military departments and Defense Agencies, including with respect to interceptors, radars, and ground-, ship-, air,- and space-based sensors that could be used either alone or in coordination with other systems to counter the threats specified in subsection (a) with an initial operational capability by 2025.

(2) A plan of how such programs would be used to counter such threats with an initial operational capability by 2025.

(3) A plan of which programs currently in development but not yet deployed could enhance or substitute for existing programs in countering such threats with an initial operational capability by 2025.

(4) An analysis of which military department, Defense Agency, or combatant command would have operational control of the mission to counter such threats.

(5) A cost analysis of the various options described in paragraphs (1) and (3), including a breakdown of the cost of weapons systems considered under the various scenarios (including any costs

to modify the systems), the cost benefits gained through economies of scale, and the cost of any military construction required.

(6) An analysis of the policy implications regarding deploying additional missile defense systems on Guam, and how such deployments could affect strategic stability, including likely responses from both rogue nations and near-peer competitors.

(c) CONSULTATION.—The Secretary shall carry out this section in consultation with each of the following:

(1) The Director of the Missile Defense Agency.

(2) The Commander of the United States Indo-Pacific Command.

(3) The Commander of the United States Northern Command.

(4) Any other official whom the Secretary of Defense determines for purposes of this section has significant technical, policy, or military expertise.

(d) FORM.—The report submitted under subsection (a) shall be in unclassified form, but may contain a classified annex.

(e) BRIEFING.—Not later than 30 days after the date on which the Secretary submits to the congressional defense committees the report under subsection (a), the Sec-

retary shall provide to such committees a briefing on the report.

SEC. 1661. REPORT ON CRUISE MISSILE DEFENSE.

Not later than January 15, 2021, the Commander of the United States Northern Command, in coordination with the Director of the Missile Defense Agency, shall submit to the congressional defense committees a report containing—

(1) an identification of any vulnerability of the contiguous United States to known cruise missile threats; and

(2) a plan to mitigate any such vulnerability.

Subtitle F—Other Matters

SEC. 1671. CONVENTIONAL PROMPT GLOBAL STRIKE.

(a) INTEGRATION.—Section 1697(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1791) is amended by adding at the end the following new sentence: ''The Secretary shall initiate such transfer of technologies to DDG–1000 class destroyers by not later than January 1, 2021.''.

(b) REPORT ON STRATEGIC HYPERSONIC WEAPONS.—

(1) REQUIREMENT.—Not later than 120 days after the date of the enactment of this Act, the Chairman of the Joint Chiefs of Staff, in coordina-

tion with the Under Secretary of Defense for Policy, shall submit to the congressional defense committees a report on strategic hypersonic weapons.

(2) MATTERS INCLUDED.—The report under paragraph (1) shall include the following:

(A) A discussion of the authority to use strategic hypersonic weapons and if, and how, such authorities would be delegated to the commanders of the combatant commands or to the Chiefs of the Armed Forces.

(B) An assessment of escalation and miscalculation risks (including the risk that adversaries may detect initial launch but not reliably detect the entire boost-glide trajectory), how such risks will be addressed and minimized with regards to the use of strategic hypersonic weapons, and whether any risk escalation exercises have been conducted or are planned for the potential use of hypersonic weapons.

(C) A description of any updates needed to war plans with the introduction of strategic hypersonic weapons.

(D) Identification of the element of the Department of Defense that has responsibility

for establishing targeting requirements for strategic hypersonic weapons.

(E) A description of how the requirements for land- and sea-based strategic hypersonic weapons will be addressed with the Joint Requirements Oversight Council, and how such requirements will be formally provided to the military departments procuring such weapons through an acquisition program described under section 804 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note).

(F) A basing strategy for land-based launch platforms and a description of the actions needed to be taken for future deployment of such platforms.

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

(c) ANNUAL REPORTS ON ACQUISITION.—

(1) ARMY AND NAVY PROGRAMS.—Except as provided by paragraph (3), not later than 30 days after the date on which the budget of the President for each of fiscal years 2022 through 2025 is submitted to Congress pursuant to section 1105 of title

31, United States Code, the Secretary of the Army and the Secretary of the Navy shall jointly submit to the congressional defense committees a report on the conventional prompt global strike programs of the Army and the Navy, including—

(A) the total costs to the respective military departments for such programs;

(B) the strategy for such programs with respect to manning, training, and equipping, including cost estimates; and

(C) a testing strategy and schedule for such programs.

(2) CERTIFICATIONS.—Not later than 60 days after the date on which the budget of the President for each of fiscal years 2022 through 2025 is submitted to Congress pursuant to section 1105 of title 31, United States Code, the Director of Cost Assessment and Program Evaluation shall submit to the congressional defense committees a certification regarding the sufficiency, including any anomalies, with respect to—

(A) the total program costs of the conventional prompt global strike programs of the Army and the Navy; and

(B) the testing strategy for such programs.

(3) TERMINATION.—The requirement to submit a report under paragraph (1) shall terminate on the date on which the Secretary of Defense determines that the conventional prompt global strike programs of the Army and the Navy are unable to be acquired under the authority of section 804 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note).

SEC. 1672. SUBMISSION OF REPORTS UNDER MISSILE DEFENSE REVIEW AND NUCLEAR POSTURE REVIEW.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees—

(1) each report produced by the Department of Defense pursuant to the Missile Defense Review published in 2019; and

(2) each report produced by the Department pursuant to the Nuclear Posture Review published in 2018.

SEC. 1673. REPORT ON CONSIDERATION OF RISKS OF INADVERTENT ESCALATION TO NUCLEAR WAR.

(a) REPORT.—Not later than January 31, 2021, the Under Secretary of Defense for Policy shall submit to the

Committees on Armed Services of the House of Representatives and the Senate a report—

(1) detailing the efforts of the Department of Defense with respect to developing and implementing guidance to ensure that the risks of inadvertent escalation to a nuclear war are considered within the decision-making processes of the Department regarding relevant activities (such as developing contingency plans, managing military crises and conflicts, and supporting the Department of State in the development, negotiation, and implementation of cooperative risk-reduction measures); and

(2) identifying the capabilities and factors taken into account in developing such guidance.

(b) FORM.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) BRIEFING.—Not later than December 1, 2020, the Under Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the progress and findings made in carrying out subsection (a).

TITLE XVII—REPORTS AND OTHER MATTERS

Subtitle A—Studies and Reports

SEC. 1701. REVIEW OF SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of all support provided, or planned to be provided, under section 127e of title 10, United States Code. Such review shall include an analysis of each of the following:

(1) The strategic alignment between such support and relevant Executive Orders, global campaign plans, theatre campaign plans, execute orders, and other guiding documents for currency, relevancy, and efficacy.

(2) The extent to which United States Special Operations Command has the processes and procedures to manage, integrate, and synchronize the authority under section 127e of title 10, United States Code, in support of the objectives and priorities specified by the documents listed in (a)(1) as well as the objectives and priorities of—

(A) the geographic combatant commands;

(B) theatre elements of United States Special Operations Command;

(C) relevant chiefs of mission and other appropriate positions in the Department of State; and

(D) any other interagency organization affected by the use of such authority.

(3) For the activities carried out pursuant to such authority, the extent to which United States Special Operations Command has the processes and procedures to—

(A) determine the professionalism, cohesion, and institutional capacity of the military in the country where forces receiving support are based;

(B) determine the adherence of the forces receiving support to human rights norms and the laws of armed conflict;

(C) establish measures of effectiveness;

(D) assess such activities against established measures of effectiveness as identified in subparagraph (C);

(E) establish criteria to determine the successful completion of such activities;

(F) deconflict and synchronize activities conducted under such authority with other relevant funding authorities;

(G) deconflict and synchronize activities conducted under such authorities with other relevant activities conducted by organizations related to, but outside the purview of, the Department of Defense; and

(H) track the training, support, and facilitation provided to forces receiving support, and the significant activities undertaken by such forces as a result of such training, support, and facilitation.

(4) The extent to which United States Special Operations Command has processes and procedures to manage the sunset, termination, or transition of activities carried out pursuant to such authority, including—

(A) accountability with respect to equipment provided; and

(B) integrity of the tactics, techniques, and procedures developed.

(5) The extent to which United States Special Operations Command has and uses processes and procedures to—

(A) report to Congress biannually on the matters referred to in paragraph (3); and

(B) notify Congress with respect to the intent to sunset, terminate, or transition activities carried out pursuant to such authority.

(6) Any other issues the Comptroller General determines appropriate with respect to the authority under section 127e of title 10, United States Code.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall provide for the Committees on Armed Services of the Senate and House of Representatives a briefing on the progress of the review required under subsection (a).

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the findings of the review required under subsection (a) and the recommendations of the Comptroller General pursuant to such review.

(d) SUPPORT DEFINED.—In this section, the term ''support'' includes—

(1) personnel who provide capacity for—

(A) training and equipment;

(B) training, advice, and assistance; or

(C) advice, assistance, and accompaniment capacity;

(2) financial assistance; and

(3) equipment and weapons.

SEC. 1702. FFRDC STUDY OF EXPLOSIVE ORDNANCE DISPOSAL AGENCIES.

(a) IN GENERAL.—The Secretary of Defense shall enter into an agreement with a federally funded research and development corporation under which such corporation shall conduct a study of the responsibilities, authorities, policies, programs, resources, organization, and activities of the explosive ordnance disposal agencies of the Department of Defense, Defense Agencies, and military departments.

(b) ELEMENTS OF STUDY.—The study conducted under subsection (a) shall include, for the Department of Defense, each Defense Agency, and each the military departments, each of the following:

(1) An identification and evaluation of—

(A) technology research, development, and acquisition activities related to explosive ordnance disposal, including an identification and evaluation of—

(i) current and future technology and related industrial base gaps; and

(ii) any technical or operational risks associated with such technology or related industrial base gaps;

(B) recruiting, training, education, assignment, promotion, and retention of military and civilian personnel with responsibilities relating to explosive ordnance disposal;

(C) administrative and operational force structure with respect to explosive ordnance disposal, including an identification and assessment of risk associated with force structure capacity or capability gaps, if any; and

(D) the demand for, and activities conducted in support of, domestic and international military explosive ordnance disposal operations, including—

(i) support provided to Department of Defense agencies and other Federal agencies; and

(ii) an identification and assessment of risk associated with the prioritization and availability of explosive ordnance disposal support among supported agencies and operations.

(2) Recommendations, if any, for changes to—

(A) the organization and distribution of responsibilities and authorities relating to explosive ordnance disposal;

(B) the explosive ordnance disposal force structure, management, prioritization, and operating concepts in support of the explosive ordnance disposal requirements of the Armed Forces and other Federal agencies; and

(C) resource investment strategies and technology prioritization for explosive ordnance disposal, including science and technology, prototyping, experimentation, test and evaluation, and related five-year funding profiles.

(c) REPORT TO CONGRESS.—

(1) IN GENERAL.—Not later than August 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the study conducted under subsection (a). Such report shall include the comments on the study, if any, of the Secretary of Defense, the directors of each of the Defense Agencies, and the Secretaries of each of the military departments.

(2) FORM OF REPORT.—The report submitted under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1703. REPORT ON THE HUMAN RIGHTS OFFICE AT UNITED STATES SOUTHERN COMMAND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the promotion of human rights and the protection of civilians abroad is an ethical, legal, and strategic interest of the United States;

(2) the Human Rights Office at the United States Southern Command plays an essential role in the promotion of human rights and the professionalization of foreign security forces in the area of responsibility of the United States Southern Command;

(3) the Secretary of Defense should ensure the status of the Human Rights Office at the United States Southern Command and, to the extent possible, ensure the United States Southern Command has the assets necessary to support the activities of the Human Rights Office; and

(4) the Secretary of Defense should ensure the development, at each of the combatant commands, of an office responsible for—

(A) advising the commander of the combatant command on the promotion of human rights and protection of civilians; and

(B) integrating such promotion and protection into command strategy.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on—

(1) the activities of the Human Rights Office at the United States Southern Command to provide and promote—

(A) analysis and policy support to the Commander of the United States Southern Command regarding human rights and the protection of civilians;

(B) education of employees of the Department of Defense regarding human rights and protection of civilians pursuant to the document promulgated by the United States Southern Command on July 1, 1998, titled ''Regulation 1-20'' (relating to policy and procedures for human rights administration);

(C) integration of the promotion of human rights and protection of civilians into the strategy, planning, training, and exercises of the United States Southern Command, including into programs of the armed forces of partner

countries through the Human Rights Initiative program of such Command;

(D) promotion of human rights and the protection of civilians through security cooperation activities;

(E) implementation of section 362 of title 10, United States Code; and

(F) countering trafficking in persons; and

(2) the resources necessary over the period of the future years defense plan for fiscal year 2022 under section 221 of title 10, United States Code, for the United States Southern Command to support the activities of the Human Rights Office at such Command.

(c) FORM.—The report under subsection (b) shall be submitted in unclassified form.

SEC. 1704. REPORT ON JOINT TRAINING RANGE EXERCISES FOR THE PACIFIC REGION.

(a) REPORT.—Not later than March 15, 2021, the Chairman of the Joint Chiefs of Staff, in coordination with the Commander of United States Indo-Pacific Command, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, shall submit to the congressional defense committees a report containing a plan to integrate combined, joint, and multi-do-

main, training and experimentation in the Pacific region, including existing ranges, training areas, and test facilities, to achieve the following objectives:

(1) Support future combined and joint exercises and training to test operational capabilities and weapon systems.

(2) Employ multi-domain training to validate joint operational concepts.

(3) Integrate allied and partner countries into national-level exercises.

(b) MATTERS.—The report under subsection (a) shall address the following:

(1) Integration of cyber, space, and electromagnetic spectrum domains.

(2) Mobile and fixed range instrumentation packages for experimentation and training.

(3) Digital, integrated command and control for air defense systems.

(4) Command, control, communications, computer, and information (C41) systems.

(5) War gaming, modeling, and simulations packages.

(6) Intelligence support systems.

(7) Manpower management, execution, collection, and analysis required for the incorporation of

space and cyber activities into the training range exercise plan contained in such report.

(8) Connectivity requirements to support all domain integration and training.

(9) Any training range upgrades or infrastructure improvements necessary to integrate legacy training and exercise facilities into integrated, operational sites.

(10) Exercises led by the United States Indo-Pacific Command, within the area of operations of the Command, that integrate allied and partnered countries and link to the national-level exercises of the United States.

(11) Incorporation of any other functional and geographic combatant commands required to support the United States Indo-Pacific Command.

(c) FORM.—The report under subsection (a) may be submitted in classified form, and shall include an unclassified summary.

SEC. 1705. STUDY ON CHINESE POLICIES AND INFLUENCE IN THE DEVELOPMENT OF INTERNATIONAL STANDARDS FOR EMERGING TECHNOLOGIES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the National Institute of Standards and Technology shall enter

into an agreement with an appropriate non-governmental entity with relevant expertise, as determined by the Director, to conduct a study and make recommendations with respect to the impact of the policies of the People's Republic of China and coordination among industrial entities within the People's Republic of China on international bodies engaged in developing and setting international standards for emerging technologies. The study may include—

(1) an assessment of how the role of the People's Republic of China in international standards setting organizations has grown over the previous 10 years, including in leadership roles in standards-drafting technical committees, and the quality or value of that participation;

(2) an assessment of the impact of the standardization strategy of the People's Republic of China, as identified in the ''Chinese Standard 2035'' on international bodies engaged in developing and setting standards for select emerging technologies, such as advanced communication technologies or cloud computing and cloud services;

(3) an examination of whether international standards for select emerging technologies are being designed to promote interests of the People's Repub-

lic of China that are expressed in the ''Made in China 2025'' plan to the exclusion of other participants;

(4) an examination of how the previous practices that the People's Republic of China has utilized while participating in international standards setting organizations may foretell how the People's Republic of China will engage in international standardization activities of critical technologies like artificial intelligence and quantum information science, and what may be the consequences;

(5) recommendations on how the United States can take steps to mitigate influence of the People's Republic of China and bolster United States public and private sector participation in international standards-setting bodies; and

(6) any other areas the Director, in consultation with the entity selected to conduct the study, believes is important to address.

(b) REPORT TO CONGRESS.—The agreement entered into under subsection (a) shall require the entity conducting the study to, not later than two years after the date of the enactment of this Act—

(1) submit to the Committee on Science, Space, and Technology of the House of Representatives and

the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings and recommendations of the review conducted under subsection (a); and

(2) make a copy of such report available on a publicly accessible website.

Subtitle B—Electronic Message Preservation

SEC. 1711. SHORT TITLE.

This subtitle may be cited as the ''Electronic Message Preservation Act''.

SEC. 1712. PRESERVATION OF ELECTRONIC MESSAGES AND OTHER RECORDS.

(a) REQUIREMENT FOR PRESERVATION OF ELECTRONIC MESSAGES.—Chapter 29 of title 44, United States Code, is amended by adding at the end the following new section:

''§ 2912. Preservation of electronic messages and other records

''(a) REGULATIONS REQUIRED.—The Archivist shall promulgate regulations governing Federal agency preservation of electronic messages that are determined to be records. Such regulations shall, at a minimum—

''(1) require the electronic capture, management, and preservation of such electronic records in

accordance with the records disposition requirements of chapter 33;

''(2) require that such electronic records are readily accessible for retrieval through electronic searches; and

''(3) include timelines for Federal agency implementation of the regulations that ensure compliance as expeditiously as practicable.

''(b) ENSURING COMPLIANCE.—The Archivist shall promulgate regulations that—

''(1) establish mandatory minimum functional requirements for electronic records management systems to ensure compliance with the requirements in paragraphs (1) and (2) of subsection (a); and

''(2) establish a process to ensure that the electronic records management system of each Federal agency meets the functional requirements established under paragraph (1).

''(c) COVERAGE OF OTHER ELECTRONIC RECORDS.—To the extent practicable, the regulations promulgated under subsections (a) and (b) shall also include requirements for the capture, management, and preservation of other electronic records.

"(d) COMPLIANCE BY FEDERAL AGENCIES.—Each Federal agency shall comply with the regulations promulgated under subsections (a) and (b).

"(e) REVIEW OF REGULATIONS REQUIRED.—The Archivist shall periodically review and, as necessary, amend the regulations promulgated under subsections (a) and (b).".

(b) DEADLINE FOR REGULATIONS.—

(1) PRESERVATION OF ELECTRONIC MESSAGES.—Not later than 120 days after the date of the enactment of this Act, the Archivist shall promulgate the regulations required under section 2912(a) of title 44, United States Code, as added by subsection (a).

(2) ENSURING COMPLIANCE.—Not later than 2 years after the date of the enactment of this Act, the Archivist shall promulgate the regulations required under section 2912(b) of title 44, United States Code, as added by subsection (a).

(c) REPORTS ON IMPLEMENTATION OF REGULATIONS.—

(1) AGENCY REPORT TO ARCHIVIST.—Not later than 1 year after the date of the enactment of this Act, the head of each Federal agency shall submit to the Archivist a report on the agency's compliance

with the regulations promulgated under section 2912 of title 44, United States Code, as added by subsection (a), and shall make the report publicly available on the website of the agency.

(2) ARCHIVIST REPORT TO CONGRESS.—Not later than 90 days after receipt of all reports required by paragraph (1), the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on Federal agency compliance with the regulations promulgated under section 2912(a) of title 44, United States Code, as added by subsection (a), and shall make the report publicly available on the website of the agency.

(3) FEDERAL AGENCY DEFINED.—In this subsection, the term ''Federal agency'' has the meaning given that term in section 2901 of title 44, United States Code.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 29 of title 44, United States Code, is amended by adding after the item relating to section 2911 the following new item:

''2912. Preservation of electronic messages and other records.''.

(e) DEFINITIONS.—Section 2901 of title 44, United States Code, is amended—

(1) by striking ''and'' at the end of paragraph (14); and

(2) by striking paragraph (15) and inserting the following new paragraphs:

''(15) the term 'electronic messages' means electronic mail and other electronic messaging systems that are used for purposes of communicating between individuals; and

''(16) the term 'electronic records management system' means software designed to manage electronic records, including by—

''(A) categorizing and locating records;

''(B) ensuring that records are retained as long as necessary;

''(C) identifying records that are due for disposition; and

''(D) ensuring the storage, retrieval, and disposition of records.''.

SEC. 1713. PRESIDENTIAL RECORDS.

(a) ADDITIONAL REGULATIONS RELATING TO PRESIDENTIAL RECORDS.—

(1) IN GENERAL.—Section 2206 of title 44, United States Code, is amended—

(A) by striking ''and'' at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting "; and"; and

(C) by adding at the end the following:

"(5) provisions for establishing standards necessary for the economical and efficient management of electronic Presidential records during the President's term of office, including—

"(A) records management controls necessary for the capture, management, and preservation of electronic messages;

"(B) records management controls necessary to ensure that electronic messages are readily accessible for retrieval through electronic searches; and

"(C) a process to ensure the electronic records management system to be used by the President for the purposes of complying with the requirements in subparagraphs (A) and (B).".

(2) DEFINITIONS.—Section 2201 of title 44, United States Code, is amended by adding at the end the following new paragraphs:

"(6) The term 'electronic messages' has the meaning given that term under section 2901(15).

"(7) The term 'electronic records management system' has the meaning given that term under section 2901(16).".

(b) CERTIFICATION OF PRESIDENT'S MANAGEMENT OF PRESIDENTIAL RECORDS.—

(1) CERTIFICATION REQUIRED.—Chapter 22 of title 44, United States Code, is amended by adding at the end the following new section:

"§ 2210. Certification of the President's management of Presidential records

"(a) ANNUAL CERTIFICATION.—The Archivist shall annually certify whether the electronic records management controls established by the President meet requirements under sections 2203(a) and 2206(5).

"(b) REPORT TO CONGRESS.—The Archivist shall report annually to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives on the status of the certification.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 22 of title 44, United States Code, is amended by adding at the end the following new item:

"2210. Certification of the President's management of Presidential records.".

(c) REPORT TO CONGRESS.—Section 2203(g) of title 44, United States Code, is amended by adding at the end the following new paragraph:

''(5) One year following the conclusion of a President's term of office, or if a President serves consecutive terms 1 year following the conclusion of the last term, the Archivist shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report on—

''(A) the volume and format of electronic Presidential records deposited into that President's Presidential archival depository; and

''(B) whether the electronic records management controls of that President met the requirements under sections 2203(a) and 2206(5).''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect 1 year after the date of the enactment of this Act.

Subtitle C—Space Technology Advancement Report (STAR) Act of 2020

SEC. 1721. SHORT TITLE.

This subtitle may be cited as the ''Space Technology Advancement Report (STAR) Act of 2020''.

SEC. 1722. FINDINGS.

Congress finds the following:

(1) As stated in the United States-China Economic and Security Commission's 2019 Report to Congress, the United States retains many advantages over the People's Republic of China (PRC) in space, including—

(A) the organization and technical expertise of its space program;

(B) the capabilities of the National Aeronautics and Space Administration for human spaceflight and exploration;

(C) its vibrant commercial space sector;

(D) its long history of space leadership; and

(E) many international partnerships.

(2) The PRC seeks to establish a leading position in the economic and military use of outer space and views space as critical to its future security and economic interests.

(3) The PRC's national-level commitment to establishing itself as a global space leader harms United States interests and threatens to undermine many of the advantages the United States has worked so long to establish.

(4) For over 60 years, the United States has led the world in space exploration and human space flight through a robust national program that ensures NASA develops and maintains critical spaceflight systems to enable this leadership, including the Apollo program's Saturn V rocket, the Space Shuttle, the International Space Station and the Space Launch System and Orion today.

(5) The Defense Intelligence Agency noted in its 2019 ''Challenges to U.S. Security in Space'' report that the PRC was developing a national superheavy lift rocket comparable to NASA's Space Launch System.

(6) The United States space program and commercial space sector risks being hollowed out by the PRC's plans to attain leadership in key technologies.

(7) It is in the economic and security interest of the United States to remain the global leader in space power.

(8) A recent report by the Air Force Research Laboratory and the Defense Innovation Unit found that China's strategy to bolster its domestic space industry includes a global program of theft and other misappropriation of intellectual property, direct integration of state-owned entities and their

technology with commercial start-ups, the use of front companies to invest in United States space companies, vertical control of supply chains, and predatory pricing.

(9) The United States Congress passed the Wolf Amendment as part of the Fiscal Year 2012 Consolidated and Further Continuing Appropriations Act (Public Law 112–55) and every year thereafter in response to the nefarious and offensive nature of Chinese activities in the space industry.

SEC. 1723. REPORT; STRATEGY.

(a) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and annually thereafter in fiscal years 2022 and 2023, the National Space Council shall submit to the appropriate congressional committees an interagency assessment of the ability of the United States to compete with foreign space programs and in the emerging commercial space economy.

(2) CONTENT OF REPORT.—The report shall include information on the following:

(A) An assessment of the human exploration and spaceflight capabilities of the na-

tional space program of the United States relative to national programs of the PRC.

(B) An assessment of—

(i) the viability of extraction of space-based precious minerals, onsite exploitation of space-based natural resources, and utilization of space-based solar power;

(ii) the programs of the United States and the PRC that are related to the issues described in clause (i); and

(iii) any potential terrestrial or space environmental impacts of space-based solar power.

(C) An assessment of United States strategic interests in or related to cislunar space.

(D) A comparative assessment of future United States space launch capabilities and those of the PRC.

(E) The extent of foreign investment in the commercial space sector of the United States, especially in venture capital and other private equity investments that seek to work with the Federal government.

(F) The steps by which the National Aeronautics and Space Administration, the Depart-

ment of Defense, and other United States Federal agencies conduct the necessary due diligence and security reviews prior to investing in private space entities that may have received funding from foreign investment.

(G) Current steps that the United States is taking to identify and help mitigate threats to domestic space industry from influence of the PRC.

(H) An assessment of the current ability, role, costs, and authorities of the Department of Defense to mitigate the threats of commercial communications and navigation in space from the PRC's growing counterspace capabilities, and any actions required to improve this capability.

(I) An assessment of how the PRC's activities are impacting United States national security, including—

(i) theft by the PRC of United States intellectual property through technology transfer requirements or otherwise; and

(ii) efforts of the PRC to seize control of critical elements of the United States space industry supply chain and United

States space industry companies or sister companies with shared leadership; and government cybersecurity capabilities.

(J) An assessment of efforts of the PRC to pursue cooperative agreements with other nations to advance space development.

(K) Recommendations to Congress, including recommendations with respect to—

(i) any legislative proposals to address threats by the PRC to the United States national space programs as well as domestic commercial launch and satellite industries;

(ii) how the United States Government can best utilize existing Federal entities to investigate and prevent potentially harmful investment by the PRC in the United States commercial space industry;

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

(b) STRATEGY.—

(1) IN GENERAL.—Not later than 1 year after the submission of the report required in subsection (a), the President, in consultation with the National

Space Council, shall develop and submit to the appropriate congressional committees a strategy to ensure the United States can—

(A) compete with other national space programs;

(B) maintain leadership in the emerging commercial space economy;

(C) identify market, regulatory, and other means to address unfair competition from the PRC based on the findings of in the report required in subsection (a);

(D) leverage commercial space capabilities to ensure United States national security and the security of United States interests in space;

(E) protect United States supply chains and manufacturing critical to competitiveness in space; and

(F) coordinate with international allies and partners in space.

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

(c) DEFINITIONS.—In this section, the following definitions apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES OF CONGRESS.—The term ''appropriate congressional committees'' means—

(A) the Committee on Armed services, the Committee on Foreign Relations, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Science, Space, and Technology of the House of Representatives.

(2) PRC.—The term ''PRC'' means the ''People's Republic of China''.

Subtitle D—AMBER Alert Nationwide

SEC. 1731. COOPERATION WITH DEPARTMENT OF HOMELAND SECURITY.

Subtitle A of title III of the PROTECT Act (34 U.S.C. 20501 et seq.) is amended—

(1) in section 301—

(A) in subsection (b)—

(i) in paragraph (1), by inserting ''(including airports, maritime ports, border crossing areas and checkpoints, and ports of exit from the United States)''

after ''gaps in areas of interstate travel''; and

(ii) in paragraphs (2) and (3), by inserting '', territories of the United States, and tribal governments'' after ''States''; and

(B) in subsection (d), by inserting '', the Secretary of Homeland Security,'' after ''Secretary of Transportation''; and

(2) in section 302—

(A) in subsection (b), in paragraphs (2), (3), and (4) by inserting '', territorial, tribal,'' after ''State''; and

(B) in subsection (c)—

(i) in paragraph (1), by inserting '', the Secretary of Homeland Security,'' after ''Secretary of Transportation''; and

(ii) in paragraph (2), by inserting '', territorial, tribal,'' after ''State''.

SEC. 1732. AMBER ALERTS ALONG MAJOR TRANSPORTATION ROUTES.

(a) IN GENERAL.—Section 303 of the PROTECT Act (34 U.S.C. 20503) is amended—

(1) in the section heading, by inserting ''**AND MAJOR TRANSPORTATION ROUTES**'' after ''**ALONG HIGHWAYS**'';

(2) in subsection (a)—

(A) by inserting ''(referred to in this section as the 'Secretary')'' after ''Secretary of Transportation''; and

(B) by inserting ''and at airports, maritime ports, border crossing areas and checkpoints, and ports of exit from the United States'' after ''along highways'';

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by striking ''other motorist information systems to notify motorists'' and inserting ''other information systems to notify motorists, aircraft passengers, ship passengers, and travelers''; and

(ii) by inserting '', aircraft passengers, ship passengers, and travelers'' after ''necessary to notify motorists''; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking ''other motorist information systems to notify motorists'' and inserting ''other infor-

mation systems to notify motorists, aircraft passengers, ship passengers, and travelers'';

(ii) in subparagraph (D), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''support the notification of motorists'';

(iii) in subparagraph (E), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''motorists'', each place it appears;

(iv) in subparagraph (F), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''motorists''; and

(v) in subparagraph (G), by inserting '', aircraft passengers, ship passengers, and travelers'' after ''motorists'';

(4) in subsection (c), by striking ''other motorist information systems to notify motorists'', each place it appears, and inserting ''other information systems to notify motorists, aircraft passengers, ship passengers, and travelers'';

(5) by amending subsection (d) to read as follows:

''(d) FEDERAL SHARE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activities funded by a grant under this section may not exceed 80 percent.

"(2) WAIVER.—If the Secretary determines that American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, or the Virgin Islands of the United States is unable to comply with the requirement under paragraph (1), the Secretary shall waive such requirement.";

(6) in subsection (g)—

(A) by striking "In this section" and inserting "In this subtitle"; and

(B) by striking "or Puerto Rico" and inserting "American Samoa, Guam, Puerto Rico, the Northern Mariana Islands, the Virgin Islands of the United States, and any other territory of the United States"; and

(7) in subsection (h), by striking "fiscal year 2004" and inserting "each of fiscal years 2019 through 2023".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the PROTECT Act (Public Law 108–21) is amended by striking the item relating 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 abducted children.".

SEC. 1733. AMBER ALERT COMMUNICATION PLANS IN THE TERRITORIES.

Section 304 of the PROTECT Act (34 U.S.C. 20504) is amended—

(1) in subsection (b)(4), by inserting "a territorial government or" after "with";

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

"(c) FEDERAL SHARE.—

"(1) IN GENERAL.—Except as provided in paragraph (2), the Federal share of the cost of any activities funded by a grant under this section may not exceed 50 percent.

"(2) WAIVER.—If the Attorney General determines that American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, the Virgin Islands of the United States, or an Indian tribe is unable to comply with the requirement under paragraph (1), the Attorney General shall waive such requirement."; and

(3) in subsection (d), by inserting ", including territories of the United States" before the period at the end.

SEC. 1734. GOVERNMENT ACCOUNTABILITY OFFICE REPORT.

(a) IN GENERAL.—Not later than 5 years after the date of the enactment of this Act, the Comptroller General shall conduct a study assessing—

(1) the implementation of the amendments made by this Act;

(2) any challenges related to integrating the territories of the United States into the AMBER Alert system;

(3) the readiness, educational, technological, and training needs of territorial law enforcement agencies in responding to cases involving missing, abducted, or exploited children; and

(4) any other related matters the Attorney General or the Secretary of Transportation determines appropriate.

(b) REPORT REQUIRED.—The Comptroller General shall submit a report on the findings of the study required under subsection (a) to—

(1) the Committee on the Judiciary and the Committee on Environment and Public Works of the Senate;

(2) the Committee on the Judiciary and the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) each of the delegates or resident commissioner to the House of Representatives from American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands of the United States.

(c) PUBLIC AVAILABILITY.—The Comptroller General shall make the report required under subsection (b) available on a public Government website.

(d) OBTAINING OFFICIAL DATA.—

(1) IN GENERAL.—The Comptroller General may secure information necessary to conduct the study under subsection (a) directly from any Federal agency and from any territorial government receiving grant funding under the PROTECT Act. Upon request of the Comptroller General, the head of a Federal agency or territorial government shall furnish the requested information to the Comptroller General.

(2) AGENCY RECORDS.—Notwithstanding paragraph (1), nothing in this subsection shall require a Federal agency or any territorial government to produce records subject to a common law evidentiary privilege. Records and information shared with the Comptroller General shall continue to be subject to withholding under sections 552 and 552a of title 5,

United States Code. The Comptroller General is obligated to give the information the same level of confidentiality and protection required of the Federal agency or territorial government. The Comptroller General may be requested to sign a nondisclosure or other agreement as a condition of gaining access to sensitive or proprietary data to which the Comptroller General is entitled.

(3) PRIVACY OF PERSONAL INFORMATION.—The Comptroller General, and any Federal agency and any territorial government that provides information to the Comptroller General, shall take such actions as are necessary to ensure the protection of the personal information of a minor.

Subtitle E—Other Matters

SEC. 1741. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 127e(g) is amended by striking ''Low-Intensity'' and inserting ''Low Intensity''.

(2) Section 142 is amended—

(A) by striking subsection (d); and

(B) by redesignating the second subsection (c) as subsection (d).

(3) Section 192(c) is amended by striking the first paragraph (1).

(4) Section 231 is amended—

(A) in subsection (a)(1), by striking ''and'' after the colon;

(B) by striking ''quadrennial defense review'' each place it appears and inserting ''national defense strategy''; and

(C) in subsection (f)(3), by striking ''section 118'' and inserting ''section 113(g)''.

(5) Section 1073c(a) is amended by redesignating the second paragraph (6) as paragraph (7).

(6) Section 1044e is amended by striking ''subsection (h)'' each place it appears and inserting ''subsection (i)''.

(7) The table of sections at the beginning of chapter 58 is amended by striking the item relating to section 1142 and inserting the following:

''1142. Preseparation counseling; transmittal of certain records to Department of Veterans Affairs.''.

(8) Section 1564(c)(2) is amended in the matter preceding subparagraph (A) by striking ''in'' and inserting ''is''.

(9) The table of sections at the beginning of chapter 113 is amended by striking ''Sec.'' each

place it appears, except for the first ''Sec.'' preceding the item relating to section 2200g.

(10) The table of sections at the beginning of chapter 135 is amended by striking the item relating to section 2279c.

(11) The table of sections at the beginning of chapter 142 is amended by striking the item relating to section 2417 and inserting the following:

''2417. Administrative and other costs.''.

(12) The table of sections at the beginning of chapter 152 is amended by striking the item relating to section 2568a and inserting the following:

''2568a. Damaged personal protective equipment: award to members separating from the Armed Forces and veterans.''.

(13) Section 2417(2) is amended by striking ''entities -'' and inserting ''entities—''.

(14) Section 2641b(a)(3)(B) is amended by striking ''subsection (c)(5)'' and inserting ''subsection (c)(6)''.

(15) Section 2804(b) is amended in the third sentence by striking ''; and''.

(16) Section 2890(e)(2) is amended by inserting ''a'' before ''landlord'' in the matter preceding subparagraph (A).

(17) Section 2891(e)(1) is amended—

(A) by inserting ''unit'' after ''housing'' the third place it appears; and

(B) in subparagraph (B), by inserting ''the'' before ''tenant''.

(18) Section 2891a is amended—

(A) in subsection (b), by adding a period at the end of paragraph (2); and

(B) in subsection (e)(2)(B), by striking ''the'' before ''any basic''.

(19) Section 2894(c)(3) is amended by inserting '', the office'' after ''installation housing management office''.

(b) TITLE 38, UNITED STATES CODE.—Section 1967(a)(3)(D) of title 38, United States Code, is amended in the matter preceding clause (i) by inserting a comma after ''theater of operations''.

(c) NDAA FOR FISCAL YEAR 2019.—Effective as of August 13, 2018, and as if included therein as enacted, the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended as follows:

(1) Section 226(b)(3)(C) (132 Stat. 1686) is amended by striking ''commercial-off the-shelf'' and inserting ''commercially available off-the-shelf items

(as defined in section 104 of title 41, United States Code) that may serve as''.

(2) Section 809(b)(3) (132 Stat. 1840) is amended by striking ''Section 598(d)(4) of the National Defense Authorization Act of for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 1561 note)'' and inserting ''Section 563(d)(4) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 10 U.S.C. 1561 note)''.

(3) Section 836(a)(2)(B) (132 Stat. 1860) is amended by inserting ''of such title'' after ''Section 104(1)(A)''.

(4) Section 836(c)(8) is amended by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

''(A) by striking 'commercial items' and inserting 'commercial products'; and

''(B) by striking 'the item' both places it appears and inserting 'commercial product'.''.

(5) Section 889(f) (132 Stat. 1918) is amended by striking ''appropriate congressional committees' '' and inserting ''appropriate congressional committees''.

(6) Section 1286(e)(2)(D) (10 U.S.C. 2358 note; 132 Stat. 2080) is amended by striking ''improve'' and inserting ''improved''.

(7) Section 1757(a) (50 U.S.C. 4816; 132 Stat. 2218) is amended by inserting ''to persons'' before ''who are potential''.

(8) Section 1759(a)(2) (50 U.S.C. 4818; 132 Stat. 2223) is amended by striking the semicolon at the end and inserting a period.

(9) Section 1763(c) (50 U.S.C. 4822; 132 Stat. 2231) is amended by striking ''December 5, 1991'' and inserting ''December 5, 1995''.

(10) Section 1773(b)(1) (50 U.S.C. 4842; 132 Stat. 2235) is amended by striking ''section 1752(1)(D)'' and inserting ''section 1752(2)(D)''.

(11) Section 1774(a) (50 U.S.C. 4843; 132 Stat. 2237) is amended in the matter preceding paragraph (1) by inserting ''under'' before ''section 1773''.

(12) Section 2827(b)(1) (132 Stat. 2270) is amended by inserting ''in the matter preceding the paragraphs'' after ''amended''.

(d) NDAA FOR FISCAL YEAR 2016.—Effective as of December 23, 2016, and as if included therein as enacted, section 856(a)(1) the National Defense Authorization Act

for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2377 note) is amended by inserting ''United States Code,'' after ''title 41,''.

(e) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1742. ADDITION OF CHIEF OF THE NATIONAL GUARD BUREAU TO THE LIST OF OFFICERS PROVIDING REPORTS OF UNFUNDED PRIORITIES.

Section 222a(b) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following new paragraph:

''(5) The Chief of the National Guard Bureau.''.

SEC. 1743. ACCEPTANCE OF PROPERTY BY MILITARY ACADEMIES AND MUSEUMS.

(a) ACCEPTANCE OF PROPERTY.—Section 2601 of title 10, United States Code, is amended—

(1) in subsection (a)(2), by inserting after subparagraph (B) the following new subparagraph:

''(C) The Secretary concerned may display, at a military museum, recognition for an individual or organization that contributes money to a nonprofit entity described in subparagraph (A), or an individual or organization that contributes a gift directly to the armed force concerned for the benefit of a military museum, whether or not the contribution is subject to the condition that recognition be provided. The Secretary of Defense shall prescribe uniform regulations governing the circumstances under which contributor recognition may be provided, appropriate forms of recognition, and suitable display standards.''; and

(2) in subsection (e)(1)—

(A) by inserting ''or personal'' after ''real'' both places it appears; and

(B) by striking ''or the Coast Guard Academy'' and inserting ''the Coast Guard Academy, the National Defense University, the Defense Acquisition University, the Air University, the Army War College, the Army Command and General Staff College, the Naval War College, the Naval Postgraduate School, or the Marine Corps University''.

(b) LEASE OF NON-EXCESS PROPERTY TO MILITARY MUSEUMS.—

(1) IN GENERAL.—Section 2667 of title 10, United States Code, is amended—

(A) in subsection (b)—

(i) in paragraph (7), by striking ''and'' at the end;

(ii) in paragraph (8), by striking the period at the end and inserting ''; and''; and

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

''(9) in the case of a lease of a museum facility to a museum foundation, may provide for use in generating revenue for activities of the museum facility and for such administrative purposes as may be necessary to support the facility.'';

(B) in subsection (i), by adding at the end the following new paragraph:

''(6) The term 'museum foundation' means any entity—

''(A) qualifying as an exempt organization under section 501(c)(3) of the Internal Revenue Code of 1986; and

"(B) incorporated for the primary purpose of supporting a Department of Defense museum."; and

(C) in subsection (k)—

(i) in the subsection heading, by inserting "AND MUSEUMS" after "LEASES FOR EDUCATION"; and

(ii) by inserting "or to a museum foundation" before the period at the end.

(2) REPEALS.—

(A) LEASE OR LICENSE OF UNITED STATES NAVY MUSEUM FACILITIES AT WASHINGTON NAVY YARD, DISTRICT OF COLUMBIA.—The National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163) is amended by striking section 2852.

(B) LEASE OF FACILITY TO MARINE CORPS HERITAGE FOUNDATION.—Section 2884 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398; 114 Stat. 1654A-440) is amended by striking subsection (e).

SEC. 1744. REAUTHORIZATION OF NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

(a) NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.—Section 8931 of title 10, United States Code, is amended to read as follows:

"SEC. 8931. NATIONAL OCEANOGRAPHIC PARTNERSHIP PROGRAM.

"(a) ESTABLISHMENT.—The Secretary of the Navy shall establish a program to be known as the 'National Oceanographic Partnership Program'.

"(b) PURPOSES.—The purposes of the program are as follows:

"(1) To promote the national goals of assuring national security, advancing economic development, protecting quality of life, ensuring environmental stewardship, and strengthening science education and communication through improved knowledge of the ocean.

"(2) To coordinate and strengthen oceanographic efforts in support of those goals by—

"(A) creating and carrying out partnerships among Federal agencies, academia, industry, and other members of the oceanographic community in the areas of science, data, resources, education, and communication; and

"(B) accepting, planning, and executing oceanographic research projects funded by grants, contracts, cooperative agreements, or other vehicles as appropriate, that contribute to assuring national security, advancing economic development, protecting quality of life, ensuring environmental stewardship, and strengthening science education and communication through improved knowledge of the ocean.".

(b) OCEAN POLICY COMMITTEE.—

(1) IN GENERAL.—Section 8932 of such title is amended to read as follows:

"§ 8932. Ocean Policy Committee

"(a) COMMITTEE.—There is established an Ocean Policy Committee (hereinafter referred to as the 'Committee'). The Committee shall retain the membership, co-chairs, and subcommittees outlined in Executive Order 13840.

"(b) RESPONSIBILITIES.—The Committee shall continue the activities of that Committee as it was in existence on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021. In discharging its responsibilities and to assist in the execution of the activities delineated in this subsection, the

Committee may delegate to a subcommittee, as appropriate. The Committee shall—

"(1) prescribe policies and procedures to implement the National Oceanographic Partnership Program;

"(2) engage and collaborate, pursuant to existing laws and regulations, with stakeholders, including regional ocean partnerships, to address ocean-related matters that may require interagency or intergovernmental solutions;

"(3) facilitate coordination and integration of Federal activities in ocean and coastal waters to inform ocean policy and identify priority ocean research, technology, and data needs; and

"(4) review, select, and identify partnership projects for implementation under the program, based on—

"(A) whether the project addresses important research objectives or operational goals;

"(B) whether the project has, or is designed to have, appropriate participation within the oceanographic community of public, academic, commercial, private participation or support;

"(C) whether the partners have a long-term commitment to the objectives of the project;

"(D) whether the resources supporting the project are shared among the partners; and

"(E) whether the project has been subjected to adequate review according to each of the supporting agencies.

"(c) ANNUAL REPORT AND BRIEFING.—(1) Not later than March 1 of each year, the Committee shall post a report on the National Oceanographic Partnership Program on a publicly available website and brief—

"(A) the Committee on Commerce, Science, and Transportation of the Senate;

"(B) the Committee on Armed Services of the Senate;

"(C) the Committee on Natural Resources of the House of Representatives;

"(D) the Committee on Science, Space, and Technology of the House of Representatives; and

"(E) the Committee on Armed Services of the House of Representatives.

"(2) The report and all briefing materials shall be posted to a publicly available website not later than 30 days after the briefing.

"(3) The report and briefing shall include the following:

"(A) A description of activities of the program carried out during the prior fiscal year.

"(B) A general outline of the activities planned for the program during the current fiscal year.

"(C) A summary of projects, partnerships, and collaborations, including the Federal and non-Federal sources of funding, continued from the prior fiscal year and projects expected to begin during the current and subsequent fiscal years, as required in the program office report outlined in section 8932(f)(2)(C) of this title.

"(D) The amounts requested in the budget submitted to Congress pursuant to section 1105(a) of title 31 for the subsequent fiscal year, for the programs, projects, activities and the estimated expenditures under such programs, projects, and activities, to execute the National Oceanographic Partnership Program.

"(E) A summary of national ocean research priorities informed by the Ocean Research Advisory Panel required in section 8933(b)(4) of this title.

"(F) A list of the members of the Ocean Research Advisory Panel described in section 8933(a)

of this title and any working groups described in section 8932(f)(2)(A) of this title in existence during the fiscal years covered.

''(d) NATIONAL OCEANOGRAPHIC PARTNERSHIP FUND.—(1) There is established in the Treasury a separate account to be known as the National Oceanographic Partnership Program Fund to be jointly managed by the Secretary of the Navy, the Administrator of the National Oceanic and Atmospheric Administration, and any other Federal agency that contributes amounts to the Fund.

''(2) Amounts in the Fund shall be available to the National Oceanic Partnership Program without further appropriation to remain available for up to 5 years from the date contributed or until expended for the purpose of carrying out this section.

''(3) There is authorized to be credited to the Fund the following:

''(A) Such amounts as determined appropriate to be transferred to the Fund by the head of a Federal agency or entity participating in the National Oceanographic Partnership Program.

''(B) Funds provided by a State, local government, tribal government, territory, or possession, or any subdivisions thereof.

''(C) Funds contributed by—

"(i) a non-profit organization, individual, or Congressionally-established foundation; and

"(ii) by private grants, contracts, and donations.

"(4) For the purpose of carrying out this section, as directed by the Committee, departments or agencies represented on the Committee may enter into contracts, make grants, including transactions authorized by paragraph (5), and may transfer funds available to the National Oceanographic Partnership Program under paragraph (3) to participating departments and agencies for such purposes.

"(5) The Committee or any participating Federal agency or entity may enter into an agreement to use, with or without reimbursement, the land, services, equipment, personnel, and facilities of any department, agency, or instrumentality of the United States, or of any State, local government, Indian tribal government, Territory, District of Columbia, or possession, or of any political subdivision thereof, or of any foreign government or international organization or individual, for the purpose of carrying out this section.

"(e) ESTABLISHMENT AND FORMS OF PARTNERSHIP PROJECTS.—A partnership project under the National Oceanographic Partnership Program—

"(1) may be established by any instrument that the Committee considers appropriate; and

"(2) may include demonstration projects.

"(f) PARTNERSHIP PROGRAM OFFICE.—(1) The Secretary of the Navy and Administrator of the National Oceanic and Atmospheric Administration shall jointly establish a partnership program office for the National Oceanographic Partnership Program. Competitive procedures will be used to select an external operator for the partnership program office.

"(2) The Committee will monitor the performance of the duties of the partnership program office, which shall consist of the following:

"(A) To support working groups established by the Committee or subcommittee and report working group activities to the Committee, including working group proposals for partnership projects.

"(B) To support the process for proposing partnership projects to the Committee, including, where appropriate, managing review of such projects.

"(C) To submit to the Committee and make publicly available an annual report on the status of all partnership projects, including the Federal and non-Federal sources of funding for each project, and activities of the office.

"(D) To perform any additional duties for the administration of the National Oceanographic Partnership Program that the Committee considers appropriate.".

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 893 of title 10, United States Code, is amended by striking the item relating to section 8932 and inserting the following new item:

"8932. Ocean Policy Committee.".

(c) OCEAN RESEARCH ADVISORY PANEL.—Section 8933 of such title is amended to read as follows:

"§ 8933. Ocean Research Advisory Panel

"(a) ESTABLISHMENT.—(1) The Committee shall establish an Ocean Research Advisory Panel consisting of not less than 10 and not more than 18 members appointed by the Co-chairs, including the following:

"(A) Three members who will represent the National Academies of Sciences, Engineering, and Medicine.

"(B) Members selected from among individuals who will represent the views of ocean industries, State, tribal, territorial or local governments, academia, and such other views as the Co-chairs consider appropriate.

"(C) Members selected from among individuals eminent in the fields of marine science, marine technology, and marine policy, or related fields.

"(2) The Committee shall ensure that an appropriate balance of academic, scientific, industry, and geographical interests and gender and racial diversity are represented by the members of the Advisory Panel.

"(b) RESPONSIBILITIES.—The Committee shall assign the following responsibilities to the Advisory Panel:

"(1) To advise the Committee on policies and procedures to implement the National Oceanographic Partnership Program.

"(2) To advise the Committee on matters relating to national oceanographic science, engineering, facilities, or resource requirements.

"(3) To advise the Committee on improving diversity, equity, and inclusion in the ocean sciences and related fields.

"(4) To advise the Committee on national ocean research priorities.

"(5) Any additional responsibilities that the Committee considers appropriate.

"(6) To meet no fewer than two times a year.

"(c) ADMINISTRATIVE AND TECHNICAL SUPPORT.—The Administrator of the National Oceanic and Atmos-

pheric Administration shall provide such administrative and technical support as the Ocean Research Advisory Panel may require.

''(d) FEDERAL ADVISORY COMMITTEE ACT.—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Ocean Research Advisory Panel appointed under section 8933.''.

SEC. 1745. REQUIREMENTS RELATING TO PROGRAM AND PROJECT MANAGEMENT.

(a) STANDARDS FOR PROGRAM AND PROJECT MANAGEMENT.—Section 503(c)(1)(D) of title 31, United States Code, is amended by striking ''consistent with widely accepted standards'' and inserting ''in accordance with standards accredited by the American National Standards Institute''.

(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS AND PROGRAM MANAGEMENT POLICY COUNCIL.—Section 1126 of title 31, United States Code, is amended—

(1) in subsection (a)(1), by inserting after ''senior executive of the agency'' the following: '', who has significant program and project management oversight responsibilities,''; and

(2) in subsection (b)(4) by striking ''twice'' and inserting ''four times''.

SEC. 1746. QUARTERLY BRIEFINGS ON JOINT ALL DOMAIN COMMAND AND CONTROL CONCEPT.

(a) IN GENERAL.—During the period beginning on October 1, 2020, and ending on October 1, 2022, the Director of the Joint All Domain Command and Control (in this section referred to as ''JADC2'') Cross Functional Team (in this section referred to as ''CFT''), in consultation with the Vice Chairman of the Joint Chiefs of Staff and Chief Information Officer of the Department of Defense, shall provide to the Committee on Armed Services of the House of Representatives quarterly briefings on the progress of the Department's Joint All Domain Command and Control concept.

(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the JADC2 concept, the following elements:

(1) The status of the joint concept of command and control.

(2) How the JADC2 CFT is identifying gaps and addressing validated requirements based on the joint concept of command and control.

(3) Progress in developing specific plans to evaluate and implement materiel and non-materiel improvements to command and control capabilities.

(4) Clarification on distribution of responsibilities and authorities within the CFT and the Office

of the Secretary of Defense with respect to JADC2, and how the CFT and the Office of the Secretary of Defense are synchronizing and aligning with joint and military concepts, solutions, experimentation, and exercises.

(5) The status of and review of any recommendations for resource allocation necessary to achieve operational JADC2.

(6) A sufficiency assessment of planned funding across the future years defense program for the development of JADC2 capabilities.

SEC. 1747. RESOURCES TO IMPLEMENT A DEPARTMENT OF DEFENSE POLICY ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.

(a) RESOURCES TO IMPLEMENT DEPARTMENT OF DEFENSE POLICY ON CIVILIAN CASUALTIES IN CONNECTION WITH UNITED STATES MILITARY OPERATIONS.—

(1) PURPOSE.—The purpose of this section is to facilitate fulfillment of the requirements in section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note).

(2) PERSONNEL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall do the following:

(A) Add to, and assign within, each of the United States Central Command, the United States Africa Command, the United States Special Operations Command, the United States European Command, the United States Southern Command, the United States Indo-Pacific Command, and the United States Northern Command not fewer than two personnel who shall have primary responsibility for the following in connection with military operations undertaken by such command:

(i) Providing guidance and oversight relating to prevention of and response to civilian casualties, promotion of observance of human rights, and the protection of civilians and civilian infrastructure.

(ii) Overseeing civilian casualty response functions on behalf of the commander of such command.

(iii) Receiving reports of civilian casualties and conduct of civilian casualty assessments.

(iv) Analyzing civilian casualty incidents and trends.

(v) Offering condolences for casualties, including ex gratia payments.

(vi) Ensuring the integration of activities relating to civilian casualty mitigation, protection of civilians, and promotion of observance of human rights in security cooperation activities.

(vii) Consulting with non-governmental organizations on civilian casualty and human rights matters.

(B) Add to, and assign within, the Office of the Under Secretary for Policy not fewer than two personnel who shall have primary responsibility for implementing and overseeing implementation by the components of the Department of Defense of Department policy on civilian casualties resulting from United States military operations.

(C) Add to, and assign within, the Joint Staff not fewer than two personnel who shall have primary responsibility for the following:

(i) Overseeing implementation by the components of the Department of Defense

of Department policy on civilian casualties resulting from United States military operations.

(ii) Developing and sharing in the implementation of such policy.

(iii) Communicating operational guidance on such policy.

(3) TRAINING, SOFTWARE, AND OTHER REQUIREMENTS.—

(A) IN GENERAL.—In each of fiscal years 2021 through 2023, the Secretary of Defense and each Secretary of a military department may obligate and expend, from amounts specified in subparagraph (B), not more than $5,000,000 for the following:

(i) Training related to civilian casualty mitigation and response.

(ii) Information technology equipment, support and maintenance, and data storage, in order to implement the policy of the Department related relating to civilian casualties resulting from United States military operations as required by section 936 of the John S. McCain National De-

fense Authorization Act for Fiscal Year 2019.

(B) FUNDS.—The funds for a fiscal year specified in this subparagraph are funds as follows:

(i) In the case of the Secretary of Defense, amounts authorized to be appropriated for such fiscal year for operation and maintenance, Defense-wide.

(ii) In the case of a Secretary of a military department, amounts authorized to be appropriated for such fiscal year for operation and maintenance for the components of the Armed Forces under the jurisdiction of such Secretary.

(b) UNITED STATES MILITARY OPERATIONS DEFINED.—In this section, the term ''United States military operations'' includes any mission, strike, engagement, raid, or incident involving United States Armed Forces.

SEC. 1748. SENSE OF CONGRESS REGARDING REPORTING OF CIVILIAN CASUALTIES RESULTING FROM UNITED STATES MILITARY OPERATIONS.

It is the sense of Congress—

(1) to commend the Department of Defense for the measures it has implemented and is currently

implementing to prevent, mitigate, track, investigate, learn from, respond to, and report civilian casualties resulting from United States military operations; and

(2) to agree with the Department that civilian casualties are a tragic and unavoidable part of war, and to recognize that the Department endeavors to conduct all military operations in compliance with the international law of armed conflict and the laws of the United States, including distinction, proportionality, and the requirement to take feasible precautions in planning and conducting operations to reduce the risk of harm to civilians and other protected persons and objects; and the protection of civilians and other protected persons and objects, in addition to a legal obligation and a strategic interest, is a moral and ethical imperative; that the Department has submitted to Congress three successive annual reports on civilian casualties resulting from United States military operations for calendar years 2017, 2018, and 2019, and has updated reports as appropriate; and to recognize the efforts of the Department, both in policy and in practice, to reduce the harm to civilians and other protected persons and objects resulting from United States military

operations, and to encourage the Department to make additional progress in—

(A) developing at all combatant commands personnel and offices responsible for advising the commanders of such commands, and integrating into command strategy, the promotion of observance of human rights and the protection of civilians and other protected persons and objects;

(B) finalizing and implementing the policy of the Department relating to civilian casualties resulting from United States military operations, as required by section 936 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 134 note);

(C) finalizing Department-wide regulations to implement section 1213 of the National Defense Authorization for Fiscal Year 2020 (Public Law 116–92) for ex gratia payments for damage, personal injury, or death that is incident to the use of force by the United States Armed Forces, a coalition that includes the United States, a military organization supporting the United States, or a military organi-

zation supporting the United States or such coalition; and

(D) professionalizing foreign partner forces to reduce civilian casualties, including in connection with train and equip programs, advise, assist, accompany, and enable missions, and fully combined and coalition operations.

SEC. 1749. PROHIBITION OF PUBLIC DISPLAY OF CONFEDERATE BATTLE FLAG ON DEPARTMENT OF DEFENSE PROPERTY.

(a) PROHIBITION.—Except as provided in subsection (b) the Secretary of Defense shall prohibit the public display of the Confederate battle flag at all Department of Defense property.

(b) EXCEPTIONS.—The prohibition under subsection (a) shall not apply to—

(1) a museum located on a Department of Defense installation that addresses the Civil War from a historical or educational perspective;

(2) an educational or historical display depicting a Civil War battle in which the Confederate battle flag is present, but not the main focus of the display;

(3) a State flag that incorporates the Confederate battle flag;

(4) a State-issued license plate with a depiction of the Confederate battle flag; or

(5) a grave site of a Confederate soldier.

(c) DEFINITIONS.—In this section:

(1) The term ''Confederate battle flag'' means the battle flag carried by Confederate armies during the Civil War.

(2) The term ''Department of Defense property'' means all installations, workplaces, common-access areas, and public areas of the Department of Defense, including—

(A) office buildings, facilities, naval vessels, aircraft, Government vehicles, hangars, ready rooms, conference rooms, individual offices, cubicles, storage rooms, tool and equipment rooms, workshops, break rooms, galleys, recreational areas, commissaries, Navy and Marine Corps exchanges, and heads;

(B) sensitive compartmented information facilities and other secure facilities;

(C) open-bay barracks and common areas of barracks and living quarters;

(D) all Department of Defense school houses and training facilities including, officer

candidate school, the basic school, recruit training command, and recruiting offices;

(E) all areas of the Department of Defense in public or plain view, including outside areas, work office buildings, stores, or barracks, including parking lots;

(F) the front yard or external porch of Government-owned and Government-operated housing and public-private venture housing; and

(G) automobile bumper stickers, clothing, and other apparel that is located on or in any installation, workplace, common-access area, or public area of the Department of Defense.

SEC. 1750. DEPLOYMENT OF REAL-TIME STATUS OF SPECIAL USE AIRSPACE.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration, in consultation, as appropriate, with the Secretary of Defense and the heads of the military services, including the National Guard and Air National Guard, and other appropriate Federal agencies, shall initiate, not later than 180 days after the date of enactment of this Act, a program to enable public dissemination of information on—

(1) the real-time status of the activation or deactivation of military operations areas and restricted areas; and

(2) the reports submitted to the Administrator pursuant to section 73.19 of title 14, Code of Federal Regulations.

(b) STATUS REPORT.—

(1) IN GENERAL.—Not later than one year after the Administrator initiates the program required under subsection (a), and every year thereafter until such program is complete, the Administrator shall submit a status report to the appropriate committees of Congress on the implementation of such program.

(2) CONTENTS.—The report required under paragraph (1) shall contain, at a minimum—

(A) an update on the progress of the Administrator in modifying policies, systems, or equipment that may be necessary to enable the public dissemination of information on the real-time status of the activation or deactivation of military operations areas and restricted areas;

(B) a description of any challenges to completing the program initiated pursuant to subsection (a), including challenges in—

(i) receiving the timely and complete submissions of data concerning airspace usage;

(ii) modifying policies; and

(iii) acquiring necessary systems or equipment; and

(C) a timeline of the anticipated completion of the program and the modifications described in subparagraph (A).

(c) UTILIZATION REPORTS.—Not later than 180 days after the date of enactment of this Act, the Secretary of Defense shall submit a report to the appropriate committees of Congress—

(1) describing whether the Department of Defense has submitted the utilization reports required under section 73.19 of title 14, Code of Federal Regulations for the prior fiscal year, and, if so, to what extent such reports have been submitted; and

(2) providing, if the Secretary discovers that all such reports have not been submitted in a timely and complete manner—

(A) an explanation for the failure to submit any such reports in the manner prescribed by regulation; and

(B) a plan to ensure the timely and complete submission of all such reports.

(d) POLICIES.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit a report to the appropriate committees of Congress on special use airspace, including a review of the Federal Aviation Administration's—

(1) policies and processes for establishing, reviewing, and revoking military operations areas and restricted areas; and

(2) administration, including release of, underutilized special use airspace.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(2) The term ''underutilized'', with respect to a military operations area or restricted area, means such an area determined by the Administrator of the Federal Aviation Administrator to have had, during

the two most recent consecutive fiscal years prior to the date of enactment of this Act, the number of hours actually utilized be less than 75 percent of the number of hours the area was activated, discounted for weather cancellations and delays, loss of use for reasons beyond the control of the Federal agency using the area, and other factors determined appropriate by the Administrator.

SEC. 1751. DUTIES OF SECRETARY UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.

(a) ENSURING ABILITY OF ABSENT UNIFORMED SERVICES VOTERS SERVING AT DIPLOMATIC AND CONSULAR POSTS TO RECEIVE AND TRANSMIT BALLOTING MATERIALS.—In carrying out the Secretary's duties as the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.), the Secretary shall take such actions as may be necessary to ensure that an absent uniformed services voter under such Act who is absent from the United States by reason of active duty or service at a diplomatic and consular post of the United States is able to receive and transmit balloting materials in the same manner and with the same rights and protections as an absent uniformed services voter under such Act who is absent from the

United States by reason of active duty or service at a military installation.

(b) EFFECTIVE DATE.—This section shall apply with respect to elections held on or after the date of the enactment of this Act.

SEC. 1752. PUBLICLY AVAILABLE DATABASE OF CASUALTIES OF MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—The Secretary of Defense shall publish on an appropriate publicly available website of the Department of Defense a database of all casualties of members of the Armed Forces of the United States that occur during military operations that take place during 1990 or any subsequent year.

(b) REQUIREMENTS.—The Secretary shall ensure that the database published under subsection (a) has the following capabilities:

(1) The capability of generating a machine readable report, to the extent practicable, through searches based on each, and any combination, of the casualty attributes.

(2) The capability of downloading individual records as the result of a search based on each, and any combination, of the casualty attributes.

(c) NEXT-OF-KIN OPT OUT.—The Secretary shall develop a mechanism under which the next-of-kin (as deter-

mined by the Secretary) of any individual whose information would be included in the database required under subsection (a) may elect to have such information excluded from the database.

(d) CASUALTY ATTRIBUTES.—In this section, the term ''casualty attributes'' means each of the following with respect to the casualty of a member of the Armed Forces:

(1) The conflict in which the casualty occurred.

(2) The country where the casualty occurred.

(3) The attributes of the member of the Armed Forces, including—

(A) service;

(B) component;

(C) name;

(D) rank;

(E) date of death; and

(F) any other information as determined by the Secretary.

SEC. 1753. NOTICE AND COMMENT FOR PROPOSED ACTIONS OF THE SECRETARY OF DEFENSE RELATING TO FOOD AND BEVERAGE INGREDIENTS.

(a) NOTICE AND COMMENT.—Before promulgating any service-wide or Department-wide final rule, statement,

or determination relating to the limitation or prohibition of an ingredient in a food or beverage item provided to members of the Armed Forces by the Department of Defense (including an item provided through a commissary store, a dining facility on a military installation, or a military medical treatment facility), the Secretary of Defense shall—

(1) publish in the Federal Register a notice of the proposed rule, statement, or determination (in this section referred to as a ''proposed action''); and

(2) provide interested persons an opportunity to submit public comments with respect to the proposed action.

(b) MATTERS TO BE INCLUDED IN NOTICE.—The Secretary shall include in any notice published under subsection (a)(2) the following:

(1) A summary of the notice.

(2) The date of publication of the notice.

(3) The contact information for the office of the Department of Defense responsible for the proposed action.

(4) The deadline for comments to be submitted with respect to the proposed action and a description of the method to submit such comments.

(5) A description of the proposed action.

(6) Findings and a statement of reason supporting the proposed action.

(c) WAIVER AUTHORITY.—The Director of the Defense Logistics Agency may waive subsections (a) and (b) if the Director determines such waiver is necessary for military operations or for the response to a national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.), a medical emergency, or a pandemic.

(d) REPORTS.—

(1) REPORTS.—On a quarterly basis, the Director of the Defense Logistics Agency shall submit to the congressional defense committees a report containing an identification of any waiver under subsection (c) issued or in effect during the quarter preceding submission of the report.

(2) MATTERS.—A report under paragraph (1) shall include, with respect to each waiver identified, the following:

(A) The date, time, and location of the issuance of such waiver.

(B) A detailed justification for the issuance of such waiver.

(C) An identification of the rule, statement, or determination for which the Director

issued such waiver, including the proposed duration of such rule, statement, or determination.

SEC. 1754. SPACE STRATEGIES AND ASSESSMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should support activities in space by—

(1) ensuring robust, innovative, and increasingly capable civil and national security space programs;

(2) supporting effective and stable space partnerships with allies of the United States;

(3) leveraging, to the greatest extent practicable and appropriate, commercial space capabilities; and

(4) ensuring freedom of navigation and providing measures to assure the supply chain related to such space assets and manufacturing processes of such assets.

(b) STRATEGY REQUIRED.—Not later than 270 days after the date of the enactment of this Act, the President, in consultation with the National Space Council, shall develop and maintain a strategy to ensure that the United States, as appropriate, strengthens civil and national security capabilities and operations in space through—

(1) challenging and inspiring civil space goals and programs;

(2) partnerships with allies of the United States;

(3) leveraging of commercial space capabilities;

(4) ensuring supply chain and manufacturing processes for space assets;

(5) sustaining a highly skilled, world-class workforce; and

(6) considering the financial security and cybersecurity concerns threatening commercial and Federal Government launch sites of the United States.

(c) SUBMISSION OF STRATEGY AND PLAN.—Not later than one year after the date of the enactment of this Act, the Chair of the National Space Council, in consultation with relevant departments and agencies of the Federal Government, shall submit to the appropriate congressional committees a report setting forth—

(1) the strategy under subsection (b); and

(2) a plan to implement the strategy, including to—

(A) ensure the freedom of navigation of space assets and protect the supply chain relating to such assets and manufacturing process of such assets from threats from the People's Re-

public of China and the Russian Federation, which may include protection from intellectual property theft and threats with respect to electronic warfare capabilities;

(B) identify capabilities required to ensure civil and national security space leadership;

(C) provide contingency and resiliency for civil and national security space operations; and

(D) strengthen relations with the allies of the United States with respect to space.

(d) ASSESSMENT AND REPORT.—

(1) ASSESSMENT AND REPORT REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration, shall submit to the appropriate congressional committees a report that includes—

(A) an assessment of the capabilities and role of relevant departments and agencies of the Federal Government to—

(i) ensure access to launch, communications, and freedom of navigation and other relevant infrastructure and services

for civil and national security space programs and activities; and

(ii) identify vulnerabilities that could affect access to space infrastructure; and

(iii) address financial security and cybersecurity concerns threatening commercial and Federal Government launch sites of the United States; and

(B) recommendations and costs to improve the capabilities assessed pursuant to subparagraph (A), including recommendations with respect to—

(i) the electronic warfare capabilities of China and Russia; and

(ii) the use of counterspace weapons and cyber attacks by China and Russia.

(2) FORM.—The report under paragraph (1) may include a classified annex.

(e) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services of the House of Representatives;

(B) the Committee on Science, Space, and Technology of the House of Representatives;

(C) the Committee on Foreign Affairs of the House of Representatives;

(D) the Committee on Energy and Commerce of the House of Representatives;

(E) the Committee on Armed Services of the Senate;

(F) the Committee on Foreign Relations of the Senate; and

(G) the Committee on Commerce, Science, and Transportation of the Senate.

(2) The term ''launch site'' has the meaning given that term under section 50902 of title 51, United States Code.

SEC. 1755. NONIMMIGRANT STATUS FOR CERTAIN NATIONALS OF PORTUGAL.

For purposes of clauses (i) and (ii) of section 101(a)(15)(E) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(E)), Portugal shall be considered to be a foreign state described in such section if the Government of Portugal provides similar nonimmigrant status to nationals of the United States.

SEC. 1756. SENSE OF CONGRESS ON EXTENSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

It is the sense of Congress that—

(1) a secure nuclear fuel supply chain is essential to the economic and national security of the United States;

(2) the Government of the Russian Federation uses its control over energy resources, including in the civil nuclear sector, to exert political influence and create economic dependency in other countries;

(3) the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation (commonly referred to as the ''Russian Suspension Agreement''), which limits imports of Russian uranium to 20 percent of the market share, is vital to averting American dependence on Russian energy;

(4) the United States should—

(A) expeditiously complete negotiation of an extension of the Russian Suspension Agreement to cap the market share for Russian uranium at 20 percent or lower; or

(B) if an agreement to extend the Russian Suspension Agreement cannot be reached, complete the antidumping investigation under title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) with respect to imports of uranium from the Russian Federation—

(i) to avoid unfair trade in uranium and maintain a nuclear fuel supply chain in the United States, consistent with the national security and nonproliferation goals of the United States; and

(ii) to protect the United States nuclear fuel supply chain from the continued manipulation of the global and United States uranium markets by the Russian Federation and Russian-influenced competitors;

(5) a renegotiated, long-term extension of the Russian Suspension Agreement can prevent adversaries of the United States from monopolizing the nuclear fuel supply chain;

(6) as was done in 2008, upon completion of a new negotiated long-term extension of the Russian Suspension Agreement, Congress should enact legislation to codify the terms of extension into law to ensure long-term stability for the domestic nuclear fuel supply chain; and

(7) if the negotiations to extend the Russian Suspension Agreement prove unsuccessful, Congress should be prepared to enact legislation to prevent the manipulation by the Russian Federation of glob-

al uranium markets and potential domination by the Russian Federation of the United States uranium market.

SEC. 1757. AUTHORITY TO ESTABLISH A MOVEMENT COORDINATION CENTER PACIFIC IN THE INDOPACIFIC REGION.

(a) AUTHORITY TO ESTABLISH.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may authorize—

(A) the establishment of a Movement Coordination Center Pacific (in this section referred to as the ''Center''); and

(B) participation of the Department of Defense in an Air Transport and Air-to-Air refueling and other Exchanges of Services program (in this section referred to as the ''ATARES program'') of the Center.

(2) SCOPE OF PARTICIPATION.—Participation in the ATARES program under paragraph (1)(B) shall be limited to the reciprocal exchange or transfer of air transportation and air refueling services on a reimbursable basis or by replacement-in-kind or the exchange of air transportation or air refueling services of an equal value with foreign militaries.

(3) LIMITATIONS.—The Department of Defense's balance of executed transportation hours, whether as credits or debits, in participation in the ATARES program under paragraph (1)(B) may not exceed 500 hours. The Department of Defense's balance of executed flight hours for air refueling in the ATARES program under paragraph (1)(B) may not exceed 200 hours.

(b) WRITTEN ARRANGEMENT OR AGREEMENT.—

(1) ARRANGEMENT OR AGREEMENT REQUIRED.—The participation of the Department of Defense in the ATARES or exchange like program under subsection (a) shall be in accordance with a written arrangement or agreement entered into by the Secretary of Defense, with the concurrence of the Secretary of State.

(2) FUNDING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support the ATARES program, the written arrangement or agreement under paragraph (1) shall specify the details of any equitable cost-sharing or other funding arrangement.

(3) OTHER ELEMENTS.—Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits and liabilities

resulting from an unequal exchange or transfer of air transportation or air refueling services shall be liquidated, not less than once every five years, through the ATARES program.

(c) IMPLEMENTATION.—In carrying out any written arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

(1) pay the Department of Defense's equitable share of the operating expenses of the Center and the ATARES program from funds available to the Department of Defense for operation and maintenance; and

(2) assign members of the Armed Forces or Department of Defense civilian personnel, within billets authorized for the United States Indo-Pacific Command, to duty at the Center as necessary to fulfill the Department of Defense obligations under that arrangement or agreement.

(d) REPORT.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report that contains—

(1) a summary of the coordination structure of the center and program, and details related to its formation and implementation;

(2) list of the military services, by country, participating or seeking to participate in the program;

(3) for each country on the list under paragraph (2), a description of completed agreements and those still to be completed with host nations, as applicable; and

(4) any other relevant matters that the Secretary determines should be included.

SEC. 1758. ESTABLISHMENT OF VETTING PROCEDURES AND MONITORING REQUIREMENTS FOR CERTAIN MILITARY TRAINING.

(a) ESTABLISHMENT OF VETTING PROCEDURES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall establish procedures to vet covered individuals for eligibility for physical access to Department of Defense installations and facilities within the United States.

(2) CRITERIA FOR PROCEDURES.—The procedures established under paragraph (1) shall include biographic and biometric screening of covered individuals, continuous review of whether covered individuals should continue to be authorized for physical access, biographic checks of the immediate family members of covered individuals, and any other meas-

1 ures that the Secretary determines appropriate for
2 vetting.
3 (3) COLLECTION OF INFORMATION.—The Sec-
4 retary shall—
5 (A) collect the information required to vet
6 individuals under the procedures established
7 under this subsection;
8 (B) as required for the effective implemen-
9 tation of this section, seek to enter into agree-
10 ments with the relevant departments and agen-
11 cies of the United States to facilitate the shar-
12 ing of information in the possession of such de-
13 partments and agencies concerning covered in-
14 dividuals; and
15 (C) ensure that the initial vetting of cov-
16 ered individuals is conducted as early and
17 promptly as practicable, to minimize disruptions
18 to United States programs to train foreign mili-
19 tary students.
20 (b) DETERMINATION AUTHORITY.—
21 (1) REVIEW OF VETTING RESULTS.—The Sec-
22 retary shall assign to an organization within the De-
23 partment with responsibility for security and coun-
24 terintelligence the responsibility of—

(A) reviewing the results of the vetting of a covered individual conducted under subsection (a); and

(B) making a recommendation regarding whether such individual should be given physical access to a Department of Defense installation or facility.

(2) NEGATIVE RECOMMENDATION.—If the recommendation with respect to a covered individual under paragraph (1)(B) is that the individual should not be given physical access to a Department of Defense installation or facility—

(A) such individual may only be given such access if such access is authorized by the Secretary of Defense or the Deputy Secretary of Defense; and

(B) the Secretary of Defense shall ensure that the Secretary of State is promptly provided with notification of such recommendation.

(c) ADDITIONAL SECURITY MEASURES.—

(1) SECURITY MEASURES REQUIRED.—The Secretary of Defense shall ensure that—

(A) all Department of Defense common access cards issued to foreign nationals in the United States comply with the credentialing

standards issued by the Office of Personnel Management;

(B) all such common access cards issued to foreign nationals in the United States include a visual indicator as required by the standard developed by the Department of Commerce National Institute of Standards and Technology;

(C) physical access by covered individuals is limited, as appropriate, to those Department of Defense installations or facilities within the United States directly associated with the training or education or necessary for such individuals to access authorized benefits;

(D) a policy is in place covering possession of firearms on Department of Defense property by covered individuals;

(E) covered individuals who have been granted physical access to Department of Defense installations and facilities are incorporated into the Insider Threat Program of the Department of Defense; and

(F) covered individuals are prohibited from transporting, possessing, storing, or using personally owned firearms on Department of Defense installations or property consistent with

the Secretary of Defense policy memorandum dated January 16, 2020.

(2) EFFECTIVE DATE.—The security measures required under paragraph (1) shall take effect on the date that is 181 days after the date of the enactment of this Act.

(3) NOTIFICATION REQUIRED.—Upon the establishment of the security measures required under paragraph (1), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives notice of the establishment of such security measures.

(d) REPORTING REQUIREMENTS.—

(1) BRIEFING REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committees on Armed Services and Foreign Affairs of the House of Representative a briefing on the establishment of any policy or guidance related to the implementation of this section.

(2) REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary of Defense shall submit to such committees a report

on the implementation and effects of this section. Such report shall include a description of—

(A) any positive or negative effects on the training of foreign military students as a result of this section;

(B) the effectiveness of the vetting procedures implemented pursuant to this section in preventing harm to members of the Armed Forces and United States persons;

(C) any mitigation strategies used to address any negative effects of the implementation of this section; and

(D) a proposed plan to mitigate any ongoing negative effects to the vetting and training of foreign military students by the Department of Defense.

(e) DEFINITIONS.—In this section:

(1) The term ''covered individual'' means any foreign national (except foreign nationals of Australia, Canada, New Zealand, and the United Kingdom who have been granted a security clearance that is reciprocally accepted by the United States for access to classified information) who—

(A) is seeking physical access to a Department of Defense installation or facility within the United States; and

(B) is—

(i) selected, nominated, or accepted for training or education for a period of more than 14 days occurring on a Department of Defense installation or facility within the United States; or

(ii) an immediate family member accompanying any foreign national who has been selected, nominated, or accepted for such training or education.

(2) The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and Guam.

(3) The term ''immediate family member'' with respect to any individual means the parent, step-parent, sibling, step-sibling, half-sibling, child, or step-child of the individual.

SEC. 1759. WOMEN, PEACE, AND SECURITY ACT IMPLEMENTATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that $15,000,000 annually is an appropriate allocation of funding to be made available for activities con-

sistent with the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202) and with any guidance specified in this section, in order to fully implement such Act and in furtherance of the national security priorities of the United States.

(b) IN GENERAL.—During the period beginning on the date of the enactment of this Act and ending on September 30, 2025, the Secretary of Defense shall carry out activities consistent with the Women, Peace, and Security Act of 2017 and with the guidance specified in this section, including by carrying out—

(1) any Defense-wide directives and programs that advance the implementation of the Women, Peace, and Security Act of 2017, including directives relating to military doctrine, programs that are applicable across the Department, and programs that are specific to a combatant command;

(2) the hiring and training of full-time equivalent personnel as gender advisors of the Department;

(3) the integration of gender analysis into training for military personnel across ranks, to include special emphasis on senior level training and support for women, peace, and security; and

(4) security cooperation activities that further implement the Women, Peace, and Security Act of 2017.

(c) SECURITY COOPERATION ACTIVITIES.—Consistent with the Women, Peace, and Security Act of 2017, the Secretary of Defense, in coordination with the Secretary of State, shall incorporate gender analysis and participation by women into security cooperation activities conducted with the national security forces of foreign countries pursuant to subsection (b)(4), including by—

(1) incorporating gender analysis (including data disaggregated by sex) and priorities for women, peace, and security into educational, training, and capacity-building materials and programs, including as authorized by section 333 of title 10, United States Code;

(2) advancing and advising on the recruitment, employment, development, retention, and promotion of women in the national security forces of such foreign countries, including by—

(A) identifying available military career opportunities for women;

(B) promoting such career opportunities among women and girls;

(C) promoting the skills necessary for such careers;

(D) encouraging the interest of women and girls in such careers, including by highlighting as role models women in such careers in the United States or in applicable foreign countries; and

(E) advising on best practices to prevent the harassment and abuse of women serving in the national security forces of such foreign countries;

(3) incorporating training and advising to address sexual harassment and abuse against women within such national security forces;

(4) integrating gender analysis into policy and planning; and

(5) ensuring any infrastructure constructed pursuant to the security cooperation activity addresses the requirements of women serving in such national security forces, including by addressing appropriate equipment.

(d) PARTNER COUNTRY ASSESSMENTS.—The Secretary of Defense shall include in any partner country assessment conducted in the course of carrying out security cooperation activities specified in subsection (b)(4) consid-

eration of any barriers or opportunities with respect to women in the national security forces of such partner countries, including any barriers or opportunities relating to—

(1) protections against exploitation, abuse, and harassment; or

(2) recruitment, employment, development, retention, or promotion of the women.

(e) STANDARDIZATION OF POLICIES.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall initiate a process to standardize policies relating to women, peace, and security across the Department of Defense.

(2) ROLES, RESPONSIBILITIES, AND REQUIREMENTS.—In carrying out the process initiated under paragraph (1), the Secretary shall establish roles, responsibilities, and requirements for gender advisors, gender focal points, and women, peace, and security subject matter experts, including with respect to commander and senior official-level engagement and support for women, peace, and security commitments.

(f) DEPARTMENT EDUCATION, AND TRAINING.—The Secretary of Defense shall—

(1) integrate gender analysis into relevant training for all members of the Armed Forces and civilian employees of the Department of Defense;

(2) develop standardized training, across the Department, for gender advisors, gender focal points, and women, peace, and security subject matter experts; and

(3) ensure that gender analysis and the meaningful participation of women and their relationship to security outcomes is addressed in professional military education curriculum.

(g) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Director of the Defense Security Cooperation Agency shall provide a briefing to the appropriate committees of Congress on the efforts to build partner defense institution and security force capacity pursuant to this section.

(h) REPORTS.—During the period beginning on the date of the enactment and ending on January 1, 2025, on a basis that is not less frequently than annually, the Secretary of Defense shall submit to the appropriate committees of Congress reports on the steps the Department has taken to implement the Women, Peace, and Security Act of 2017, including with respect to activities carried out under this section.

(i) DEFINITIONS.—In this section:

(1) The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives; and

(B) the Committee on Armed Services and the Committee on Foreign Relations of the Senate.

(2) The term ''gender analysis'' has the meaning given that term in the Women's Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428; 132 Stat. 5509).

SEC. 1760. DEVELOPING CRISIS CAPABILITIES TO MEET NEEDS FOR HOMELAND SECURITY-CRITICAL SUPPLIES.

(a) IN GENERAL.—The Secretary of Homeland Security shall coordinate with the Secretary of Health and Human Services, the Administrator of the Environmental Protection Agency, and the heads of other relevant Federal departments and agencies—

(1) to identify categories of homeland security-critical supplies that would be needed to address potential national emergencies or disasters, including any public health emergency, act of terrorism (as de-

fined in section 3077 of title 18, United States Code), cyber attack, and other attack;

(2) to develop plans, designs, and guidance relating to the production, in accordance with other applicable law, of the categories of homeland security-critical supplies identified pursuant to paragraph (1) to address the respective national emergencies and disasters, including such production by nontraditional manufacturers; and

(3) based on such final plans, designs, and guidance, to enter into such contingent arrangements with governmental and private entities, in accordance with other applicable law, as may be necessary to expedite the production of homeland security-critical supplies in the event of a national emergency or disaster.

(b) PROCESS.—In coordinating the development or revision of a plan, design, or guidance with respect to any homeland security-critical supply under this section:

(1) The Secretary of Homeland Security shall give each Federal department or agency with responsibility for regulating the supply an opportunity—

(A) to contribute to the development or revision of the plan, design, or guidance; and

(B) to approve or disapprove the plan, design, or guidance under regulations appropriate to approving the supply for emergency or disaster use.

(2) If a Federal department or agency with responsibility for regulating the homeland security-critical supply disapproves of the plan, design, or guidance with respect to the supply, the head of the disapproving department or agency shall provide to the Secretary of Homeland Security the rationale for the disapproval.

(3) The Secretary of Homeland Security may—

(A) if no Federal department or agency disapproves a plan, design, or guidance as described in paragraphs (1)(B) and (2), finalize the plan, design, or guidance for purposes of subsections (a)(3) and (c); and

(B) if a Federal department or agency does disapprove a plan, design, or guidance as described in paragraphs (1)(B) and (2), provide an updated plan, design, or guidance for review and approval or disapproval in accordance with paragraphs (1) and (2).

(c) PUBLIC POSTING.—The Secretary of Homeland Security shall publish each final plan, design, or guidance

that is developed under this section on a public Internet website, except that the Secretary may withhold publication of, or redact information from the publication of, a plan, design, or guidance if—

(1) publicly posting the information would not be in the interest of homeland security;

(2) the information is protected from public disclosure by other applicable law; or

(3) the information is protected from public disclosure by contract.

(d) RELATION TO OTHER LAW.—Nothing in this section shall be construed to expand, repeal, limit, or otherwise affect the provisions of other applicable law pertaining to the regulation of a homeland security-critical supply.

(e) BIENNIAL REVIEW.—Not less than every two years, in accordance with subsections (a) through (e), the Secretary of Homeland Security shall coordinate the review and, as needed, revision of each plan, design, and guidance in effect under this section.

(f) DEFINITION.—In this section:

(1) The term ''homeland security-critical supply''—

(A) means any supply needed to ensure public safety and welfare during—

(i) a national emergency or disaster, including any public health emergency, act of terrorism (as defined in section 3077 of title 18, United States Code), cyber attack, and other attack; or

(ii) any other reasonably foreseeable contingency of grave consequence to the United States during which shortages are reasonably anticipated; and

(B) includes a vaccine, a medication, medical equipment, and personal protective equipment.

(2) The term ''nontraditional manufacturer'' may include (as determined by the Secretary)—

(A) a home craftsperson;

(B) a distiller;

(C) a cosmetic manufacturer;

(D) a manufacturing facility primarily designed for an industry other than manufacturing homeland security-critical supplies;

(E) an institution of higher education;

(F) an advanced manufacturing facility;

(G) a machine shop; and

(H) a research laboratory.

SEC. 1761. ESTABLISHMENT OF WESTERN EMERGENCY REFINED PETROLEUM PRODUCTS RESERVE.

(a) ESTABLISHMENT.—The Secretary of Defense, acting through the Director of the Defense Logistics Agency, shall establish a reserve, to be known as the ''Western Emergency Refined Petroleum Products Reserve'' (in this section referred to as the ''Reserve''), to store refined petroleum products that may be made available to military and governmental entities during an emergency situation, as determined appropriate by the Secretary of Defense.

(b) USE OF RESERVE.—In accordance with subsection (a), the Secretary of Defense may make refined petroleum products stored in the Reserve available to other Federal agencies, State and local governments, and any other public entity determined appropriate by the Secretary of Defense.

(c) REIMBURSEMENT.—The Secretary of Defense shall require reimbursement for associated costs for storage capacity or refined petroleum products made available to other Federal agencies, State or local governments, or any other public entity pursuant to this section.

(d) LOCATION.—The Reserve shall—

(1) be located in the western region of the United States;

(2) utilize salt cavern storage; and

(3) be in immediate proximity to existing pipeline, rail, and highway infrastructure.

(e) CONDITION ON COMMENCEMENT.—Commencement of the program shall be subject to the availability of appropriations for the program.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2021''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2023; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2024.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2023; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2024 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 2003. EFFECTIVE DATE.

Titles XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2020; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alaska	Fort Wainwright	$91,500,000
Arizona	Yuma Proving Ground	$14,000,000
Colorado	Fort Carson	$28,000,000
Georgia	Fort Gillem	$71,000,000
	Fort Gordon	$80,000,000
Hawaii	Fort Shafter	$26,000,000
	Schofield Barracks	$39,000,000
	Wheeler Army Air Field	$89,000,000
Louisiana	Fort Polk	$25,000,000
Oklahoma	McAlester Army Ammunition Plant	$35,000,000
Virginia	Humphreys Engineer Center	$51,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition

and supporting facilities) at the installations, and in the amounts, set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Italy	Vicenza	Family Housing New Construction	$84,100,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction	$32,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $3,300,000.

SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Army as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost

of all projects carried out under section 2101 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2104. LIMITATION ON MILITARY CONSTRUCTION PROJECT AT KWAJALEIN ATOLL.

The Secretary of the Army may not commence the military construction project authorized by section 2101(b) at Kwajalein Atoll, as specified in the funding table in section 4601, and none of the funds authorized to be appropriated by this Act for that military construction project may be obligated or expended, until the Secretary submits to Committees on Armed Services of the House of Representatives and the Senate a design plan for the project that ensures that, upon completion of the project, the project will be resilient to 15 inches of sea level rise and periods of complete inundation and wave-overwash predicted during the 10-year period beginning on the date of the enactment of this Act.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

In the case of the authorization contained in the table in section 2102(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2689) for Camp Walker, Korea, for family housing new

construction, as specified in the funding table in section 4601 of such Act (130 Stat. 2883), the Secretary of the Army may construct an elevated walkway between two existing parking garages to connect children's playgrounds.

TITLE XXII—NAVY MILITARY CONSTRUCTION

SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Marine Corps Air Station Yuma	$99,600,000
California	Marine Corps Base Camp Pendleton	$68,530,000
	Naval Air Station Lemoore	$187,220,000
	Naval Base San Diego	$128,500,000
	Marine Corps Air Ground Combat Center Twentynine Palms	$76,500,000
Guam	Andersen Air Force Base	$21,280,000
	Joint Region Marianas	$546,550,000
Hawaii	Joint Base Pearl Harbor-Hickam	$114,900,000
Maine	Portsmouth Naval Shipyard	$715,000,000
Nevada	Fallon Range Training Complex	$29,040,000
Virginia	Naval Station Norfolk	$30,400,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropria-

tions in section 2203(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Bahrain Island	Naval Support Activity Bahrain	$68,340,000
Greece	Naval Support Activity Souda Bay	$50,180,000
Spain	Naval Station Rota	$60,110,000

SEC. 2202. FAMILY HOUSING AND IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) FAMILY HOUSING.—Using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Navy may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $5,854,000.

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2203(a) and available for military family housing functions as specified

in the funding table in section 4601, the Secretary of the Navy may improve existing military family housing units in an amount not to exceed $37,043,000.

SEC. 2203. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Navy, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2201 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military con-

1 struction projects inside the United States as specified in
2 the funding table in section 4601, the Secretary of the
3 Air Force may acquire real property and carry out mili-
4 tary construction projects for the installations or locations
5 inside the United States, and in the amounts, set forth
6 in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
California	Edwards Air Force Base	$40,000,000
Guam	Joint Region Marianas	$56,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$22,000,000
Texas	Joint Base San Antonio	$19,500,000
Virginia	Joint Base Langley-Eustis	$19,500,000

7 (b) OUTSIDE THE UNITED STATES.—Using amounts
8 appropriated pursuant to the authorization of appropria-
9 tions in section 2303(a) and available for military con-
10 struction projects outside the United States as specified
11 in the funding table in section 4601, the Secretary of the
12 Air Force may acquire real property and carry out mili-
13 tary construction projects for the installation or location
14 outside the United States, and in the amount, set forth
15 in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Qatar	Al Udeid	$26,000,000

SEC. 2302. FAMILY HOUSING AND IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

(a) FAMILY HOUSING.—Using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $2,969,000.

(b) IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.—Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2303(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $94,245,000.

SEC. 2303. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2304. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2018 PROJECT.

(a) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in the table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1826) for Royal Air Force Lakenheath, United Kingdom, for construction of a 2,384 square-meter Consolidated Corrosion Control Facility, as specified in the funding table in section 4601 of such Act (131 Stat. 2004), the Secretary of the Air Force may construct a 2,700 square-meter Consolidated Corrosion Control and Wash Rack Facility.

(b) MODIFICATION OF PROJECT AMOUNTS.—

(1) DIVISION B TABLE.—The authorization table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1826) is amended in the item re-

lating to Royal Air Force Lakenheath, United Kingdom, by striking ''$136,992,000'' and inserting ''$172,292,000'' to reflect the project modification made by subsection (a).

(2) DIVISION D TABLE.—The funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 2004) is amended in the item relating to Royal Air Force Lakenheath, Consolidated Corrosion Control Facility, by striking ''$20,000'' in the Conference Authorized column and inserting ''$55,300'' to reflect the project modification made by subsection (a).

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2019 PROJECTS.

(a) EIELSON AIR FORCE BASE, ALASKA.—In the case of the authorization contained in the table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246) for Eielson Air Force Base, Alaska, for construction of a F-35 CATM Range, as specified in the funding table in section 4601 of such Act (132 Stat. 2404), the Secretary of the Air Force may construct a 426 square-meter outdoor range with covered and heated firing lines.

(b) BARKSDALE AIR FORCE BASE, LOUISIANA.—

(1) MODIFICATION OF PROJECT AUTHORITY.—In the case of the authorization contained in table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2246) for Barksdale Air Force Base, Louisiana, for construction of an Entrance Road and Gate Complex the Secretary of the Air Force may construct a 190 square meter visitor control center, 44 square meter gate house, 124 square meter privately owned vehicle inspection facility, 338 square meter truck inspection facility and a 45 square meter gatehouse.

(2) PROJECT CONDITIONS.—The military construction project referred to in paragraph (1) shall be carried out consistent with the Unified Facilities Criteria relating to Entry Control Facilities and applicable construction guidelines of the Department of the Air Force. Construction in a flood plain is authorized, subject to the condition that the Secretary of the Air Force include appropriate mitigation measures.

(3) MODIFICATION OF PROJECT AMOUNTS.—

(A) DIVISION B TABLE.—The authorization table in section 2301(a) of the National Defense Authorization Act for Fiscal Year 2019

(Public Law 115–232; 132 Stat. 2246) is amended in the item relating to Barksdale Air Force Base, Louisiana, by striking ''$12,250,000'' and inserting ''$48,000,000'' to reflect the project modification made by paragraph (1).

(B) DIVISION D TABLE.—The funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2404) is amended in the item relating to Barksdale Air Force Base, Louisiana, by striking ''$12,250'' in the Conference Authorized column and inserting ''$48,000'' to reflect the project modification made by paragraph (1).

(c) ROYAL AIR FORCE LAKENHEATH, UNITED KINGDOM.—In the case of the authorization contained in the table in section 2301(b) of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2247) for Royal Air Force Lakenheath, United Kingdom, for construction of a 485 square-meter F-35A ADAL Conventional Munitions MX, as specified in the funding table of section 4601 of such Act (132 Stat. 2405), the Secretary of the Air Force may construct a 1,206 square-meter maintenance facility for such purpose.

(d) FORCE PROTECTION AND SAFETY.—The funding table in section 4601 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2406) is amended in the item relating to Force Protection and Safety under Military Construction, Air Force, by striking ''$35,000'' in the Conference Authorized column and inserting ''$50,000'' to reflect amounts appropriated for such purpose.

SEC. 2306. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECTS.

(a) TYNDALL AIR FORCE BASE, FLORIDA.—In the case of the authorizations contained in the table in section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913) for Tyndall Air Force Base, Florida—

(1) for construction of an Auxiliary Ground Equipment Facility, as specified in the funding table in section 4603 of such Act (133 Stat. 2103), the Secretary of the Air Force may construct up to 4,770 square meters of aircraft support equipment storage;

(2) for construction of Dorm Complex Phase 1, as specified in such funding table, the Secretary of the Air Force may construct up to 18,770 square meters of visiting quarters;

(3) for construction of Lodging Facilities Phase 1, as specified in such funding table, the Secretary of the Air Force may construct up to 12,471 meters of visiting quarters.

(4) for construction of an Operations Group/Maintenance Group HQ at the installation, as specified in such funding table, the Secretary of the Air Force may construct up to 3,420 square meters of headquarters;

(5) for construction of Ops/Aircraft Maintenance Unit/Hangar number 2 and Ops/Aircraft Maintenance Unit/Hangar number 3, as specified in such funding table, the Secretary of the Air Force may construct 2,127 square meters of squadron operations and 2,875 square meters of aircraft maintenance unit for each project;

(6) for construction of a Security Forces Mobility Storage Facility, as specified in such funding table, the Secretary of the Air Force may construct up to 930 square meters of equipment storage; and

(7) for construction of Site Development, Utilities, and Demolition Phase 2, as specified in such funding table, the Secretary of the Air Force may construct up to 7,000 meters of storm water piping,

box culverts, underground detention, and grading for surface detention.

(b) OFFUTT AIR FORCE BASE, NEBRASKA.—In the case of the authorizations contained in the table in section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913) for Offutt Air Force Base, Nebraska—

(1) for construction of an Emergency Power Microgrid, as specified in the funding table in section 4603 of such Act (133 Stat. 2104), the Secretary of the Air Force may construct seven 2.5-megawatt diesel engine generators, seven diesel exhaust fluid systems, 15-kV switchgear, two import/export inter-ties, five import-only inter-ties, and 800 square meters of switchgear facility;

(2) for construction of a Flightline Hangars Campus, as specified in such funding table, the Secretary of the Air Force may construct 445 square meter of petroleum operations center, 268 square meters of de-icing liquid storage, and 173 square meters of warehouse; and

(3) for construction of a Lake Campus, as specified in such funding table, the Secretary of the Air Force may construct 240 square meters of recreation complex and 270 square meters of storage;

(4) for construction of a Logistics Readiness Squadron Campus, as specified in such funding table, the Secretary of the Air Force may construct 2,536 square meters of warehouse; and

(5) for construction of a Security Campus, as specified in such funding table, the Secretary of the Air Force may construct 4,218 square meters of operations center and 1,343 square meters of military working dog kennel.

(c) JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In the case of the authorization contained in the table in section 2912(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1913) for Joint Base Langley-Eustis, Virginia, for construction of a Dormitory at the installation, as specified in the funding table in section 4603 of such Act (133 Stat. 2104), the Secretary of the Air Force may construct up to 6,720 square meters of dormitory.

SEC. 2307. TECHNICAL CORRECTIONS RELATED TO AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 FAMILY HOUSING PROJECTS.

(a) AUTHORIZATION OF OMITTED SPANGDAHLEM AIR BASE FAMILY HOUSING PROJECT.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) of the National Defense Author-

ization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1869) and available for military family housing functions, the Secretary of the Air Force may carry out the military family housing project at Spangdahlem Air Base, Germany, as specified in the funding table in section 4601 of such Act (133 Stat. 2099).

(b) CORRECTION OF AMOUNT AUTHORIZED FOR FAMILY HOUSING IMPROVEMENTS.—Section 2303 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1869) is amended by striking ''$53,584,000'' and inserting ''$46,638,000'' to reflect the amount specified in the funding table in section 4601 of such Act (133 Stat. 2099) for Construction Improvements under Family Housing Construction, Air Force.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military

1 construction projects for the installations or locations in-
2 side the United States, and in the amounts, set forth in
3 the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	$18,000,000
Alaska	Fort Greely	$48,000,000
Arizona	Fort Huachuca	$33,728,000
	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

4 (b) OUTSIDE THE UNITED STATES.—Using amounts
5 appropriated pursuant to the authorization of appropria-
6 tions in section 2403(a) and available for military con-
7 struction projects outside the United States as specified
8 in the funding table in section 4601, the Secretary of De-
9 fense may acquire real property and carry out military
10 construction projects for the installation or location out-
11 side the United States, and in the amount, set forth in
12 the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Japan	Defense Fuel Support Point Tsurumi	$49,500,000

SEC. 2402. AUTHORIZED ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Inside the United States

State	Installation or Location	Amount
Alabama	Fort Rucker	$24,000,000
Arkansas	Ebbing Air National Guard Base	$2,600,000
California	Marine Corps Air Ground Combat Center Twentynine Palms	$11,646,000
	Military Ocean Terminal Concord	$29,000,000
	Naval Support Activity Monterey	$10,540,000
	Naval Air Weapons Station China Lake	$8,950,000
District of Columbia	Joint Base Anacostia-Bolling	$44,313,000
Georgia	Fort Benning	$17,000,000
Maryland	Naval Support Activity Bethesda	$13,840,000
	Naval Support Activity South Potomac	$18,460,000
Missouri	Whiteman Air Force Base	$17,310,000
Nevada	Creech Air Force Base	$32,000,000
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

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section

4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installation or location outside the United States, and in the amount, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Italy	Naval Support Activity Naples	$3,490,000

SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE AGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. MILITARY CONSTRUCTION INFRASTRUCTURE AND WEAPON SYSTEM SYNCHRONIZATION FOR GROUND BASED STRATEGIC DETERRENT.

(a) AUTHORIZATION FOR PLANNING AND DESIGN.—Of the amounts authorized to be appropriated for research, development, test, and evaluation, Air Force, for fiscal year 2021, for the Ground Based Strategic Deterrent, as specified in the funding table in section 4201, the Secretary of the Air Force may use not more than $15,000,000 for the purpose of obtaining or carrying out necessary planning and construction design in connection with military construction projects and other infrastructure projects necessary to support the development and fielding of the Ground Based Strategic Deterrent weapon system.

(b) AIR FORCE PROJECT MANAGEMENT AND SUPERVISION.—Each contract entered into by the United States for a military construction project or other infrastructure project in connection with the development and fielding of the Ground Based Strategic Deterrence weapon system shall be carried out under the direction and supervision of the Secretary of the Air Force. The Secretary may utilize and consult with the Air Force Civil Engineer Center, the Army Corps of Engineers, and the Naval Facilities Engineering Command for subject matter expertise, con-

tracting capacity, and other support as determined to be necessary by the Secretary to carry out this section.

(c) USE OF SINGLE PRIME CONTRACTOR.—The Secretary of the Air Force may award contracts for planning and construction design and for military construction projects and other infrastructure projects authorized by law in connection with the development and fielding of the Ground Based Strategic Deterrent weapon system to a single prime contractor if the Secretary determines that awarding the contracts to a single prime contractor—

(1) is in the best interest of the Government; and

(2) is necessary to ensure the proper synchronization and execution of work related to the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated military construction projects and other infrastructure projects.

(d) EXCEPTIONS TO CURRENT LAW.—The Secretary of the Air Force may carry out this section without regard to the following provisions of law:

(1) Section 2304 of title 10, United States Code.

(2) Section 2807(a) of such title.

(3) Section 2851(a) of such title.

(e) EXPIRATION OF AUTHORITY.—The authorities provided by this section shall expire upon the earlier of the following:

(1) The date that is 15 years after the date of the enactment of this Act.

(2) The date on which the Secretary of the Air Force submits to the congressional defense committees a certification that the fielding of the Ground Based Strategic Deterrent weapon system is complete.

(f) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report describing the plans to synchronize the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated military construction projects and other infrastructure projects. The report shall contain, at minimum, the following elements:

(1) A description of the estimated total cost, scope of work, location, and schedule for the planning and design, military construction, and other infrastructure investments necessary to support the development and fielding of the Ground Based Strategic Deterrent weapon system.

(2) A recommendation regarding the methods by which a programmatic military construction authorization, authorization of appropriations, and appropriation, on an installation-by-installation basis, could be used to support the synchronized development and fielding of the Ground Based Strategic Deterrent and its associated military construction projects and other infrastructure projects.

(3) Identification of the specific provisions of law, if any, that the Secretary determines may adversely impact or delay the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated construction projects, assuming, as described in paragraph (2), the use of a programmatic military construction authorization on an installation-by-installation basis.

(4) A plan to ensure sufficient capability and capacity to cover civilian and military manning for oversight and contract management related to the development and fielding of the Ground Based Strategic Deterrent weapon system and its associated construction projects.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

(a) AUTHORIZATION.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

(b) AUTHORITY TO CARRY OUT PROJECT AND RECOGNIZE NATO AUTHORIZATION AMOUNTS AS BUDGETARY RESOURCES FOR PROJECT EXECUTION.—When the United States is designated as the Host Nation for the purposes of executing a project under the NATO Security Investment Program (NSIP), the Department of Defense construction agent may carry out the project and recognize the NATO project authorization amounts as budgetary resources to incur obligations for the purposes of executing the NSIP project.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations in the Republic of Korea, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Component	Installation or Location	Project	Amount
Army	Camp Carroll	Site Development	$49,000,000
Army	Camp Humphreys	Attack Reconnaissance Battalion Hangar	$99,000,000
Army	Camp Humphreys	Hot Refuel Point	$35,000,000
Navy	COMROKFLT Naval Base, Busan	Maritime Operations Center	$26,000,000
Air Force	Daegu Air Base	AGE Facility and Parking Apron	$14,000,000
Air Force	Kunsan Air Base	Backup Generator Plant	$19,000,000

Republic of Korea Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
Air Force ...	Osan Air Base ...	Aircraft Corrosion Control Facility (Phase 3)	$12,000,000
Air Force ...	Osan Air Base ...	Child Development Center	$20,000,000
Air Force ...	Osan Air Base ...	Munitions Storage Area Delta (Phase 1)	$84,000,000
Defense-Wide	Camp Humphreys	Elementary School	$58,000,000

SEC. 2512. STATE OF QATAR FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the State of Qatar for required in-kind contributions, the Secretary of Defense may accept military construction projects for Al Udeid Air Base in the State of Qatar, and in the amounts, set forth in the following table:

State of Qatar Funded Construction Projects

Component	Installation	Project	Amount
Air Force ...	Al Udeid	Billet (A12)	$63,000,000
		Billet (BI2)	$63,000,000
		Billet (D l 0)	$77,000,000
		Billet (009)	$77,000,000
		Billet (007)	$77,000,000
		Armory/Mount	$7,200,000
		Billet (A06)	$77,000,000
		Dining Facility	$14,600,000
		Billet (BOS)	$77,000,000
		Billet (B04)	$77,000,000
		Billet (A04)	$77,000,000
		Billet (AOS)	$77,000,000
		Dining Facility	$14,600,000
		MSG (Base Operations Support Facility)	$9,300,000
		ITN (Communications Facility)	$3,500,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army National Guard locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Location	Amount
Arizona	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 authorization of appropriations in section 2606 and available for

the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Location	Amount
Florida	Reserve Center Gainesville	$36,000,000
Massachusetts	Devens Reserve Forces Training Area	$8,700,000
North Carolina	Reserve Center Asheville	$24,000,000
Wisconsin	Fort McCoy	$14,600,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out the military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
Maryland	Reserve Training Center, Camp Fretterd Reisterstown	$39,500,000
Utah	Hill Air Force Base	$25,010,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
Alabama	Montgomery Regional Airport Air National Guard Base	$11,600,000
Guam	Joint Region Marianas	$20,000,000
Maryland	Joint Base Andrews	$9,400,000
Texas	Joint Base San Antonio	$10,800,000

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve location inside the United States, and in the amount, set forth in the following table:

Air Force Reserve

State	Location	Amount
Texas	Naval Air Station Joint Reserve Base Fort Worth	$14,200,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

SEC. 2607. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECT.

In the case of the authorization contained in the table in section 2601 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1875) for Anniston Army Depot, Alabama, for construction of an Enlisted Transient Barracks, as specified in the funding table in section 4601 of such Act (133 Stat. 2096), the Secretary of the Army may carry out the project at Fort McClellan, Alabama.

TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES

SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE REALIGNMENT AND CLOSURE ACTIVITIES FUNDED THROUGH DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2140)), as specified in the funding table in section 4601.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program Changes

SEC. 2801. MODIFICATION AND CLARIFICATION OF CONSTRUCTION AUTHORITY IN THE EVENT OF A DECLARATION OF WAR OR NATIONAL EMERGENCY.

(a) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—Section 2808 of title 10, United States Code, is amended—

(1) by redesignating subsections (b) and (c) as subsections (e) and (f), respectively; and

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

''(c) LIMITATION ON AMOUNT OF FUNDS AVAILABLE FOR NATIONAL EMERGENCY.—(1) Except as provided in paragraph (2), in the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $500,000,000.

"(2) In the event of a national emergency declaration in which the construction authority described in subsection (a) will be used only within the United States, the total cost of all military construction projects undertaken using that authority during the national emergency may not exceed $100,000,000.".

(b) ADDITIONAL CONDITIONS ON SOURCE OF FUNDS.—Section 2808(a) of title 10, United States Code, is amended by striking the second sentence and inserting the following new subsection:

"(b) CONDITIONS ON SOURCES OF FUNDS.—A military construction project to be undertaken using the construction authority described in subsection (a) may be undertaken only within the total amount of funds that have been appropriated for military construction, including funds appropriated for family housing, that—

"(1) remain unobligated as of the date on which the first contract would be entered into in connection with that military construction project undertaken using such authority; and

"(2) are available because the military construction project for which the funds were appropriated—

"(A) has been canceled; or

"(B) has reduced costs as a result of project modifications or other cost savings.".

(c) WAIVER OF OTHER PROVISIONS OF LAW.—Section 2808 of title 10, United States Code, is amended by inserting after subsection (c), as added by subsection (a), the following new subsection:

"(d) WAIVER OF OTHER PROVISIONS OF LAW IN EVENT OF NATIONAL EMERGENCY.—In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, the authority provided by such subsection to waive or disregard another provision of law that would otherwise apply to a military construction project authorized by this section may be used only if—

"(1) such other provision of law does not provide a means by which compliance with the requirements of the law may be waived, modified, or expedited; and

"(2) the Secretary of Defense determines that the nature of the national emergency necessitates the noncompliance with the requirements of the law.".

(d) ADDITIONAL NOTIFICATION REQUIREMENTS.—Subsection (e) of section 2808 of title 10, United States Code, as redesignated by subsection (a)(1), is amended—

(1) by striking ''of the decision'' and all that follows through the end of the subsection and inserting the following: ''of the following:

''(A) The reasons for the decision to use the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, the reasons why use of the armed forces is required in response to the declared national emergency.

''(B) The construction projects to be undertaken using the construction authority described in subsection (a), including, in the event of a declaration by the President of a national emergency, an explanation of how each construction project directly supports the immediate security, logistical, or short-term housing and ancillary supporting facility needs of the members of the armed forces used in the national emergency.

''(C) The estimated cost of the construction projects to be undertaken using the construction authority described in subsection (a), including the cost of any real estate action pertaining to the construction projects, and certification of compliance with the funding conditions imposed by subsections (b) and (c).

"(D) Any determination made pursuant to subsection (d)(2) to waive or disregard another provision of law to undertake any construction project using the construction authority described in subsection (a).

"(E) The military construction projects, including any military family housing and ancillary supporting facility projects, whose cancellation, modification, or other cost savings result in funds being available to undertake construction projects using the construction authority described in subsection (a) and the possible impact of the cancellation or modification of such military construction projects on military readiness and the quality of life of members of the armed forces and their dependents."; and

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

"(2) In the event of a declaration by the President of a national emergency in which the construction authority described in subsection (a) is used, a construction project to be undertaken using such construction authority may be carried out only after the end of the five-day period beginning on the date the notification required by paragraph (1) is received by the appropriate committees of Congress.".

(e) CLERICAL AMENDMENTS.—Section 2808 of title 10, United States Code, is further amended—

(1) in subsection (a), by inserting ''CONSTRUCTION AUTHORIZED.—'' after ''(a)'';

(2) in subsection (e), as redesignated by subsection (a)(1), by inserting ''NOTIFICATION REQUIREMENT.—(1)'' after ''(e)''; and

(3) in subsection (f), as redesignated by subsection (a)(1), by inserting ''TERMINATION OF AUTHORITY.—'' after ''(f)''.

(f) EXCEPTION FOR PANDEMIC MITIGATION AND RESPONSE PROJECTS.—Subsections (b), (c), (d) of section 2808 of title 10, United States Code, as added by this section, shall not apply to a military construction project commenced under the authority of subsection (a) of such section 2808 during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320b–5(g)(1)(B)) if the Secretary of Defense determines that the military construction project will directly support pandemic mitigation and response efforts of health care providers or support members of the Armed Forces directly participating in such pandemic mitigation and response efforts. Subsection (e) of section 2808 of title 10, United States Code, as redesignated by subsection

(a)(1) and amended by subsection (d) of this section, shall still apply to any such military construction project.

SEC. 2802. EXTENSION OF SUNSET FOR ANNUAL LOCALITY ADJUSTMENT OF DOLLAR THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR MILITARY CONSTRUCTION AUTHORITIES.

Section 2805(f)(3) of title 10, United States Code, is amended by striking ''2022'' and inserting ''2027''.

SEC. 2803. MODIFICATION OF REPORTING REQUIREMENT REGARDING COST INCREASES ASSOCIATED WITH CERTAIN MILITARY CONSTRUCTION PROJECTS AND MILITARY FAMILY HOUSING PROJECTS.

(a) ELIMINATION OF SUBMISSION TO COMPTROLLER GENERAL.—Section 2853(f) of title 10, United States Code, is amended—

(1) in paragraphs (1) and (3), by striking ''and the Comptroller General of the United States''; and

(2) by striking paragraph (6).

(b) SYNCHRONIZATION OF NOTIFICATION REQUIREMENTS.—Section 2853(c)(1) of title 10, United States Code, is amended by inserting after ''cost increase'' in the matter preceding subparagraph (A) the following: ''(subject to subsection (f))''.

SEC. 2804. EXPANSION OF DEPARTMENT OF DEFENSE LAND EXCHANGE AUTHORITY.

(a) ADDITIONAL PURPOSES AUTHORIZED.—Paragraph (1) of section 2869(a) of title 10, United States Code, is amended by striking ''the real property, to transfer'' and all that follows through the end of the paragraph and inserting the following: ''the real property—

''(A) to transfer to the United States all right, title, and interest of the person in and to a parcel of real property, including any improvements thereon under the person's control;

''(B) to carry out a land acquisition, including the acquisition of all right, title, and interest or a lesser interest in real property under an agreement entered into under section 2684a of this title to limit encroachments and other constraints on military training, testing, and operations; or

''(C) to provide installation-support services (as defined in 2679(e) of this title), a replacement facility, or improvements to an existing facility, as agreed upon between the Secretary concerned and the person.''.

(b) REQUIREMENTS FOR ACCEPTANCE OF REPLACEMENT FACILITIES.—Section 2869(a) of title 10, United States Code, is further amended by adding at the end the following new paragraph:

"(3) The Secretary concerned may agree to accept a replacement facility or improvements to an existing facility under paragraph (1)(C) only if the Secretary concerned determines that the replacement facility or improvements—

"(A) are completed and usable, fully functional, and ready for occupancy;

"(B) satisfy all operational requirements; and

"(C) meet all Federal, State, and local requirements applicable to the facility relating to health, safety, and the environment.".

(c) FAIR MARKET VALUE REQUIREMENT.—Section 2869(b)(1) of title 10, United States Code, is amended—

(1) in the first sentence, by striking "of the land to be" and inserting "of the real property, installation-support services, replacement facility, or improvements to an existing facility"; and

(2) in the second sentence, by striking "of the land is less than the fair market value of the real property to be conveyed" and inserting "of the real property conveyed by the Secretary concerned exceeds the fair market value of the real property, installation-support services, replacement facility, or improvements received by the Secretary".

(d) RELATION TO OTHER MILITARY CONSTRUCTION REQUIREMENTS.—Section 2869 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(h) RELATION TO OTHER MILITARY CONSTRUCTION REQUIREMENTS.—The acquisition of real property or an interest therein, a replacement facility, or improvements to an existing facility using the authority provided by this section shall not be treated as a military construction project for which an authorization is required by section 2802 of this title.''.

(e) DELAYED IMPLEMENTATION OF AMENDMENTS.—The amendments made by this section shall take effect on the date of the enactment of this Act, but the Secretary concerned (as defined in section 2801(c)(5) of title 10, United States Code) may not enter into any real estate transaction authorized by such amendments until after the date on which the Secretary of Defense issues final regulations providing for the implementation of such amendments by the Department of Defense.

SEC. 2805. CONGRESSIONAL PROJECT AUTHORIZATION REQUIRED FOR MILITARY CONSTRUCTION PROJECTS FOR ENERGY RESILIENCE, ENERGY SECURITY, AND ENERGY CONSERVATION.

(a) REPLACEMENT OF NOTICE AND WAIT AUTHORITY.—Section 2914 of title 10, United States Code, is amended to read as follows:

"§ 2914. Military construction projects for energy resilience, energy security, and energy conservation

"(a) PROJECT AUTHORIZATION REQUIRED.—The Secretary of Defense may carry out such military construction projects for energy resilience, energy security, and energy conservation as are authorized by law, using funds appropriated or otherwise made available for that purpose.

"(b) SUBMISSION OF PROJECT PROPOSALS.—(1) As part of the Department of Defense Form 1391 submitted to the appropriate committees of Congress for a military construction project covered by subsection (a), the Secretary of Defense shall include the following information:

"(A) The project title.

"(B) The location of the project.

"(C) A brief description of the scope of work.

"(D) The original project cost estimate and the current working cost estimate, if different.

"(E) Such other information as the Secretary considers appropriate.

"(2) In the case of a military construction project for energy conservation, the Secretary also shall include the following information:

"(A) The original expected savings-to-investment ratio and simple payback estimates and measurement and verification cost estimate.

"(B) The most current expected savings-to-investment ratio and simple payback estimates and measurement and verification plan and costs.

"(C) A brief description of the measurement and verification plan and planned funding source.

"(3) In the case of a military construction project for energy resilience or energy security, the Secretary also shall include the rationale for how the project would enhance mission assurance, support mission critical functions, and address known vulnerabilities.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 173 of title 10, United States Code, is amended by striking the item relating to section 2914 and inserting the following new item:

"2914. Military construction projects for energy resilience, energy security, and energy conservation.".

SEC. 2806. ONE-YEAR EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS IN CERTAIN AREAS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2807(a) of the Military Construction Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264), is further amended—

(1) in paragraph (1), by striking "December 31, 2020" and inserting "December 31, 2021"; and

(2) paragraph (2), by striking "fiscal year 2021" and inserting "fiscal year 2022".

(b) CONTINUATION OF LIMITATION ON USE OF AUTHORITY.—Subsection (c) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2807(b) of the Military Construction Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264), is further amended—

(1) by striking ''either'' and inserting ''each''; and

(2) by inserting after the first paragraph (2) the following new subparagraph:

''(C) The period beginning October 1, 2020, and ending on the earlier of December 31, 2021, or the date of the enactment of an Act authorizing funds for military activities of the Department of Defense for fiscal year 2022.''.

(c) TECHNICAL CORRECTIONS.—Subsection (c) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2807(b) of the Military Construction Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2264) and subsection (b) of this section, is further amended—

(1) by redesignating the second paragraph (1) as subparagraph (A); and

(2) by redesignating the first paragraph (2) as subparagraph (B).

SEC. 2807. PILOT PROGRAM TO SUPPORT COMBATANT COMMAND MILITARY CONSTRUCTION PRIORITIES.

(a) PILOT PROGRAM.—The Secretary of Defense shall conduct a pilot program to evaluate the usefulness of reserving a portion of the military construction funds of the military departments to help the combatant commands satisfy their military construction priorities in a timely manner.

(b) LOCATION.—The Secretary of Defense shall conduct the pilot program for the benefit of the United States Indo-Pacific Command in the area of responsibility of the United States Indo-Pacific Command.

(c) REQUIRED INVESTMENT.—For each fiscal year during which the pilot program is conducted, the Secretary of Defense shall reserve to carry out military construction projects under the pilot program an amount equal to 10 percent of the total amount authorized to be appropriated for military construction projects by titles XXI, XXII, and XXIII of the Military Construction Authorization Act for that fiscal year.

(d) COMMENCEMENT AND DURATION.—

(1) COMMENCEMENT.—The Secretary of Defense shall commence the pilot program no later than October 1, 2023. The Secretary may commence the pilot program as early as October 1, 2022, if the

Secretary determines that compliance with the reservation of funds requirement under subsection (c) is practicable beginning with fiscal year 2023.

(2) DURATION.—The pilot program shall be in effect for the fiscal year in which the Secretary commences the pilot program, as described in paragraph (1), and the subsequent two fiscal years. Any construction commenced under the pilot program before the expiration date may continue to completion.

(e) PROGRESS REPORT.—Not later than February 15 of the final fiscal year of the pilot program, the Secretary of Defense shall submit to the congressional defense committees a report evaluating the success of the pilot program in improving the timeliness of the United States Indo-Pacific Command in achieving its military construction priorities. The Secretary shall include in the report—

(1) an evaluation of the likely positive and negative impacts were the pilot program extended or made permanent and, if extended or made permanent, the likely positive and negative impacts of expansion to cover all or additional combatant commands; and

(2) the recommendations of the Secretary regarding whether the pilot program should be extended or made permanent and expanded.

SEC. 2808. BIANNUAL REPORT REGARDING MILITARY INSTALLATIONS SUPPORTED BY DISASTER RELIEF APPROPRIATIONS.

(a) REPORT REQUIRED.—Biannually through September 30, 2025, both the Secretary of the Air Force and the Secretary of the Navy shall submit to the relevant congressional committees a report regarding the obligation and expenditure at military installations under the jurisdiction of the Secretary concerned of appropriations made available to the Secretary concerned in title V of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2020 (division F of Public Law 116–94).

(b) ELEMENTS OF REPORT.—Each report under subsection (a) shall include for the period covered by the report the following elements:

(1) The timeline for award of contracts for each military construction project to be funded with appropriations referred to in subsection (a).

(2) The status, including obligations and expenditures, of each contract already awarded for such military construction projects.

(3) An assessment of the contracting capacity of the communities in the vicinity of such military installations to support such contracts.

(4) The expectations that such local communities will be required to address.

(c) PUBLIC AVAILABILITY OF REPORT.—The information in each report specific to a particular military installation shall be made available online using a public forum commonly used in the locality in which the installation is located.

(d) EARLY TERMINATION.—Notwithstanding the date specified in subsection (a), the Secretary of the Air Force and the Secretary of the Navy may terminate the reporting requirement applicable to the Secretary concerned under such subsection effective on the date on which the Secretary concerned certifies to the relevant congressional committees that at least 90 percent of the appropriations referred to in such subsection and made available to the Secretary concerned have been expended.

(e) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''relevant congressional committees'' means—

(1) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Armed Services and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Senate.

Subtitle B—Military Family Housing Reforms

SEC. 2811. EXPENDITURE PRIORITIES IN USING DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND.

(a) IN GENERAL.—Section 2883(d)(1) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(1)''; and

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

''(B) The Secretary of Defense shall require that eligible entities receiving amounts from the Department of Defense Family Housing Improvement Fund prioritize the use of such amounts for expenditures related to operating expenses, debt payments, and asset recapitalization before other program management-incentive fee expenditures.''.

(b) EFFECTIVE DATE.—The requirements set forth in subparagraph (B) of section 2883(d)(1) of title 10, United States Code, as added by subsection (a), shall apply to appropriate legal documents entered into or renewed on or after the date of the enactment of this Act between the Secretary of a military department and a

landlord regarding privatized military housing. In this subsection, the terms ''landlord'' and ''privatized military housing'' have the meanings given those terms in section 3001(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1916; 10 U.S.C. 2821 note).

SEC. 2812. PROMULGATION OF GUIDANCE TO FACILITATE RETURN OF MILITARY FAMILIES DISPLACED FROM PRIVATIZED MILITARY HOUSING.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall promulgate guidance for commanders of military installations and installation housing management offices to facilitate and manage the return of tenants who are displaced from privatized military housing—

(1) as a result of an environmental hazard or other damage adversely affecting the habitability of the privatized military housing; or

(2) during remediation or repair activities in response to the hazard or damages.

(b) AVAILABILITY OF REIMBURSEMENT.—As part of the guidance, the Secretary of Defense shall identify situations in which a tenant of privatized military housing should be reimbursed for losses to personal property of the tenant that are not covered by insurance and are in-

curred by the tenant in the situations described in subsection (a).

(c) CONSULTATION.—The Secretary of Defense shall promulgate the guidance in consultation with the Secretaries of the military departments, the Chief Housing Officer, landlords, and other interested persons.

(d) IMPLEMENTATION.—The Secretaries of the military departments shall be responsible for ensuring the implementation of the guidance at military installations under the jurisdiction of the Secretary concerned.

(e) DEFINITIONS.—In this section, the terms ''landlord'', ''privatized military housing'', and ''tenant'' have the meanings given those terms in section 3001(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1916; 10 U.S.C. 2821 note).

SEC. 2813. PROMULGATION OF GUIDANCE ON MOLD MITIGATION IN PRIVATIZED MILITARY HOUSING.

(a) GUIDANCE REQUIRED.—The Secretary of Defense shall establish a working group to promulgate guidance regarding best practices for mold mitigation in privatized military housing and for making the determination regarding when the presence of mold in a unit of home privatized military housing is an emergency situation requiring the relocation of the residents of the unit.

(b) MEMBERS.—The working groups shall include the Surgeon Generals of the Armed Forces and such other subject-matter experts as the Secretary considers appropriate.

SEC. 2814. EXPANSION OF UNIFORM CODE OF BASIC STANDARDS FOR PRIVATIZED MILITARY HOUSING AND HAZARD AND HABITABILITY INSPECTION AND ASSESSMENT REQUIREMENTS TO GOVERNMENT-OWNED AND GOVERNMENT-CONTROLLED MILITARY FAMILY HOUSING.

(a) UNIFORM CODE OF BASIC STANDARDS FOR MILITARY HOUSING.—The Secretary of Defense shall expand the uniform code of basic housing standards for safety, comfort, and habitability for privatized military housing established pursuant to section 3051(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1941; 10 U.S.C. 2871 note) to include Government-owned and Government-controlled military family housing located inside or outside the United States and occupied by members of the Armed Forces.

(b) INSPECTION AND ASSESSMENT PLAN.—The Secretary of Defense shall expand the Department of Defense housing inspection and assessment plan prepared pursu-

ant to section 3051(b) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92; 133 Stat. 1941; 10 U.S.C. 2871 note) to include Government-owned and Government-controlled military family housing located inside or outside the United States and occupied by members of the Armed Forces and commence inspections and assessments of such military family housing pursuant to the plan.

SEC. 2815. ESTABLISHMENT OF EXCEPTIONAL FAMILY MEMBER PROGRAM HOUSING LIAISON.

(a) ESTABLISHMENT.—Not later than September 30, 2021, each Secretary of a military department shall appoint at least one Exceptional Family Member Program housing liaison for that military department.

(b) DUTIES.—The duties of a Exceptional Family Member Program housing liaison are to assist military families enrolled in that Program, and who are disproportionally housed in facilities under the Military Housing Privatization Initiative, in obtaining cost-effective services needed by such families.

SEC. 2816. DEPARTMENT OF DEFENSE REPORT ON CRITERIA AND METRICS USED TO EVALUATE PERFORMANCE OF LANDLORDS OF PRIVATIZED MILITARY HOUSING THAT RECEIVE INCENTIVE FEES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report—

(1) describing the criteria and metrics currently used by the Department of Defense to analyze the performance of landlords that receive incentive fees; and

(2) evaluating the effectiveness of such criteria and metrics in accurately judging the performance of such landlords; and

(3) containing such recommendations as the Secretary considers appropriate to revise such criteria and metrics to better evaluate the performance of such landlords.

(b) PREPARATION OF REPORT.—To prepare the report required by subsection (a), the Secretary of Defense first shall solicit the views of the Secretaries of the military departments.

(c) DEFINITIONS.—In this section, the terms ''incentive fees'' and ''landlord'' have the meanings given those terms in paragraphs (9) and (10) of section 2871 of title 10, United States Code.

SEC. 2817. REPORT ON DEPARTMENT OF DEFENSE EFFORTS REGARDING OVERSIGHT AND ROLE IN MANAGEMENT OF PRIVATIZED MILITARY HOUSING.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress made by the Department of Defense in implementing the recommendations contained in the report of the Comptroller General regarding military housing entitled ''DOD Needs to Strengthen Oversight and Clarify Its Role in the Management of Privatized Housing'' and dated March 2020 (GAO-20-281).

Subtitle C—Real Property and Facilities Administration

SEC. 2821. CODIFICATION OF REPORTING REQUIREMENTS REGARDING UNITED STATES OVERSEAS MILITARY ENDURING LOCATIONS AND CONTINGENCY LOCATIONS.

(a) INCLUSION OF INFORMATION IN EXISTING ANNUAL REPORT.—Section 2687a(a) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''MASTER PLANS'' and inserting ''OVERSEAS MILITARY LOCATIONS'';

(2) in paragraph (1), by striking subparagraph (B) and inserting the following new subparagraph:

''(B) overseas military locations, whether such a location is designated as an enduring location or contingency location.''; and

(3) by striking paragraph (2) and inserting the following new paragraphs:

''(2) To satisfy the reporting requirement specified in paragraph (1)(B), a report under paragraph (1) shall contain the following:

''(A) A description of the strategic goal and operational requirements supported by each overseas military location.

"(B) A summary of the terms of agreements for each overseas military location, including—

"(i) the type of implementing agreement;

"(ii) any annual lease or access costs to the United States under the agreement; and

"(iii) any limitation on United States military presence, activities, or operations at the overseas military location.

"(C) A list of all infrastructure investments made at each overseas military location during the previous fiscal year, delineated by project location, project title or description, cost of project, any amount paid by a host nation to cover all or part of the project cost, and authority used to undertake the project.

"(D) A list of all infrastructure requirements for each overseas military location anticipated during the fiscal year in which the report is submitted and the next four fiscal years, delineated as described in subparagraph (C).

"(E) A list of any overseas military locations newly established during the previous fiscal year.

"(F) A description of any plans to transition an existing contingency overseas military location to an enduring overseas military location or to upgrade or

downgrade the designation of an existing enduring or contingency overseas military location during the fiscal year in which the report is submitted or the next four fiscal years.

''(G) A list of any overseas military locations that, during the previous fiscal year, were transferred to the control of security forces of the host country or another military force, closed, or for any other reason no longer used by the armed forces, including a summary of any costs associated with the transfer or closure of the overseas military location.

''(H) A summary of the impact that the establishment or maintenance of each overseas military location has on security commitments undertaken by the United States pursuant to any international security treaty or the current security environments in the combatant commands, including United States participation in theater security cooperation activities and bilateral partnership, exchanges, and training exercises.

''(I) A summary of any force protection risks identified for each overseas military location, the actions proposed to mitigate such risks, and the resourcing and implementation plan to implement the mitigation actions.

"(J) An assessment of force protection measures by host nations for each overseas military location and recommendations to mitigate any potential risks identified.

"(K) Such other such matters related to overseas military locations as the Secretary of Defense considers appropriate.

"(3)(A) In this subsection, the term 'overseas military location' covers both enduring locations and contingency locations established outside the United States.

"(B) An enduring location is primarily characterized either by the presence of permanently assigned United States forces with robust infrastructure and quality of life amenities to support that presence, by the sustained presence of allocated United States forces with infrastructure and quality of life amenities consistent with that presence, or by the periodic presence of allocated U.S. forces with little or no permanent United States military presence or controlled infrastructure. Enduring locations include main operating bases, forward operating sites, and cooperative security locations.

"(C) A contingency location refers to a location outside of the United States that is not covered by subparagraph (B), but that is used by United States forces to support and sustain operations during named and

unnamed contingency operations or other operations as directed by appropriate authority and is categorized by mission life-cycle requirements as initial, temporary, or semi-permanent.

''(4) The Secretary of Defense shall prepare the report under paragraph (1) in coordination with the Under Secretary of Defense for Policy and the Under Secretary of Defense for Acquisition and Sustainment.

''(5) A report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex as necessary.''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Section 2687a(e)(2) of title 10, United States Code, is amended by striking ''host nation'' both places it appears and inserting ''host country''.

(2) SECTION HEADING.—The heading of section 2687a of title 10, United States Code, is amended to read as follows:

''§ 2687a. Overseas base closures and realignments and status of United States overseas military locations''.

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 159 of title 10, United States Code, is amended by striking the item relat-

ing to section 2687a and inserting the following new item:

"2687a. Overseas base closures and realignments and status of United States overseas military locations.".

(c) REPEAL OF SUPERCEDED REPORTING REQUIREMENT.—Section 2816 of the Military Construction Authorization Act for Fiscal Year 2016 (division B of Public Law 114–92; 129 Stat. 1176) is repealed.

SEC. 2822. LIMITATIONS ON RENEWAL OF UTILITY PRIVATIZATION CONTRACTS.

(a) CONTRACT RENEWAL AUTHORITY.—Section 2688(d)(2) of title 10, United States Code, is amended—

(1) by inserting "(A)" after "(2)"; and

(2) by inserting after the first sentence the following new subparagraph:

"(B) A longer-term contract entered into under the authority of subparagraph (A) may be renewed in the manner provided in such subparagraph, except that such a contract renewal may only be awarded during the final five years of the existing contract term.".

(b) CONFORMING AMENDMENTS.—Section 2688(d)(2) of title 10, United States Code, is further amended—

(1) by striking "The determination of cost effectiveness" and inserting the following:

"(C) A determination of cost effectiveness under this paragraph"; and

(2) by striking "the contract" and inserting "the contract or contract renewal".

SEC. 2823. VESTING EXERCISE OF DISCRETION WITH SERVICE SECRETARIES REGARDING ENTERING INTO LONGER-TERM CONTRACTS FOR UTILITY SERVICES.

Section 2688(d)(2) of title 10, United States Code, as amended by section 2822, is further amended—

(1) by striking "The Secretary of Defense, or the designee of the Secretary," and inserting "The Secretary concerned"; and

(2) by striking "if the Secretary" and inserting "if the Secretary concerned".

SEC. 2824. USE OF ON-SITE ENERGY PRODUCTION TO PROMOTE MILITARY INSTALLATION ENERGY RESILIENCE AND ENERGY SECURITY.

(a) PROMOTION OF ON-SITE ENERGY SECURITY AND ENERGY RESILIENCE.—Section 2911 of title 10, United States Code, is amended by adding at the end the following new subsection:

"(h) PROMOTION OF ON-SITE ENERGY SECURITY AND ENERGY RESILIENCE.—(1) Consistent with the energy security and resilience goals of the Department of

Defense and the energy performance master plan referred to in this section, the Secretary concerned shall consider, when feasible, projects for the production of installation energy that benefits military readiness and promotes installation energy security and energy resilience in the following manner:

"(A) Location of the energy-production infrastructure on the military installation that will consume the energy.

"(B) Incorporation of energy resilience features, such as microgrids, to ensure that energy remains available to the installation even when the installation is not connected to energy sources located off the installation.

"(C) Reduction in periodic refueling needs from sources off the installation to not more than once every two years.

"(3) In this subsection, the term 'microgrid' means an integrated energy system consisting of interconnected loads and energy resources that, if necessary, can be removed from the local utility grid and function as an integrated, stand-alone system.".

(b) EVALUATION OF FEASIBILITY OF EXPANDING USE OF ON-SITE ENERGY PRODUCTION.—

(1) PROJECTS AUTHORIZED.—Subsection (h) of section 2911 of title 10, United States Code, as added by subsection (a), is amended by inserting after paragraph (1) the following new paragraph:

''(2)(A) Using amounts made available for military construction projects under section 2914 of this title, the Secretary of Defense shall carry out at least four projects to promote installation energy security and energy resilience in the manner described in paragraph (1).

''(B) At least one project shall be designed to develop technology that demonstrates the ability to connect an existing on-site energy generation facility that uses solar power with one or more installation facilities performing critical missions in a manner that allows the generation facility to continue to provide electrical power to these facilities even if the installation is disconnected from the commercial power supply.

''(C) At least one project shall be designed to develop technology that demonstrates that one or more installation facilities performing critical missions can be isolated, for purposes of electrical power supply, from the remainder of the installation and from the commercial power supply in a manner that allows an on-site energy generation facility that uses a renewable energy source, other than solar

energy, to provide the necessary power exclusively to these facilities.

''(D) At least two projects shall be designed to develop technology that demonstrates the ability to store sufficient electrical energy from an on-site energy generation facility that uses a renewable energy source to provide the electrical energy required to continue operation of installation facilities performing critical missions during nighttime operations.

''(E) The Secretary of Defense may not select as the site of a project under this paragraph a military installation that already has the ability to satisfy any of the project requirements described in subparagraphs (B), (C), or (D).

''(F) The authority of the Secretary of Defense to commence a project under this paragraph expires on September 30, 2025.''.

(2) BRIEFING.—Not later than March 1, 2021, the Secretary of Defense shall brief the congressional defense committees regarding the plan to carry out the on-site energy production projects authorized by paragraph (2) of section 2911 of title 10, United States Code, as added by paragraph (1).

SEC. 2825. AVAILABILITY OF ENERGY RESILIENCE AND CONSERVATION INVESTMENT PROGRAM FUNDS FOR CERTAIN ACTIVITIES RELATED TO PRIVATIZED UTILITY SYSTEMS.

Section 2914(a) of title 10, United States Code, is amended—

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

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

''(2) For purposes of this section, a military construction project is deemed to include activities related to utility systems authorized under subsections (h), (j), and (k) of section 2688 or section 2913 of this title, notwithstanding that the United States does not own the utility system, and energy-related activities included as a separate requirement in an energy savings performance contract (as defined in section 804(3) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(3))).''.

SEC. 2826. IMPROVING WATER MANAGEMENT AND SECURITY ON MILITARY INSTALLATIONS.

(a) RISK-BASED APPROACH TO INSTALLATION WATER MANAGEMENT AND SECURITY.—

(1) GENERAL REQUIREMENT.—The Secretary concerned shall adopt a risk-based approach to

water management and security for each military installation under the jurisdiction of the Secretary.

(2) IMPLEMENTATION PRIORITIES.—The Secretary concerned shall begin implementation of paragraph (1) by prioritizing those military installations under the jurisdiction of the Secretary that the Secretary determines—

(A) are experiencing the greatest risks to sustainable water management and security; and

(B) face the most severe existing or potential adverse impacts to mission assurance as a result of such risks.

(3) DETERMINATION METHOD.—Determinations under paragraph (2) shall be made on the basis of the water management and security assessments made by the Secretary concerned under subsection (b).

(b) WATER MANAGEMENT AND SECURITY ASSESSMENTS.—

(1) ASSESSMENT METHODOLOGY.—The Secretaries concerned, acting jointly, shall develop a methodology to assess risks to sustainable water management and security and mission assurance.

(2) ELEMENTS.—Required elements of the assessment methodology shall include the following:

(A) An evaluation of the water sources and supply connections for a military installation, including water flow rate and extent of competition for the water sources.

(B) An evaluation of the age, condition, and jurisdictional control of water infrastructure serving the military installation.

(C) An evaluation of the military installation's water-security risks related to drought-prone climates, impacts of defense water usage on regional water demands, water quality, and legal issues, such as water rights disputes.

(D) An evaluation of the resiliency of the military installation's water supply and the overall health of the aquifer basin of which the water supply is a part, including the robustness of the resource, redundancy, and ability to recover from disruption.

(E) An evaluation of existing water metering and consumption at the military installation, considered at a minimum—

(i) by type of installation activity, such as training, maintenance, medical,

housing, and grounds maintenance and landscaping; and

(ii) by fluctuations in consumption, including peak consumption by quarter.

(c) EVALUATION OF INSTALLATIONS FOR POTENTIAL NET ZERO WATER USAGE.—

(1) EVALUATION REQUIRED.—The Secretary concerned shall conduct an evaluation of each military installation under the jurisdiction of the Secretary to determine the potential for the military installation, or at a minimum certain installation activities, to achieve net zero water usage.

(2) ELEMENTS.—Required elements of each evaluation shall include the following:

(A) An evaluation of alternative water sources to offset use of freshwater, including water recycling and harvested rainwater for use as non-potable water.

(B) An evaluation of the practicality of implementing Department of Energy guidelines for net zero water usage, when practicable to minimize water consumption and wastewater discharge in buildings scheduled for renovation.

(C) An evaluation of the practicality of implementing net zero water usage technology into

new construction in water-constrained areas, as determined by water management and security assessments conducted under subsection (b).

(d) IMPROVED LANDSCAPING MANAGEMENT PRACTICES.—

(1) LANDSCAPING MANAGEMENT.—The Secretary concerned shall implement, to the maximum extent practicable, at each military installation under the jurisdiction of the Secretary landscaping management practices to increase water resilience and ensure greater quantities of water availability for operational, training, and maintenance requirements.

(2) ARID OR SEMI-ARID CLIMATES.—For military installations located in arid or semi-arid climates, landscaping management practices shall include the use of xeriscaping.

(3) NON-ARID CLIMATES.—For military installations located in arid or non-arid climates, landscaping management practices shall include the use of plants common to the region in which the installation is located and native grasses and plants.

(4) POLLINATOR CONSERVATION REFERENCE GUIDE.—The Secretary concerned shall follow the recommendations of the Department of Defense Pol-

linator Conservation Reference Guide (September 2018) to the maximum extent practicable in order to reduce operation and maintenance costs related to landscaping management, while improving area management. Consistent with such guide, in the preparation of a military installation landscaping plan, the Secretary concerned should consider the following:

(A) Adding native flowering plants to sunny open areas and removing overhanging tree limbs above open patches within forested areas or dense shrub.

(B) Removing or controlling invasive plants to improve pollinator habitat.

(C) Preserving known and potential pollinator nesting and overwintering sites.

(D) Eliminating or minimizing pesticide use in pollinator habitat areas.

(E) Mowing in late fall or winter after plants have bloomed and set seed, adjusting timing to avoid vulnerable life stages of special status pollinators.

(F) Mowing mid-day when adult pollinators can avoid mowing equipment.

(e) IMPLEMENTATION REPORT.—

(1) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the other Secretaries concerned, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the progress made in implementing this section.

(2) REPORT ELEMENTS.—The report shall include the following:

(A) The methodology developed under subsection (b) to conduct water management and security assessments.

(B) A list of the military installations that have been assessed using such methodology and a description of the findings.

(C) A list of planned assessments for the one-year period beginning on the date of the submission of the report.

(D) An evaluation of the progress made on implementation of xeriscaping and other regionally appropriate landscaping practices at military installations.

(f) DEFINITIONS.—In this section:

(1) The term ''net zero water usage'', with respect to a military installation or installation activ-

ity, means a situation in which the combination of limitations on the consumption of water resources and the return of water to an original water source by the installation or activity is sufficient to prevent any reduction in the water resources of the area in both quantity and quality over a reasonable period of time.

(2) The terms ''Secretary concerned'' and ''Secretary'' mean the Secretary of a military department and the Secretary of Defense with respect to the Pentagon Reservation.

(3) The term ''xeriscaping'' means landscape design that emphasizes low water use and drought-tolerant plants that require little or no supplemental irrigation.

SEC. 2827. PILOT PROGRAM TO TEST USE OF EMERGENCY DIESEL GENERATORS IN A MICROGRID CONFIGURATION AT CERTAIN MILITARY INSTALLATIONS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may conduct a pilot program (to be known as the Emergency Diesel Generator Microgrid Program) to evaluate the feasibility and cost effectiveness of connecting existing diesel generators at a military installation selected pursuant to subsection (c) to create and support one or

more microgrid configurations at the installation capable of providing full-scale electrical power for the defense critical facilities located at the installation during an emergency involving the loss of external electric power supply caused by an extreme weather condition, manmade intentional infrastructure damage, or other circumstances.

(b) GOAL OF PILOT PROGRAM.—The goals of the Emergency Diesel Generator Microgrid Program are—

(1) to test assumptions about lower operating and maintenance costs, parts interchangeability, lower emissions, lower fuel usage, increased resiliency, increased reliability, and reduced need for emergency diesel generators; and

(2) to establish design criteria that could be used to build and sustain emergency diesel generator microgrids at other military installations.

(c) PILOT PROGRAM LOCATIONS.—As the locations to conduct the Emergency Diesel Generator Microgrid Program, the Secretary of Defense shall select two major military installations located in different geographical regions of the United States that the Secretary determines—

(1) are defense critical electric infrastructure sites or contain, or are served by, defense critical electric infrastructure;

(2) contain more than one defense critical function for national defense purposes and the mission assurance of such critical defense facilities are paramount to maintaining national defense and force projection capabilities at all times; and

(3) face unique electric energy supply, delivery, and distribution challenges that, based on the geographic location of the installations and the overall physical size of the installations, adversely impact rapid electric infrastructure restoration after an interruption.

(d) SPECIFICATIONS OF DIESEL GENERATORS AND MICROGRID.—

(1) GENERATOR SPECIFICATIONS.—The Secretary of Defense shall use existing diesel generators that are sized >/= 750kW output.

(2) MICROGRID SPECIFICATIONS.—The Secretary of Defense shall create the microgrid using commercially available and proven designs and technologies. The existing diesel generators used for the microgrid should be spaced within 1.0 to 1.5 mile of each other and, using a dedicated underground electric cable network, be tied into a microgrid configuration sufficient to supply mission critical facilities within the service area of the microgrid. A selected

military installation may contain more than one such microgrid under the Emergency Diesel Generator Microgrid Program.

(e) PROGRAM AUTHORITIES.—The Secretary of Defense may use the authority under section 2914 of title 10, United States Code (known as the Energy Resilience and Conservation Investment Program) and energy savings performance contracts to conduct the Emergency Diesel Generator Microgrid Program.

(f) DEFINITIONS.—For purposes of the Emergency Diesel Generator Microgrid Program:

(1) The term ''defense critical electric infrastructure'' has the meaning given that term in section 215A of the Federal Power Act (16 U.S.C. 824o–1).

(2) The term ''energy savings performance contract'' has the meaning given that term in section 804(3) of the National Energy Conservation Policy Act (42 U.S.C. 8287c(3)).

(3) The term ''existing diesel generators'' means diesel generators located, as of the date of the enactment of this Act, at a major military installation selected as a location for the Emergency Diesel Generator Microgrid Program and intended for emergency use.

(4) The term ''major military installation'' has the meaning given that term in section 2864 of title 10, United States Code.

SEC. 2828. IMPROVED ELECTRICAL METERING OF DEPARTMENT OF DEFENSE INFRASTRUCTURE SUPPORTING CRITICAL MISSIONS.

(a) OPTIONS TO IMPROVE ELECTRICAL METERING.—The Secretary of Defense and the Secretaries of the military departments shall improve the metering of electrical energy usage of covered defense structures to accurately determine energy consumption by such a structure to increase energy efficiency and improve energy resilience, using any combination of the options specified in subsection (b) or such other methods as the Secretary concerned considers practicable.

(b) METERING OPTIONS.—Electrical energy usage options to be considered for a covered defense structure include the following:

(1) Installation of a smart meter at the electric power supply cable entry point of the covered defense structure, with remote data storage and retrieval capability using cellular communication, to provide historical energy usage data on an hourly basis to accurately determine the optimum cost ef-

fective energy efficiency and energy resilience measures for the covered defense structure.

(2) Use of an energy usage audit firm to individually meter the covered defense structure using clamp-on meters and data storage to provide year–long electric energy load profile data, particularly in the case of a covered defense structure located in climates with highly variable use based on weather or temperature changes to accurately identify electric energy usage demand for both peak and off peak periods for a covered defense structure.

(3) Manual collection and calculation of the connected load via nameplate data survey of all the connected electrical devices for the covered defense structure and comparing it to the designed maximum rating of the incoming electric supply to determine the maximum electrical load for the covered defense structure.

(c) CONSIDERATION OF PARTNERSHIPS.—The Secretary of Defense and the Secretaries of the military departments shall consider the use of arrangements (known as public-private partnerships) with appropriate entities outside the Government to reduce the cost of carrying out this section.

(d) DEFINITIONS.—In this section:

(1) The term ''covered defense structure'' means any infrastructure under the jurisdiction of the Department of Defense inside the United States that the Secretary of Defense or the Secretary of the military department concerned determines—

(A) is used to support a critical mission of the Department; and

(B) is located at a military installation with base-wide resilient power.

(2) The term ''energy resilience'' has the meaning given that term in section 101(e)(6) of title 10, United States Code.

(e) IMPLEMENTATION REPORT.—As part of the Department of Defense energy management report to be submitted under section 2925 of title 10, United States Code, during fiscal year 2022, the Secretary of Defense shall include information on the progress being made to comply with the requirements of this section.

SEC. 2829. RENAMING CERTAIN MILITARY INSTALLATIONS AND OTHER DEFENSE PROPERTY.

(a) DEFINITIONS.—In this section:

(1) The term ''advisory panel'' means an advisory panel established by the Secretary concerned to assist the Secretary concerned in the renaming process required by this section.

(2) The term ''covered defense property'' means any real property, including any building, structure, or other improvement to real property thereon, under the jurisdiction of the Secretary concerned that is named after any person who served in the political or military leadership of any armed rebellion against the United States.

(3) The term ''covered military installation'' means a military installation or reserve component facility that is named after any person who served in the political or military leadership of any armed rebellion against the United States.

(4) The term ''identification report'' means the initial report required by subsection (c) that identifies covered military installations and covered defense property.

(5) The term ''military installation'' has the meaning given that term in section 2801(c) of title 10, United States Code.

(6) The term ''other improvement'' includes any library, classroom, parade ground or athletic field, training range, roadway, or similar physical feature.

(7) The term ''process report'' means the report required by subsection (d) that describes the renaming process to be used by the Secretary concerned.

(8) The term ''renaming report'' means the final report required by subsection (f) that provides new names for covered military installations and covered defense property.

(9) The term ''reserve component facility'' has the meaning given the term ''facility'' in section 18232 of title 10, United States Code, and covers those facilities for which title is vested in the United States or for which the Secretary of Defense contributed funds under section 18233(a) of such title or former section 2233 of such title.

(10) The term ''Secretary concerned'' means the Secretary of a military department and includes the Secretary of Defense with respect to matters concerning the Defense Agencies.

(b) RENAMING REQUIRED; DEADLINE.—Not later than one year after the date of the enactment of this Act, the Secretary concerned shall—

(1) complete the renaming process required by this section; and

(2) commence the renaming of each covered military installation and covered defense property identified in the renaming report pursuant to the guidance issued by the Secretary concerned under subsection (f).

(c) IDENTIFICATION REPORT; DEADLINE.—Not later than 60 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report that identifies each covered military installation and all covered defense property under the jurisdiction of the Secretary concerned that the Secretary concerned determines satisfies the definitions given those terms in subsection (a).

(d) PROCESS REPORT; DEADLINE.—

(1) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, each Secretary concerned shall submit to the congressional defense committees a report describing the process by which the Secretary concerned will rename each covered military installation and covered defense property identified in the renaming report prepared by the Secretary concerned.

(2) REPORT ELEMENTS.—At minimum, the process report shall contain the following elements:

(A) A detailed description of the process to be used by the Secretary concerned to develop a list of potential names for renaming covered military installations and covered defense property.

(B) An explanation regarding whether or not the Secretary concerned established, or will establish, an advisory panel to support the review process and make recommendations to the Secretary concerned. If the Secretary concerned has established, or will establish, an advisory panel, the report shall include the names and positions of the individuals who will serve on the advisory panel that represent:

(i) Military leadership from covered military installations.

(ii) Military leadership from military installations containing covered defense property..

(iii) State leaders and leaders of the locality in which a covered military installation or covered defense property is located.

(iv) Representatives from military museums, military historians, or relevant historians from the impacted States and localities with relevant expertise.

(v) Community civil rights leaders.

(C) The criteria the Secretary concerned will use to inform the renaming process.

(D) A description of the process for accepting and considering public comments from members of the Armed Forces, veterans, and members of the local community on potential names for renaming covered military installations and covered defense property.

(E) A timeline for the renaming process consistent with the deadline specified in subsection (b).

(e) CONGRESSIONAL GUIDANCE ON RENAMING CRITERIA.—

(1) PREFERENCES.—As part of the renaming process established by the Secretary concerned and described in the process report required by subsection (c), the Secretary concerned shall give a preference for renaming covered military installations and covered defense property after either—

(A) a battlefield victory by the Armed Forces consistent with current Department of Defense naming conventions; or

(B) a deceased member of the Armed Forces who satisfies one of more of the following:

(i) Was a recipient of the Congressional Medal of Honor.

(ii) Was recognized for heroism in combat or for other significant contributions to the United States.

(iii) Was a member of a minority group who overcame prejudice and adversity to perform distinguished military service.

(iv) Has links to the community or State where the military installation or covered property is located.

(v) Served at the covered military installation, in a unit of the Armed Forces based at the covered installation; or at the military installation containing the covered defense property.

(2) OTHER CONSIDERATIONS.—

(A) JUNIOR SERVICEMEMBERS.—Junior members of the Armed Forces should be favored in the renaming process over general officers or flag officers.

(B) BRANCH CONSIDERATION.—A deceased member of the Armed Forces whose name is selected in the renaming process should have served in the same Armed Force as the majority of the members of the Armed Forces

stationed at the covered military installation renamed in honor of the deceased member or at which the renamed covered defense property is located.

(C) CONFLICT CONSIDERATION.—The names selected in the renaming process should recognize and reflect significant battles or contingency operations since 1917 or the contributions of members of the Armed Forces who served in wars and contingency operations since 1917.

(D) PERSONAL CONDUCT.—A deceased member of the Armed Forces whose name is selected in the renaming process should be a person whose personal conduct reflects the current values of the Armed Forces and its members.

(f) RENAMING REPORT; DEADLINE.—

(1) REPORT REQUIRED.—Upon completing the renaming process identified in the process report, but not later than 30 days before the deadline specified in subsection (b), each Secretary concerned shall submit to the congressional defense committees a final report containing the list of the new names chosen for each covered military installation and cov-

ered defense property identified in the identification report prepared by the Secretary concerned.

(2) REPORT ELEMENTS.—At minimum, the renaming report shall contain an explanation of the reasons for the selection of each new name chosen for covered military installations and covered defense property.

(3) PUBLIC AVAILABILITY.—The Secretary concerned shall make the renaming report publicly available as soon as practicable after submission of the renaming report.

(3) GUIDANCE FOR ACTUAL RENAMING.—Not later than 30 days after submission of the renaming report, the Secretary concerned shall issue guidance to promptly affect the name changes contained in the renaming report.

(g) SAVINGS CLAUSE.—Nothing in this section or the renaming process required by this section shall be construed to have any effect on grave markers or cemeteries that may exist on real property under the jurisdiction of the Department of Defense.

Subtitle D—Land Conveyances

SEC. 2831. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may convey, without consideration, to the State

of Arizona Department of Emergency and Military Affairs (in this section referred to as the ''State'') all right, title, and interest of the United States in and to a parcel of real property, including any improvements thereon, consisting of not more than 3,000 acres at Camp Navajo, Arizona, for the purpose of permitting the State to use the property—

(1) for training the Arizona Army National Guard and Air National Guard; and

(2) for defense industrial base economic development purposes that are compatible with the environmental security and primary National Guard training purpose of Camp Navajo.

(b) CONDITION OF CONVEYANCE.—

(1) USE OF REVENUES.—The authority of the Secretary of the Army to make the conveyance described in subsection (a) is subject to the condition that the State agree that all revenues generated from the use of the property conveyed under such subsection will be used to support the training requirements of the Arizona Army National Guard and Air National Guard, including necessary infrastructure maintenance and capital improvements.

(2) AUDIT.—The United States Property and Fiscal Office for Arizona shall—

(A) conduct periodic audits of all revenues generated by uses of the conveyed property and the use of such revenues; and

(B) provide the audit results to the Chief of the National Guard Bureau.

(c) REVERSIONARY INTEREST.—

(1) INTEREST RETAINED.—If the Secretary of the Army determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purposes of the conveyance specified in such subsection, or that the State has not complied with the condition imposed by subsection (b), all right, title, and interest in and to the conveyed property, including any improvements thereon, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto the Property.

(2) DETERMINATION.—A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(d) ALTERNATIVE CONSIDERATION OPTION.—

(1) CONSIDERATION OPTION.—In lieu of exercising the reversionary interest retained under subsection (c), the Secretary of the Army may accept an

offer by the State to pay to the United States an amount equal to the fair market value of the property conveyed under subsection (a), excluding the value of any improvements on the conveyed property constructed without Federal funds after the date of the conveyance is completed, as determined by the Secretary.

(2) TREATMENT OF CONSIDERATION RECEIVED.—Consideration received by the Secretary under paragraph (1) shall be deposited in the special account in the Treasury established for the Secretary under subsection (e) of section 2667 of title 10, United States Code, and shall be available to the Secretary for the same uses and subject to the same limitations as provided in that section.

(e) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of the Army shall require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation related to the conveyance, and any other administrative costs related to the conveyance. If amounts are collected from the State in advance of

the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance or, if the period of availability for obligations for that appropriation has expired, to the fund or account currently available to the Secretary for the same purpose. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(f) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

(g) SAVINGS PROVISION.—Nothing in this section shall be construed to alleviate, alter, or affect the responsibility of the United States for cleanup and remediation

of the property to be conveyed under subsection (a) in accordance with the Defense Environmental Restoration Program under section 2701 of title 10, United States Code, and the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States. These additional terms may include a requirement for the State to consult with the Secretary of the Navy regarding use of the conveyed property.

SEC. 2832. MODIFICATION OF LAND EXCHANGE INVOLVING NAVAL INDUSTRIAL RESERVE ORDNANCE PLANT, SUNNYVALE, CALIFORNIA.

(a) ELEMENTS OF EXCHANGE.—Section 2841(a) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1860) is amended by striking paragraphs (1) and (2) and inserting the following new paragraphs:

"(1) real property, including improvements thereon, located in Titusville, Florida, that will replace the NIROP and meet the readiness require-

ments of the Department of the Navy, as determined by the Secretary; and

''(2) reimbursement for the costs of relocation of contractor and Government personnel and equipment from the NIROP to the replacement facilities, to the extent specified in the land exchange agreement contemplated in subsection (b).''.

(b) ELEMENTS OF LAND EXCHANGE AGREEMENT.—Section 2841(b)(1) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1860) is amended by inserting after ''identifies'' the following: ''the costs of relocation to be reimbursed by the Exchange Entity,''.

(c) VALUATION OF PROPERTIES AND COMPENSATION.—Section 2841 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1860) is amended—

(1) by striking subsection (c);

(2) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

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

''(c) VALUATION.—The Secretary shall determine the fair market value of the properties, including improve-

ments thereon, to be exchanged by the Secretary and the Exchange Entity under subsection (a).

"(d) COMPENSATION.—

"(1) COMPENSATION REQUIRED.—The Exchange Entity shall provide compensation under the land exchange agreement described in subsection (b) that is equal to or exceeds the fair market value of the NIROP, as determined under subsection (c).

"(2) IN-KIND CONSIDERATION.—As part of the compensation under the land exchange agreement, the Secretary and the Exchange Entity may agree for the Exchange Entity to provide the following forms of in-kind consideration at any property or facility under the control of the Secretary:

"(A) Alteration, repair, improvement, or restoration (including environmental restoration) of property.

"(B) Use of facilities by the Secretary.

"(C) Provision of real property maintenance services.

"(D) Provision of or payment of utility services.

"(E) Provision of such other services relating to activities that will occur on the property as the Secretary considers appropriate.

"(3) DEPOSIT.—The Secretary shall deposit any cash payments received under the land exchange agreement, other than cash payments accepted under section 2695 of title 10, United States Code, in the account in the Treasury established pursuant to section 572(b) of title 40, United States Code.

"(4) USE OF PROCEEDS.—Proceeds deposited pursuant to paragraph (3) in the account referred to in such paragraph shall be available to the Secretary in such amounts as provided in appropriations Acts for the following activities:

"(A) Maintenance, protection, alternation, repair, improvement, or restoration (including environmental restoration) of property or facilities.

"(B) Payment of utilities services.

"(C) Real property maintenance services.".

(d) TREATMENT OF CERTAIN AMOUNTS RECEIVED.—Subsection (f) of section 2841 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1861), as redesignated by subsection (c)(2) of this section, is amended by striking "(a), (c)(2), and (d)"and inserting "(a) and (e)".

(e) SUNSET.—Subsection (j) of section 2841 of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1861), as redesignated by subsection (c)(2) of this section, is amended by striking ''October 1, 2023'' and inserting ''October 1, 2026, if the Secretary and the Exchange Entity have not entered into a land exchange agreement described in subsection (b) before that date''.

SEC. 2833. LAND CONVEYANCE, SHARPE ARMY DEPOT, LATHROP, CALIFORNIA.

(a) CONVEYANCE AUTHORIZED.—If the Secretary of the Army determines that no department or agency of the Federal Government will accept the transfer of a parcel of real property consisting of approximately 525 acres at Sharpe Army Depot in Lathrop, California, the Secretary may convey to the Port of Stockton, California, all right, title, and interest of the United States in and to the property, including any improvements thereon, for the purpose of permitting the Port of Stockton to use the property for the development or operation of a port facility.

(b) MODIFICATION OF PARCEL AUTHORIZED FOR CONVEYANCE.—If a department or agency of the Federal Government will accept the transfer of a portion of the parcel of real property described in subsection (a), the Secretary shall modify the conveyance authorized by such

subsection to exclude the portion of the parcel to be accepted by that department or agency.

(c) CONSIDERATION.—

(1) PUBLIC BENEFIT CONVEYANCE.—The Secretary of the Army may assign the property for conveyance under subsection (a) as a public benefit conveyance without monetary consideration to the Federal Government if the Port of Stockton satisfies the conveyance requirements specified in section 554 of title 40, United States Code.

(2) FAIR MARKET VALUE.—If the Port of Stockton fails to qualify for a public benefit conveyance under paragraph (1) and still desires to acquire the real property described in subsection (a), the Port of Stockton shall pay to the United States an amount equal to the fair market value of the property to be conveyed. The Secretary shall determine the fair market value of the property using an independent appraisal based on the highest and best use of the property.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army. The cost of the survey shall be borne by the Port of Stockton.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Army may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) SUNSET.—If the real property authorized for conveyance by subsection (a) is not conveyed within one year after the date of the enactment of this Act, the Secretary of the Army may report the property excess for disposal in accordance with existing law.

SEC. 2834. LAND EXCHANGE, SAN BERNARDINO COUNTY, CALIFORNIA.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term ''County'' means the County of San Bernardino, California.

(2) FEDERAL LAND.—The term ''Federal land'' means the approximately 73 acres of Federal land generally depicted as ''Federal Land Proposed for Exchange'' on the map titled ''Big Bear Land Exchange'' and dated August 6, 2018.

(3) NON-FEDERAL LAND.—The term ''non-Federal land'' means the approximately 71 acres of land owned by the County generally depicted as ''Non-Federal Land Proposed for Exchange'' on the map referred to in paragraph (2).

(b) EXCHANGE AUTHORIZED.—Subject to valid existing rights and the terms of this section, no later than one year after the date that the portion of the Pacific Crest National Scenic Trail is relocated in accordance with subsection (i), if the County offers to convey the non-Federal land to the United States, the Secretary of Agriculture shall—

(1) convey to the County all right, title, and interest of the United States in and to the Federal land; and

(2) accept from the County a conveyance of all right, title, and interest of the County in and to the non-Federal land.

(c) EQUAL VALUE AND CASH EQUALIZATION.—

(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.

(2) CASH EQUALIZATION PAYMENT.—The County may equalize the values of the lands to be exchanged under this section by cash payment with-

out regard to any statutory limit on the amount of such a cash equalization payment.

(3) DEPOSIT AND USE OF FUNDS RECEIVED FROM COUNTY.—Any cash equalization payment received by the Secretary of Agriculture under this subsection shall be deposited in the fund established under Public Law 90–171 (16 U.S.C. 484a; commonly known as the Sisk Act). The funds so deposited shall remain available to the Secretary of Agriculture, until expended, for the acquisition of lands, waters, and interests in land for the San Bernardino National Forest.

(d) APPRAISAL.—The Secretary of Agriculture shall complete an appraisal of the land to be exchanged under this section in accordance with—

(1) the Uniform Appraisal Standards for Federal Land Acquisitions; and

(2) the Uniform Standards of Professional Appraisal Practice.

(e) TITLE APPROVAL.—Title to the land to be exchanged under this section shall be in a format acceptable to the Secretary of Agriculture and the County.

(f) SURVEY OF NON-FEDERAL LANDS.—Before completing the exchange under this section, the Secretary of Agriculture shall inspect the non-Federal lands to ensure

that the land meets Federal standards, including hazardous materials and land line surveys.

(g) COSTS OF CONVEYANCE.—As a condition of the conveyance of the Federal land under this section, any costs related to the exchange under this section shall be paid by the County.

(h) MANAGEMENT OF ACQUIRED LANDS.—The Secretary of Agriculture shall manage the non-Federal land acquired under this section in accordance with the Act of March 1, 1911 (16 U.S.C. 480 et seq.; commonly known as the Weeks Act), and other laws and regulations pertaining to National Forest System lands.

(i) PACIFIC CREST NATIONAL SCENIC TRAIL RELOCATION.—No later than three years after the date of enactment of this Act, the Secretary of Agriculture, in accordance with applicable laws, shall relocate the portion of the Pacific Crest National Scenic Trail located on the Federal land—

(1) to adjacent National Forest System land;

(2) to land owned by the County, subject to County approval;

(3) to land within the Federal land, subject to County approval; or

(4) in a manner that combines two or more of the options described in paragraphs (1), (2), and (3).

(j) MAP AND LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall finalize a map and legal descriptions of all land to be conveyed under this section. The Secretary may correct any minor errors in the map or in the legal descriptions. The map and legal descriptions shall be on file and available for public inspection in appropriate offices of the Forest Service.

SEC. 2835. LAND CONVEYANCE, OVER-THE-HORIZON BACKSCATTER RADAR SYSTEM RECEIVING STATION, MODOC COUNTY, CALIFORNIA.

(a) CONVEYANCE REQUIRED.—

(1) IN GENERAL.—As soon as practicable after receiving a request from Modoc County, California (in this section referred to as the ''County'') regarding the conveyance required by this section, but subject to paragraph (2), the Secretary of Agriculture shall convey to the County all right, title, and interest of the United States in and to a parcel of National Forest System land, including improvements thereon, consisting of approximately 927 acres in Modoc National Forest in the State of California

and containing an obsolete Over-the-Horizon Backscatter Radar System receiving station established on the parcel pursuant to a memorandum of agreement between the Department of the Air Force and Forest Service dated May 18 and 23, 1987.

(2) APPLICABLE LAW AND NATIONAL SECURITY DETERMINATION.—The Secretary of Agriculture shall carry out the conveyance under subsection (a) in accordance with this section and all other applicable law, including the condition that the conveyance not take place until the Secretary, in consultation with the Secretary of the Air Force, determines that the conveyance will not harm the national security interests of the United States.

(b) PURPOSE OF CONVEYANCE.—The purpose of the conveyance under subsection (a) is to preserve and utilize the improvements constructed on the parcel of National Forest System land described in such subsection and to permit the County to use the conveyed property, including improvements thereon, for the development of renewable energy, including solar and biomass cogeneration.

(c) CONSIDERATION.—

(1) IN GENERAL.—As consideration for the conveyance under subsection (a), the County shall pay to the Secretary of Agriculture an amount that is

not less than the fair market value of the parcel of land to be conveyed, as determined in accordance with the Uniform Appraisal Standards for Federal Land Acquisition and the Uniform Standards of Professional Appraisal Practice.

(2) TREATMENT OF CASH CONSIDERATION.—The Secretary shall deposit the payment received under paragraph (1) in the account in the Treasury established by Public Law 90–171 (commonly known as the Sisk Act; 16 U.S.C. 484a). The amount deposited shall be available to the Secretary, in such amounts as may be provided in advance in appropriation Acts, to pay any necessary and incidental costs incurred by the Secretary in connection with the improvement, maintenance, reconstruction, or construction of a facility or improvement for the National Forest System located in the State of California.

(d) RESERVATION OF EASEMENT RELATED TO CONTINUED USE OF WATER WELLS.—The conveyance required by subsection (a) shall be conditioned on the reservation of an easement by the Secretary of Agriculture, subject to such terms and conditions as the Secretary deems appropriate, necessary to provide access for use authorized by the Secretary of the four water wells in exist-

ence on the date of the enactment of this Act and associated water conveyance infrastructure on the parcel of National Forest System lands to be conveyed.

(e) WITHDRAWAL.—The National Forest System land described in subsection (a) is withdrawn from the operation of the mining and mineral leasing laws of the United States.

(f) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of Agriculture shall require the County to cover costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the County in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the County.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account

that was used to cover those costs incurred by the Secretary of Agriculture in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(g) ENVIRONMENTAL REMEDIATION.—

(1) IN GENERAL.—To expedite the conveyance of the parcel of National Forest System land described in subsection (a), including improvements thereon, environmental remediation of the land by the Department of the Air Force shall be limited to the removal of the perimeter wooden fence, which was treated with an arsenic-based weatherproof coating, and treatment of soil affected by leaching of such chemical.

(2) POTENTIAL FUTURE ENVIRONMENTAL REMEDIATION RESPONSIBILITIES.—Notwithstanding the conveyance of the parcel of National Forest System land described in subsection (a), the Secretary of the Air Force shall be responsible for the remediation of any environmental contamination, discovered post-conveyance, that is attributed to Air Force

occupancy of and operations on the parcel pre-conveyance.

(h) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Notwithstanding the requirements of section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)), the Secretary of Agriculture shall not be required to provide any of the covenants and warranties otherwise required under such section in connection with the conveyance of the property under subsection (a).

(i) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Secretary of Agriculture.

SEC. 2836. TRANSFER OF ADMINISTRATIVE JURISDICTION, NAVAL SUPPORT ACTIVITY PANAMA CITY, FLORIDA, PARCEL.

(a) TRANSFER TO THE SECRETARY OF THE NAVY.—Administrative jurisdiction over the parcel of Federal land consisting of approximately 1.23 acres located within Naval Support Activity Panama City, Florida, and used by the Department of the Navy pursuant to Executive Order 10355 of May 26, 1952, and Public Land Order Number 952 of April 6, 1954, is transferred from the Secretary of the Interior to the Secretary of the Navy.

(b) LAND SURVEY.—The exact acreage and legal description of the Federal land transferred by subsection (a) shall be determined by a survey satisfactory to the Secretary of the Navy and the Secretary of the Interior.

(c) CONSIDERATION AND REIMBURSEMENT.—

(1) NO CONSIDERATION.—The transfer made by subsection (a) shall be without consideration.

(2) REIMBURSEMENT.—The Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior under subsection (b) in conducting the survey and preparing the legal description of the Federal land transferred by subsection (a).

(d) STATUS OF LAND AFTER TRANSFER.—Upon transfer of the Federal land by subsection (a), the land shall cease to be public land and shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the Navy.

Subtitle E—Military Land Withdrawals

SEC. 2841. RENEWAL OF LAND WITHDRAWAL AND RESERVATION TO BENEFIT NAVAL AIR FACILITY, EL CENTRO, CALIFORNIA.

Section 2925 of the El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2816) is amended by striking ''25 years after the date of the enactment of this subtitle'' and inserting ''on November 6, 2046''.

SEC. 2842. RENEWAL OF FALLON RANGE TRAINING COMPLEX LAND WITHDRAWAL AND RESERVATION.

Notwithstanding section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 892), the withdrawal and reservation of lands (known as the Fallon Range Training Complex) made by section 3011(a) of such Act (113 Stat. 885) shall terminate on November 6, 2046.

SEC. 2843. RENEWAL OF NEVADA TEST AND TRAINING RANGE LAND WITHDRAWAL AND RESERVATION.

Notwithstanding section 3015 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 892), the withdrawal and reservation of

lands (known as the Nevada Test and Training Range) made by section 3011(b) of such Act (113 Stat. 886) shall terminate on November 6, 2046.

SEC. 2844. CO-MANAGEMENT, NEW MEMORANDUM OF UNDERSTANDING, AND ADDITIONAL REQUIREMENTS REGARDING NEVADA TEST AND TRAINING RANGE.

(a) DEFINITIONS.—In this section:

(1) The term ''affected Indian tribe'' means an Indian tribe that—

(A) has historical connections to the land withdrawn and reserved as the Nevada Test and Training Range; and

(B) retains a presence on lands near the Nevada Test and Training Range.

(2) The term ''heavy force'' means a military unit with armored motorized equipment, such as tanks, motorized artillery, and armored personnel carriers.

(3) The term ''large force'' means a military unit designated as a battalion or larger organizational unit.

(4) The term ''Nevada Test and Training Range'' means the lands known as the Nevada Test and Training Range withdrawn and reserved by sec-

tion 3011(b) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 886).

(5) The term ''new memorandum of understanding'' means the memorandum of understanding required by subsection (c)(1).

(6) The term ''overlapping lands'' means the lands overlapping both the Nevada Test and Training Range and the Desert National Wildlife Refuge.

(7) The term ''Secretaries'' means the Secretary of the Air Force and the Secretary of the Interior acting jointly.

(8) The term ''small force'' means a military force of squad, platoon, or equivalent or smaller size.

(b) CO-MANAGEMENT OF FEDERAL LANDS OVERLAPPING NEVADA TEST AND TRAINING RANGE AND DESERT NATIONAL WILDLIFE REFUGE.—The Secretaries shall co-manage the overlapping lands for both military and wildlife refuge purposes.

(c) MEMORANDUM OF UNDERSTANDING.—

(1) NEW MOU REQUIRED.—Not later than two years after the date of the enactment of this Act, the Secretaries shall prepare a memorandum of understanding regarding the management of the overlapping lands for the purpose of facilitating the co-man-

agement of the overlapping lands as required by subsection (b).

(2) RELATION TO EXISTING MOU.—The new memorandum of understanding shall supersede the memorandum of understanding referred to in subparagraph (E) of section 3011(b)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 888). Clauses (ii), (iii), and (iv) of such subparagraph shall apply to the new memorandum of understanding in the same manner as such clauses applied to the superseded memorandum of understanding .

(d) ELEMENTS OF NEW MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Subject to the dispute resolution process required by subsection (e), the new memorandum of understanding shall include, at a minimum, provisions to address the following:

(A) The proper management and protection of the natural and cultural resources of the overlapping lands.

(B) The sustainable use by the public of such resources to the extent consistent with existing laws and regulations, including applicable environmental laws.

(C) The use of the overlapping lands for the military purposes for which the lands are withdrawn and reserved.

(2) CONSULTATION.—The Secretaries shall prepare the new memorandum of understanding in consultation with the following:

(A) The resource consultative committee.

(B) Affected Indian tribes.

(3) TRIBAL ISSUES.—The new memorandum of understanding shall include provisions to address the manner in which the Secretary of the Air Force will accomplish the following:

(A) Meet the United States trust responsibilities with respect to affected Indian tribes, tribal lands, and rights reserved by treaty or Federal law affected by the withdrawal and reservation of the overlapping lands.

(B) Guarantee reasonable access to, and use by members of affected Indian tribes of high priority cultural sites throughout the Nevada Test and Training Range, including the overlapping lands, consistent with the reservation of the lands for military purposes.

(C) Protect identified cultural and archaeological sites throughout the Nevada Test and

Training Range, including the overlapping lands, and, in the event of an inadvertent ground disturbance of such a site, implement appropriate response activities to once again facilitate historic and subsistence use of the site by members of affected Indian tribes.

(D) Provide for timely consultation with affected Indian tribes as required by paragraph (2).

(4) DEPARTMENT OF THE INTERIOR ACCESS.—The new memorandum of understanding shall ensure that the Secretary of the Interior has regularly access to the overlapping lands to carry out the management responsibilities of the Secretary of the Interior regarding the Desert National Wildlife Refuge, including the following:

(A) The installation or maintenance of wildlife water development projects.

(B) The conduct of annual desert bighorn sheep surveys.

(C) The management of the annual desert bighorn sheep hunt in accordance with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd–668ee).

(D) The conduct of annual biological surveys for the Agassiz's desert tortoise and other federally protected species, State-listed and at-risk species, migratory birds, golden eagle nests and rare plants.

(E) The conduct of annual invasive species surveys and treatment.

(F) The conduct of annual contaminant surveys of soil, springs, groundwater and vegetation.

(G) The regular installation and maintenance of climate monitoring systems.

(H) Such additional access opportunities, as needed, for wildlife research, including Global Positioning System collaring of desert bighorn sheep, bighorn sheep disease monitoring, investigation of wildlife mortalities, and deploying, maintaining, and retrieving output from wildlife camera traps.

(5) HUNTING, FISHING, AND TRAPPING.—The new memorandum of understanding shall include provisions to require that any hunting, fishing, and trapping on the overlapping lands is conducted in accordance with section 2671 of title 10, United States Code.

(6) OTHER REQUIRED MATTERS.—The new memorandum of understanding also shall include provisions regarding the following:

(A) The identification of current test and target impact areas and related buffer or safety zones, to the extent consistent with military purposes.

(B) The design and construction of all gates, fences, and barriers in the overlapping lands, to be constructed after the date of the enactment of this Act, in a manner to allow wildlife access, to the extent practicable and consistent with military security, safety, and sound wildlife management use.

(C) The incorporation of any existing management plans pertaining to the overlapping lands to the extent that the Secretaries, upon review of such plans, determine that incorporation into the new memorandum of understanding is appropriate.

(D) Procedures to ensure periodic reviews of the new memorandum of understanding are conducted by the Secretaries, and that the State of Nevada, affected Indian tribes, and the public are provided a meaningful opportunity to

comment upon any proposed substantial revisions.

(e) RESOLUTION OF DISPUTES.—

(1) DISPUTE RESOLUTION PROCESS.—The Secretary of the Air Force shall be responsible for the resolution of any dispute concerning the new memorandum of understanding or any amendment thereto.

(2) CONSULTATION.—The Secretary of the Air Force shall make a decision under this subsection only after consultation with the Secretary of the Interior, acting through the Regional Director of the United States Fish and Wildlife Service, and the coordinator of the resource consultative committee.

(3) GOAL.—The Secretary of the Air Force shall seek to resolve disputes under this subsection in a manner that provides the greatest access to the overlapping lands to the public and to other Federal agencies and is protective of cultural and natural resources to the greatest extent possible consistent with the purposes for which the overlapping lands are reserved.

(f) RESOURCE CONSULTATIVE COMMITTEE.—

(1) ESTABLISHMENT REQUIRED.—The Secretaries shall establish, pursuant to the new memo-

randum of understanding, a resource consultative committee comprised of representatives from interested Federal agencies, as well as at least one elected officer (or other authorized representative) from the State of Nevada, and at least one elected officer (or other authorized representative) from each local and tribal government impacted by the Nevada Test and Training Range, as may be designated at the discretion of the Secretaries.

(2) PURPOSE.—The resource consultative committee shall be established solely for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the Nevada Test and Training Range.

(3) OPERATIONAL BASIS.—The resource consultative committee shall operate in accordance with the terms set forth in the new memorandum of understanding, which shall specify the Federal agencies and elected officers or representatives of State, local, and tribal governments to be invited to participate. The memorandum of understanding shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands concerned, procedures for rotating the chair of

the committee, and procedures for scheduling regular meetings.

(4) COORDINATOR.—The Secretaries shall appoint an individual to serve as coordinator of the resource consultative committee. The duties of the coordinator shall be included in the new memorandum of understanding. The coordinator shall not be a member of the committee.

(g) AUTHORIZED AND PROHIBITED ACTIVITIES.—

(1) AUTHORIZED ACTIVITIES.—Military activities on the overlapping lands are authorized for the following purposes:

(A) Emergency response.

(B) Establishment and use of existing or new electronic tracking and communications sites.

(C) Establishment and use of drop zones.

(D) Use and maintenance of roads in existence as of the date of the enactment of this Act.

(E) Small force readiness training by Air Force, Joint, or Coalition forces, including training using small motorized vehicles both on- and off-road, in accordance with applicable interagency agreements.

(2) PROHIBITED ACTIVITIES.—Military activities on the overlapping lands are prohibited for the following purposes:

(A) Large force or heavy force activities.

(B) Designation of new weapon impact areas.

(C) Any ground disturbance activity not authorized by paragraphs (1) and (2) of subsection (c).

(3) RULES OF CONSTRUCTION.—Nothing in this subsection shall be construed to preclude—

(A) low-level overflights of military aircraft, the designation of new units of special use airspace, or the use or establishment of military flight training routes over the overlapping lands; or

(B) the Secretaries from entering into the new memorandum of understanding or any amendment thereto concerning the activities authorized by paragraph (1).

(h) TRIBAL LIAISON POSITIONS.—

(1) ACCESS COORDINATOR.—The Secretary of the Air Force shall create a tribal liaison position for the Nevada Test and Training Range, to be held by a member of an affected Indian tribe, who will help

coordinate access to cultural and archaeological sites throughout the Nevada Test and Training Range and accompany members of Indian tribes accessing such sites.

(2) CULTURAL RESOURCES LIAISON.—The Secretary of the Air Force shall create a tribal liaison position for the Nevada Test and Training Range, to be held by a member of an affected Indian tribe, who will serve as a tribal cultural resources liaison to ensure that—

(A) appropriate steps are being taken to protect cultural and archaeological sites throughout the Nevada Test and Training Range; and

(B) the management plan for the Nevada Test and Training Range is being followed.

(i) FISH AND WILDLIFE LIAISON.—The Secretaries shall create a Fish and Wildlife Service liaison position for the Nevada Test and Training Range, to be held by a Fish and Wildlife Service official designated by the Director of the United States Fish and Wildlife Service, who will serve as a liaison to ensure that—

(1) appropriate steps are being taken to protect Fish and Wildlife Service managed resources

throughout the Nevada Test and Training Range; and

(2) the management plan for the Nevada Test and Training Range is being followed.

SEC. 2845. SPECIFIED DURATION OF WHITE SANDS MISSILE RANGE LAND WITHDRAWAL AND RESERVATION AND ESTABLISHMENT OF SPECIAL RESERVATION AREA FOR NORTHERN AND WESTERN EXTENSION AREAS.

(a) DURATION OF LAND WITHDRAWAL AND RESERVATION.—The withdrawal and reservation of lands (known as the White Sands Missile Range) made by section 2951 of the Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1039), and the special reservation area established by this section, shall terminate on October 1, 2046.

(b) SPECIAL RESERVATION AREA.—

(1) ESTABLISHMENT.—There is hereby established a special reservation area consisting of the approximately 341,415 acres of public land (including interests in land) in Socorro and Torrance Counties, New Mexico, and the approximately 352,115 acres of public land (including interests in land) in Sierra, Socorro, and Doña Ana Counties, New Mexico, depicted as Northern Call-Up Area and Western Call-

Up Area, respectively, on the maps entitled "WSMR Northern Call-Up Area" and "WSMR Western Call-Up Area", both dated August 16, 2016. These lands include approximately 10,775 acres under the administrative jurisdiction of the Secretary of the Army.

(2) RESERVATION GENERALLY.—The special reservation area, excluding the portion of the special reservation area under the administrative jurisdiction of the Secretary of the Army, is reserved for use by the Secretary of the Army for military purposes consisting of overflight research, development, test, and evaluation and training.

(3) ARMY LANDS.—The portion of the special reservation area under the administrative jurisdiction of the Secretary of the Army is reserved for use by the Secretary of the Army for military purposes as determined by the Secretary of the Army.

(c) EXCEPTION FROM SPECIAL RESERVATION.—The Secretary of the Army may permit, on a case-by-case basis and consistent with section 44718 of title 49, United States Code, the erection in the special reservation area established by subsection (b) of a structure that extends higher than 50 feet in height above the surface estate.

(d) MAPS AND LEGAL DESCRIPTIONS.—Section 3012 of the Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1026) shall apply with respect to the maps referred to in subsection (a) and the preparation of legal descriptions of the special reservation area established by subsection (b), except that the reference to the date of the enactment of that Act shall be deemed to refer to the date of the enactment of this Act.

(e) RULES OF CONSTRUCTION.—The establishment of the special reservation area by subsection (b) shall not be construed—

(1) to alter the terms, operation, or duration of any agreement entered into by the Secretary of the Army or the Secretary of the Interior involving any portion of the lands included in the special reservation area, and the Secretaries shall continue to comply with the terms of any such agreement; or

(2) to vest in the Secretary of the Army or the Secretary of the Interior any authority vested in the Secretary of Transportation or the Administrator of the Federal Aviation Administration.

Subtitle F—Asia-Pacific and Indo-Pacific Issues

SEC. 2851. CHANGE TO BIENNIAL REPORTING REQUIREMENT FOR INTERAGENCY COORDINATION GROUP OF INSPECTORS GENERAL FOR GUAM REALIGNMENT.

Section 2835(e)(1) of the Military Construction Authorization Act for Fiscal Year 2010 (division B of Public Law 111–84; 10 U.S.C. 2687 note) is amended—

(1) in the paragraph heading, by striking ''ANNUAL'' and inserting ''BIENNIAL''; and

(2) in the matter preceding subparagraph (A)—

(A) by striking ''February 1 of each year'' and inserting ''February 1, 2022, and every second February 1 thereafter'';

(B) by striking ''fiscal year'' and inserting ''two fiscal years'';

(C) by striking ''such year'' and inserting ''such years''; and

(D) by striking ''the year'' and inserting ''the years''.

SEC. 2852. ADDITIONAL EXCEPTION TO RESTRICTION ON DEVELOPMENT OF PUBLIC INFRASTRUCTURE IN CONNECTION WITH REALIGNMENT OF MARINE CORPS FORCES IN ASIA-PACIFIC REGION.

Notwithstanding section 2821(b) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 10 U.S.C. 2687 note), the Secretary of Defense may proceed with the public infrastructure project on Guam intended to provide a new public health laboratory, as identified in the report prepared by the Secretary of Defense under section 2822(d)(2) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113–66; 127 Stat. 1017) and entitled ''Economic Adjustment Committee Implementation Plan Supporting the Preferred Alternative for the Relocation of Marine Corps Forces to Guam'', subject to the availability of funds for the project.

SEC. 2853. DEVELOPMENT OF MASTER PLAN FOR INFRASTRUCTURE TO SUPPORT ROTATIONAL ARMED FORCES IN AUSTRALIA.

(a) MASTER PLAN REQUIRED.—The Secretary of Defense shall develop a master plan for the construction of infrastructure required to support the rotational presence of units and members the United States Armed Forces in the Northern Territory of the Commonwealth

of Australia (in this section referred to as the ''Northern Territory'').

(b) MASTER PLAN ELEMENTS.—The master plan shall include the following:

(1) A list and description of the scope, cost, and schedule for each military construction, repair, or other infrastructure project carried out at installations or training areas in the Northern Territory since October 1, 2011.

(2) A list and description of the scope, cost, and schedule for each military construction, repair, or other infrastructure project anticipated to be necessary at installations or training areas in the Northern Territory during the 10-year period beginning on the date of the enactment of this Act.

(3) The site plans for each installation and training area in the Northern Territory.

(4) For each project included in the master plan pursuant to paragraph (1) or (2), an explanation of—

(A) whether the proponent of the project was the Secretary of a military department, a combat support agency, a combatant command, or the Commonwealth of Australia; and

(B) the funding source, or anticipated resource sponsor, for the project, including whether the project is funded by the United States, by the Commonwealth of Australia, or jointly by both countries.

(5) Such other issues as determined by the Secretary of Defense to be appropriate.

(c) COORDINATION.—The Secretary of Defense shall coordinate with the Commander of United States Indo-Pacific Command and the Secretaries of the military departments to develop the master plan.

(d) REPORT REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing a copy of the master plan. The report shall be submitted in unclassified form, but may include a classified annex.

SEC. 2854. STUDY AND STRATEGY REGARDING BULK FUELS MANAGEMENT IN UNITED STATES INDO-PACIFIC COMMAND AREA OF RESPONSIBILITY.

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

(1) The ordering and delivery of bulk fuels is organizationally bifurcated to the detriment of the Department of Defense.

(2) Legacy bulk fuel management will not meet the accelerated pace of operations required to support the National Defense Strategy and the emphasis on disaggregated operations.

(3) The number of United States flagged tanking vessels continues to decline, which has resulted in an excessive reliance on foreign flagged tanking vessels to be available to support the National Defense Strategy.

(4) A foreign flagged tanking vessel support strategy induces excessive risk to support United States disaggregated operations in a highly contested environment.

(5) The inadequacies of the legacy bulk fuel management strategy is particularly acute in the United States Indo-Pacific Command Area of Responsibility.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a single organizational element should be responsible for the bulk fuel management and delivery throughout the United States Indo-Pacific Command Area of Responsibility.

(c) STUDY AND STRATEGY REQUIRED.—The Secretary of the Navy shall—

(1) conduct a study of current and projected bulk fuel management strategies in the United States Indo-Pacific Command Area of Responsibility; and

(2) prepare a proposed bulk fuel management strategy that optimally supports bulk fuel management in the United States Indo-Pacific Command Area of Responsibility.

(d) ELEMENTS OF STUDY.—The study required by subsection (c) shall include the following elements:

(1) A description of current organizational responsibility of bulk fuel management in the United States Indo-Pacific Command Area of Responsibility from ordering, storage, strategic transportation, and tactical transportation to the last tactical mile.

(2) A description of legacy bulk fuel management assets that can be used to support the United States Indo-Pacific Command.

(3) Options for congressional consideration to better align organizational responsibility through the entirety of the bulk fuel management system in the United States Indo-Pacific Command Area of Responsibility, as proposed in the bulk fuel management strategy prepared pursuant to paragraph (2) of such subsection.

(e) COORDINATION.—The Secretary of the Navy shall conduct the study and prepare the bulk fuel management strategy required by subsection (c) in coordination with subject-matter experts of the United States Indo-Pacific Command, the United States Transportation Command, and the Defense Logistics Agency.

(f) REPORT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing the results of the study required by subsection (c) and the bulk fuel management strategy required by such subsection.

(g) PROHIBITION ON CERTAIN CONSTRUCTION PENDING REPORT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2021 for the Navy for construction related to additional bulk fuel storage in the United States Indo-Pacific Command Area of Responsibility may be obligated or expended until the report required by subsection (f) is submitted to the congressional defense committees.

Subtitle G—Other Matters

SEC. 2861. DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM.

(a) PRIORITIZATION OF COMMUNITY INFRASTRUCTURE PROJECTS.—Section 2391(d)(1) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(1)'';

(2) by striking '', if the Secretary determines that such assistance will enhance the military value, resilience, or military family quality of life at such military installation''; and

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

''(B) The Secretary shall establish criteria for the selection of community infrastructure projects to receive assistance under this subsection, including selection of community infrastructure projects in the following order of priority:

''(i) Projects that will enhance military installation resilience.

''(ii) Projects that will enhance military value at a military installation.

''(iii) Projects that will enhance military family quality of life at a military installation.''.

(b) COST-SHARING REQUIREMENTS.—Paragraph (2) of section 2391(d) of title 10, United States Code, is amended to read as follows:

''(2)(A) The criteria established for the selection of community infrastructure projects to receive assistance under this subsection shall include a requirement that, except as provided in subparagraph (B), the State or local government agree to contribute not less than 30 percent of the funding for the community infrastructure project.

''(B) If a proposed community infrastructure project will be carried out in a rural area or the Secretary of Defense determines that a proposed community infrastructure project is advantageous for reasons related to national security, the Secretary—

''(i) shall not penalize a State or local government for offering to make a contribution of 30 percent or less of the funding for the community infrastructure project; and

''(ii) may reduce the requirement for a State or local government contribution to 30 percent or less or waive the cost-sharing requirement entirely.''.

(c) SPECIFIED DURATION OF PROGRAM.—Section 2391(d)(4) of title 10, United States Code, is amended by striking ''upon the expiration of the 10-year period which begins on the date of the enactment of the National

Defense Authorization Act for Fiscal Year 2019'' and inserting ''on September 30, 2028''.

SEC. 2862. PILOT PROGRAM ON REDUCTION OF EFFECTS OF MILITARY AVIATION NOISE ON CERTAIN COVERED PROPERTY.

(a) IN GENERAL.—The Secretary of Defense shall carry out a five-year pilot program under which the commander of a military installation may provide funds for the purpose of installing noise insulation on covered property impacted by military aviation noise from aircraft utilizing the installation.

(b) COST SHARING REQUIREMENT.—To be eligible to receive funds under the pilot program, a recipient shall enter into an agreement with the commander to cover at least 50 percent of the cost to acquire and install the noise insulation for the covered property.

(c) NOISE REDUCTION THRESHOLD.—To be eligible to receive funds under the pilot program, the commander must determine that, if noise insulation is installed as requested, noise at the covered property would be reduced by at least five dB.

(d) OTHER FUNDING LIMITATIONS.—Funds provided under the pilot program shall be used for the installation of noise insulation for covered property—

(1) located within a Department of Defense noise contour between 65 dB day-night average sound level and 75 dB day-night average sound level as validated on a National Environmental Policy Act-compliant assessment within the past three years; and

(2) where interior noise has been measured at 45 dB day-night average sound level by the installation.

(e) GOALS AND BEST PRACTICES.—In carrying out the pilot program, a commander shall pursue the following goals and use the following best practices:

(1) Minimize cost in order to maximize the quantity of covered property served.

(2) Focus efforts on covered property newly impacted by increased noise levels.

(f) COVERED PROPERTY DEFINED.—For purposes of the pilot program, the term ''covered property'' means the following:

(1) A private residence.

(2) A hospital.

(3) A daycare facility.

(4) A school.

(5) A facility whose primary purpose is serving senior citizens.

(g) CONDITION ON COMMENCEMENT.—Commencement of the pilot program shall be subject to the availability of appropriations for the program.

SEC. 2863. DEPARTMENT OF DEFENSE POLICY FOR REGULATION OF DANGEROUS DOGS IN MILITARY COMMUNITIES.

(a) POLICY REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, through the Veterinary Service Activity of the Department of Defense, shall establish a standardized policy applicable across all military communities for the regulation of dangerous dogs that is—

(1) breed-neutral; and

(2) consistent with advice from professional veterinary and animal behavior experts in regard to effective regulation of dangerous dogs.

(b) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall prescribe regulations implementing the policy established under subsection (a).

(2) BEST PRACTICES.—The regulations prescribed under paragraph (1) shall include strategies, for implementation within all military communities,

for the prevention of dog bites that are consistent with the following best practices:

(A) Enforcement of comprehensive, nonbreed-specific regulations relating to dangerous dogs, with emphasis on identification of dangerous dog behavior and chronically irresponsible owners.

(B) Enforcement of animal control regulations, such as leash laws and stray animal control policies.

(C) Promotion and communication of resources for pet spaying and neutering.

(D) Investment in community education initiatives, such as teaching criteria for pet selection, pet care best practices, owner responsibilities, and safe and appropriate interaction with dogs.

(c) DEFINITIONS.—In this section:

(1) The term ''dangerous dog'' means a dog that—

(A) has attacked a person or another animal without justification, causing injury or death to the person or animal; or

(B) exhibits behavior that reasonably suggests the likely risk of such an attack.

(2) The term ''military communities'' means—

(A) all installations of the Department; and

(B) all military housing, including privatized military housing under subchapter IV of chapter 169 of title 10, United States Code.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Navy may acquire real property and carry out the military construction projects for the installation outside the United States, and in the amount, set forth in the following table:

Navy: Outside the United States

Country	Location	Amount
Spain	Rota	$59,230,000

SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Location	Amount
Germany	Ramstein	$36,345,000
	Spangdahlem Air Base	$25,824,000

Air Force: Outside the United States—Continued

Country	Location	Amount
Romania	Campia Turzii	$130,500,000

SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2020, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

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

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out new plant projects for the National Nuclear Security Administration as follows:

Project 21–D–510, High Explosive Synthesis, Formulation, and Production facility, Pantex Plant, Amarillo, Texas, $177,395,000.

Project 21–D–511, Savannah River Plutonium Processing Facility, Savannah River Site, Aiken, South Carolina, $241,896,000.

Project 21–D–512, Plutonium Pit Production Project, Los Alamos National Laboratory, Los Alamos, New Mexico, $116,900,000 for planning and design and $79,100,000 for construction.

Project 21–D–530, Steam and Condensate Upgrade, Knolls Atomic Power Laboratory, Schenectady, New York, $50,200,000.

General Purpose Project, TA–15 Dual-Axis Radiographic Hydrodynamic Test facility, Hydro Vessel Repair facility, Los Alamos National Laboratory, Los Alamos, New Mexico, $16,491,000.

General Purpose Project, U1a.03 Test Bed Facility Improvements, Nevada National Security Site, Mercury, Nevada, $16,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for defense environmental cleanup activities in carrying out programs as specified in the funding table in section 4701.

(b) AUTHORIZATION OF NEW PLANT PROJECTS.—From funds referred to in subsection (a) that are available for carrying out plant projects, the Secretary of Energy may carry out, for defense environmental cleanup activities, the following new plant projects:

Project 21–D–401, Hoisting Capability Project, Waste Isolation Pilot Plant, Carlsbad, New Mexico, $10,000,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for other defense activities in carrying out programs as specified in the funding table in section 4701.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for nuclear energy as specified in the funding table in section 4701.

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

SEC. 3111. NUCLEAR WARHEAD ACQUISITION PROCESSES.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) in its 25th year, the science-based Stockpile Stewardship Program established under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) has succeeded in providing the United States with a credible nuclear deterrent in the absence of nuclear explosive testing;

(2) maintaining global moratoria on nuclear explosive testing is in the national security interest of the United States;

(3) a robust, second-to-none science and technology enterprise is required to maintain and certify the nuclear weapons stockpile of the United States; and

(4) the National Nuclear Security Administration must continue to improve program management and execution of the major acquisition programs of the Administration.

(b) REQUIREMENTS.—

(1) PHASES.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 4201 et seq.) is amended by adding at the end the following new section:

"SEC. 4223. REQUIREMENTS FOR CERTAIN JOINT NUCLEAR WEAPONS LIFE CYCLE PHASES.

"(a) DESIGN AND ENGINEERING REQUIREMENTS.—The Administrator shall ensure the following:

"(1) The national security laboratories engage in peer review of proposed designs of nuclear weapons.

"(2) The nuclear weapons production facilities are involved early and often during the design and engineering process of nuclear weapons in order to take into account how such design and engineering will affect the production of the nuclear weapons.

"(b) REQUIREMENTS AFTER PHASE 1.—After the Administrator completes phase 1 of the joint nuclear weapons life cycle for a nuclear weapon, the Nuclear Weapons Council shall submit to the congressional defense committees a report containing the following:

"(1) A description of the potential military characteristics of the nuclear weapon.

"(2) A description of the stockpile-to-target sequence requirements of the nuclear weapon.

"(3) A description of any other requirements of the Administration or the Department of Energy that will affect the nuclear weapon, including the first product unit date, the initial operational capability date, the final operational capability date, or requirements relating to increased safety and surety.

"(4) Initial assessments of the effect to the nuclear security enterprise workforce and any required new or recapitalized major facilities or capabilities relating to the nuclear weapon.

"(c) REQUIREMENTS ENTERING INTO PHASE 2.—Not later than 15 days after the date on which the Nuclear Weapons Council approves a nuclear weapon for phase 2 of the joint nuclear weapons life cycle, the Administrator shall submit to the congressional defense committees a plan to implement an independent peer-review process, a board of experts, or both, with respect to the non-nuclear weapon component and subsystem design and engineering aspects of such nuclear weapon. The Administrator shall ensure that such process—

"(1) uses all relevant capabilities of the Federal Government, the defense industrial base, and academia, and other capabilities that the Administrator determines necessary; and

"(2) informs the entire development life cycle of such nuclear weapon.

"(d) REQUIREMENTS ENTERING INTO PHASE 3.—

"(1) INDEPENDENT COST ASSESSMENT.—Before the Nuclear Weapons Council approves a nuclear weapon for phase 3 of the joint nuclear weapons life cycle, the Administrator shall ensure that an independent cost assessment is conducted for phase 3 that includes assigning a percentage of confidence level with respect to the Administrator being able to carry out phase 3 within the estimated schedule and cost objectives.

"(2) CERTIFICATIONS AND REPORTS.—Not later than 15 days after the date on which the Nuclear Weapons Council approves a nuclear weapon for phase 3 of the joint nuclear weapons life cycle—

"(A) the Administrator shall certify to the congressional defense committees that—

"(i) the joint nuclear weapons life cycle process for phases 1 through 5 of the nuclear weapon has equal or greater rigor as the life extension process under each part of phase 6; and

"(ii) the level of design and technology maturity of the proposed design of

the nuclear weapon can be carried out within the estimated schedule and cost objectives specified in the cost assessment under paragraph (1); and

''(B) the Commander of the United States Strategic Command shall submit to the congressional defense committees a report containing—

''(i) the specific warhead requirements for the delivery system of the nuclear weapon, including such planned requirements during the 15-year period following the date of the report; and

''(ii) an identification of the tail numbers of the warheads for that delivery system that may require life extensions, be retired, or be altered during such period, and a description of the considerations for deciding on such actions.

''(e) WAIVERS.—Subsections (b) through (d) may be waived during a period of war declared by Congress after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.

''(f) JOINT NUCLEAR WEAPONS LIFE CYCLE DEFINED.—In this section, the term 'joint nuclear weapons

1 life cycle' has the meaning given that term in section
2 4220.''.
3 (2) CLERICAL AMENDMENT.—The table of con-
4 tents for the Atomic Energy Defense Act is amended
5 by inserting after the item relating to section 4222
6 the following new item:

''Sec. 4223. Requirements for certain joint nuclear weapons life cycle phases.''.

7 (c) SELECTED ACQUISITION REPORTS AND INDE-
8 PENDENT COST ESTIMATES.—Section 4217(b)(1) of such
9 Act (50 U.S.C. 2537(b)(1)) is amended—
10 (1) in subparagraph (A)—
11 (A) in clause (i), by striking ''phase 6.2A''
12 and inserting ''phase 2A and phase 6.2A'';
13 (B) in clause (ii), by striking ''phase 6.3''
14 and inserting ''phase 3 and phase 6.3'';
15 (C) in clause (iii)—
16 (i) by striking ''phase 6.4'' and insert-
17 ing ''phase 4 and phase 6.4''; and
18 (ii) by striking ''phase 6.5'' and in-
19 serting ''phase 5 and phase 6.5''; and
20 (2) in subparagraph (B), by striking ''phase
21 6.2'' and inserting ''phase 2 and phase 6.2''.
22 (d) REPORT.—Not later than 120 days after the date
23 of the enactment of this Act, the Director for Cost Esti-
24 mating and Program Evaluation of the National Nuclear
25 Security Administration shall submit to the congressional

defense committees a report containing recommendations to strengthen governance, program execution, and program management controls with respect to the process of the joint nuclear weapons life cycle (as defined in section 4220 of the Atomic Energy Defense Act (50 U.S.C. 2538b).

SEC. 3112. UNCOSTED AND UNOBLIGATED AMOUNTS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3251(b) of the National Nuclear Security Administration Act (50 U.S.C. 2451(b)) is amended by adding at the end the following new paragraph:

''(3) In the budget justification materials for each of fiscal years 2022 through 2026 submitted to Congress in support of each such budget, the Administrator shall include a detailed description of the uncosted and unobligated amounts that the Administrator maintains, listed by the year for which the amounts were appropriated, including—

''(A) the gross uncosted and unobligated amounts for each individual program element (using thresholds specified in the report submitted by the Secretary of Energy to Congress titled 'Report on Uncosted Balances for Fiscal Year Ended September 30, 2014'); and

"(B) an explanation for why the uncosted and unobligated amounts have not been expended.".

SEC. 3113. EXTENSION OF LIMITATION RELATING TO RECLASSIFICATION OF HIGH-LEVEL WASTE.

Section 3121 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1953) is amended by striking "fiscal year 2020" and inserting "fiscal year 2020 or fiscal year 2021".

SEC. 3114. EXTENSION OF PILOT PROGRAM ON UNAVAILABILITY FOR OVERHEAD COSTS OF AMOUNTS SPECIFIED FOR LABORATORY-DIRECTED RESEARCH AND DEVELOPMENT.

Section 3119 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 50 U.S.C. 2791 note) is amended—

(1) in subsection (c)(2), by striking "four" and inserting "five"; and

(2) in subsection (d), by striking "February 15, 2020" and inserting "December 31, 2020".

SEC. 3115. PLUTONIUM PIT PRODUCTION.

(a) INDEPENDENT COST ESTIMATE.—

(1) REQUIREMENT.—The Secretary of Energy shall conduct an independent cost estimate of the Savannah River Plutonium Processing Facility project in accordance with Department of Energy

Directive 413.3b, as in effect on the date of the enactment of this Act.

(2) CONFIDENCE LEVEL.—The assessment under paragraph (1) shall assign a percentage of confidence level with respect to the Secretary being able to carry out the Facility project within the estimated schedule and cost objectives.

(3) SUBMISSION.—The Secretary shall submit to the congressional defense committees the independent cost estimate under paragraph (1).

(b) CONDITIONAL REPORTS AND CERTIFICATIONS.—

(1) LOW CONFIDENCE.—If the assessment under subsection (a) assigns a confidence level below 90 percent pursuant to paragraph (2) of such subsection—

(A) the Secretary shall submit to the congressional defense committees the report described in paragraph (2); and

(B) the Commander of the United States Strategic Command shall certify to such committees that either—

(i) the requirement to produce not less than 80 war reserve plutonium pits during 2030 pursuant to section 4219 of the Atomic Energy Defense Act (50 U.S.C.

2538a) cannot be extended by up to five years without causing a grave threat to the national security of the United States, taking into account options for temporarily surging the production of such pits at Los Alamos National Laboratory and other mitigation strategies available to the Commander; or

(ii) such requirement can be so extended without causing a grave threat to the national security of the United States.

(2) REPORT.—The report described in this paragraph is a report by the Secretary that contains either of the following:

(A) A certification by the Secretary, without delegation, that, notwithstanding the confidence level contained in the assessment under subsection (a), the Secretary has a confidence level of 90 percent or greater with respect to being able to carry out the Facility project within the estimated schedule and cost objectives.

(B) If the Secretary cannot make the certification under subparagraph (A), a plan by the Secretary to achieve such a confidence level

of 90 percent or greater, including with respect to changing the costs, schedule, and scope of the Facility project.

SEC. 3116. PROGRAM FOR RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) ESTABLISHMENT.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall establish a program to assess the viability of using low-enriched uranium in naval nuclear propulsion reactors, including such reactors located on aircraft carriers and submarines, that meet the requirements of the Navy.

(b) ACTIVITIES.—In carrying out the program under subsection (a), the Administrator shall carry out activities to develop an advanced naval nuclear fuel system based on low-enriched uranium, including activities relating to—

(1) down-blending of high-enriched uranium into low-enriched uranium;

(2) manufacturing of candidate advanced low-enriched uranium fuels;

(3) irradiation tests and post-irradiation examination of these fuels; and

(4) modification or procurement of equipment and infrastructure relating to such activities.

(c) REPORT.—Not later than 120 days after the date of the enactment of this Act, the Administrator shall submit to the congressional defense committees a plan outlining the activities the Administrator will carry out under the program established under subsection (a), including the funding requirements associated with developing a low-enriched uranium fuel.

SEC. 3117. INDEPENDENT STUDY ON EFFECTS OF USE OF NUCLEAR WEAPONS.

(a) STUDY.—The Administrator for Nuclear Security shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine under which the National Academies conduct a study on the atmospheric effects of nuclear explosions.

(b) MATTERS INCLUDED.—The study under subsection (a) shall include the following:

(1) An evaluation of the non-fallout atmospheric effects of likely and plausible scenarios for nuclear war, ranging from relatively small, regional exchanges to large exchanges associated with nuclear war between major powers.

(2) An examination of the effects evaluated under paragraph (1) by—

(A) the yield, type, and number of nuclear weapons;

(B) the types and locations of targets;

(C) the time distribution of the explosions;

(D) the atmospheric conditions; and

(E) other factors that may have a significant impact on the effects.

(3) An assessment of current models of nuclear explosions, including with respect to—

(A) the fires such explosions may cause;

(B) the atmospheric transport of the gases from such explosions;

(C) the radioactive material from such explosions; and

(D) the soot and other debris from such explosions and fires, the atmospheric effects of such soot and debris, and the consequences of such effects, including the consequences relating to extreme weather, air pollution, stratospheric ozone, agriculture, and marine and terrestrial ecosystems.

(4) Identification of the capabilities and limitations of the models described in paragraph (3) for assessing the impacts of nuclear war, including—

(A) an evaluation of the relevant uncertainties;

(B) a highlight of the key data gaps; and

(C) recommendations for how such models can be improved to inform decision making.

(c) REPORT.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the National Academies shall submit to the Administrator for National Security and the congressional defense committees a report on the study under subsection (a).

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

(d) INFORMATION.—The Secretary of Defense shall provide to the National Academies the information of the Department of Defense necessary for the National Academies to conduct the study under subsection (a), including information relating to relevant scenarios described in subsection (b).

SEC. 3118. REPORTS ON DIVERSITY OF CERTAIN CONTRACTOR EMPLOYEES OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) ANNUAL REPORTS.—Not later than December 31, 2020, and each year thereafter through 2022, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on the diversity of

contractor employees of the National Nuclear Security Administration.

(b) MATTERS INCLUDED.—Subject to subsection (c), each report under subsection (a) shall include, for each covered element of the Administration, the following:

(1) With respect to the fiscal year covered by the report and the previous fiscal year, demographic data of—

(A) the contractor employees of the covered element;

(B) the contractor employees hired at the covered element during each such year; and

(C) the contractor employees of the covered element who voluntarily separated during each such year.

(2) A breakdown of the data under paragraph (1) by each position in the common occupational classification system.

(3) A description of the plan to increase diversity at the covered element, and how such plan responds to any trends identified with respect to the data under paragraph (1).

(4) An identification of the official of the covered element responsible for implementing such plan and a description of how the person determines

whether the covered element is meeting the goals of the plan.

(5) A description of the training resources relating to diversity, equality, and inclusion are available to contractor employees of the covered element with hiring authority, and an identification of how many such contractor employees have been trained.

(c) DATA.—The Administrator shall carry out this section using data that is—

(1) otherwise available to the Administrator and to the management and operating contractors of the nuclear security enterprise; and

(2) collected in accordance with applicable regulations of the Equal Employment Opportunity Commission, regulations of the Office of Federal Contract Compliance Programs of the Department of Labor, and applicable provisions of Federal law on privacy.

(d) PUBLICATION.—The Administrator shall make publicly available on the internet website of the Department of Energy each report under subsection (a), subject to the regulations and Federal law specified in subsection (c)(2).

(e) DEFINITIONS.—In this section:

(1) The term ''contractor employee'' means an employee of a management and operating contractor of the nuclear security enterprise.

(2) The term ''covered element'' means each national security laboratory and nuclear weapons production facility (as such terms are defined in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)).

(3) The term ''nuclear security enterprise'' has the meaning that term in section 3281 of the National Nuclear Security Administration Act (50 U.S.C. 2471)).

SEC. 3119. FINDINGS, PURPOSE, AND APOLOGY RELATING TO FALLOUT EMITTED DURING THE GOVERNMENT'S ATMOSPHERIC NUCLEAR TESTS.

Section 2(a)(1) of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note) is amended by inserting '', including individuals in New Mexico, Idaho, Colorado, Arizona, Utah, Texas, Wyoming, Oregon, Washington, South Dakota, North Dakota, Nevada, Guam, and the Northern Mariana Islands,'' after ''tests exposed individuals''.

SEC. 3120. SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR TESTING.

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear testing carried out during the Cold War.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2021, $28,836,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $13,006,000 for fiscal year 2021 for the purpose of carrying out activities under chapter 869 of title 10, United States Code, relating to the naval petroleum reserves.

(b) PERIOD OF AVAILABILITY.—Funds appropriated pursuant to the authorization of appropriations in subsection (a) shall remain available until expended.

TITLE XXXV—MARITIME MATTERS

Subtitle A—Maritime Administration

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

(a) FISCAL YEAR 2021 AUTHORIZATION.—There are authorized to be appropriated to the Department of Transportation for fiscal year 2021, to be available without fiscal year limitation if so provided in appropriations Acts, for programs associated with maintaining the United States merchant marine, the following amounts:

(1) For expenses necessary for operations of the United States Merchant Marine Academy, $81,944,000, of which—

(A) $76,444,000 shall be for Academy operations; and

(B) $5,500,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $37,700,000, of which—

(A) $2,400,000 shall remain available until September 30, 2021, for the Student Incentive Program; and

(B) $30,500,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $388,815,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $55,853,000.

(5) For expenses necessary to dispose of vessels in the National Defense Reserve Fleet, $4,200,000, which shall remain available until expended.

(6) For expenses necessary to maintain and preserve a United States flag merchant marine to serve the national security needs of the United States under chapter 531 of title 46, United States Code, $494,008,000.

(7) For expenses necessary for the loan guarantee program authorized under chapter 537 of title 46, United States Code, $33,000,000, of which—

(A) $30,000,000 may be used for the cost (as defined in section 502(5) of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a(5))) of loan guarantees under the program; and

(B) $3,000,000 may be used for administrative expenses relating to loan guarantee commitments under the program.

(8) For expenses necessary to provide small shipyards and maritime communities grants under section 54101 of title 46, United States Code, $20,000,000.

(b) AMOUNT OF FISCAL YEAR 2021 CONTRACTOR PAYMENTS UNDER OPERATING AGREEMENTS.—Section 53106(a)(1)(B) of title 46, United States Code, is amended by striking "$5,233,463" and inserting "$8,233,463".

(c) CONFORMING AMENDMENT.—Section 53111(2) of title 46, United States Code, is amended by striking "$314,007,780" and inserting "$494,008,000".

SEC. 3502. SENSE OF CONGRESS REGARDING ROLE OF DOMESTIC MARITIME INDUSTRY IN NATIONAL SECURITY.

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

(1) The United States domestic maritime industry, with a fleet of nearly 40,000 vessels, supports nearly 650,000 American jobs and provides more than $150,000,000 in annual economic output.

(2) The vessel innovations of the domestic trades that transformed worldwide maritime com-

merce include the development of container ships, self-unloading vessels, articulated tug-barges, trailer barges, chemical parcel tankers, railroad-on-barge carfloats, and river flotilla towing systems.

(3) The domestic fleet is essential to national security is needed to crew United States Government-owned and other sealift vessels to protect the Nation.

(4) The Department of Defense and the entire national security infrastructure of the United States benefits from a robust commercial shipyard and ship repair industry, which helps provide both economic and military sealift support.

(5) The Department of Defense depends on the United States domestic trades' fleet of container ships, roll-on/roll-off ships, product tankers, and other vessels to assist with the flow of military cargoes during both peace time and war time.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States coastwise trade laws promote a strong domestic trade maritime industry, which supports the national security and economic vitality of the United States and the efficient operation of the United States transportation system; and

(2) a strong commercial maritime industry makes the United States more secure.

SEC. 3503. NONAPPLICABILITY OF REQUIREMENT RELATING TO MINIMUM NUMBER OF OPERATING DAYS FOR VESSELS OPERATING UNDER MSP OPERATING AGREEMENTS.

Notwithstanding part 296 of title 46, Code of Federal Regulations, until December 31, 2020, or upon the written determination of the Secretary of Transportation until June 31, 2021, the operator of a vessel operating such vessel under an MSP Operating Agreement (as such term is defined in section 296.2 of title 46, Code of Federal Regulations)—

(1) shall not be required to comply with any requirement with respect to operating days (as such term is defined in such section) contained in such agreement; and

(2) shall maintain such vessel in a state of operational readiness, including through the employment of the vessel's crew complement, until the applicable date.

SEC. 3504. IMPROVEMENTS TO PROCESS FOR WAIVING NAVIGATION AND VESSEL-INSPECTION LAWS.

(a) IMPROVEMENTS TO WAIVER PROCESS.—Section 501 of title 46, United States Code, is amended—

(1) in subsection (a), by adding ''to address an immediate adverse effect on military operations'' after ''national defense'';

(2) in subsection (b)—

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

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

''(2) DURATION OF WAIVER.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), a waiver issued under this subsection shall be for a period of not more than 10 days.

''(B) WAIVER EXTENSION.—Upon the termination of the period of a waiver issued under this subsection, the head of an agency may extend the waiver for an additional period of not more than 10 days, if the Maritime Administrator makes the determinations referred to in paragraph (1).

''(C) AGGREGATE DURATION.—The aggregate duration of the period of all waivers and extensions of waivers under this subsection with respect to any one set of events shall not exceed 45 days.''; and

(C) in paragraph (4), as so redesignated—

(i) in subparagraph (B)(ii), by striking "paragraph (2)(A)" and inserting "paragraph (3)(A)"; and

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

"(C) NOTIFICATION REQUIRED FOR EXTENSIONS.—For purposes of this paragraph, an extension requested or issued under paragraph (2)(B) shall be treated in the same manner as a waiver requested or issued under this section.";

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

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

"(c) REPORT.—

"(1) IN GENERAL.—Not later than 10 days after the date of the conclusion of the voyage of a vessel that, during such voyage, operated under a waiver issued under this section, the owner or operator of the vessel shall submit to the Maritime Administrator a report that includes—

"(A) the name and flag of the vessel;

"(B) the dates of the voyage;

1 ''(C) any relevant ports of call; and

2 ''(D) any other information the Maritime

3 Administrator determines necessary.

4 ''(2) PUBLICATION.—Not later than 48 hours

5 after receiving a report under paragraph (1), the

6 Maritime Administrator shall publish such report on

7 an appropriate website of the Department of Trans-

8 portation.''.

9 (b) APPLICABILITY.—The amendments made by this

10 section shall apply with respect to waivers issued after the

11 date of the enactment of this Act.

12 Subtitle B—Tanker Security Fleet

13 **SEC. 3511. TANKER SECURITY FLEET.**

14 (a) IN GENERAL.—Part C of subtitle V of title 46,

15 United States Code, is amended by inserting after chapter

16 531 the following new chapter:

17 "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.

18 "§ 53201. Definitions

19 ''In this chapter:

"(1) FOREIGN COMMERCE.—The term 'foreign commerce' means—

"(A) commerce or trade between the United States, its territories or possessions, or the District of Columbia, and a foreign country; and

"(B) commerce or trade between foreign countries including trade between foreign ports in accordance with normal commercial bulk shipping practices in such a manner as will permit vessels of the United States freely to compete with foreign-flag liquid bulk carrying vessels in their operation or in competing charters, subject to rules and regulations promulgated by the Secretary of Transportation pursuant to this chapter or subtitle.

"(2) PARTICIPATING FLEET VESSEL.—The term 'participating Fleet vessel' means any tank vessel covered by an operating agreement under this chapter on or after January 1, 2021.

"(3) PERSON.—The term 'person' includes corporations, partnerships, and associations existing under, or authorized by, laws of the United States, or any State, territory, district, or possession thereof, or any foreign country.

"(4) TANK VESSEL.—The term 'tank vessel' has the meaning that term has under section 2101.

"(5) UNITED STATES CITIZEN TRUST.—The term 'United States citizen trust'—

"(A) means a trust for which—

"(i) each of the trustees is a citizen of the United States; and

"(ii) the application for documentation of the vessel under chapter 121 includes an affidavit of each trustee stating that the trustee is not aware of any reason involving a beneficiary of the trust that is not a citizen of the United States, or involving any other person who is not a citizen of the United States, as a result of which the beneficiary or other person would hold more than 25 percent of the aggregate power to influence or limit the exercise of the authority of the trustee with respect to matters involving any ownership or operation of the vessel that may adversely affect the interests of the United States;

"(B) does not include a trust for which any person that is not a citizen of the United

States has authority to direct, or participate in directing, a trustee for a trust in matters involving any ownership or operation of the vessel that may adversely affect the interests of the United States or in removing a trustee without cause, either directly or indirectly through the control of another person, unless the trust instrument provides that persons who are not citizens of the United States may not hold more than 25 percent of the aggregate authority to so direct or remove a trustee; and

"(C) may include a trust for which a person who is not a citizen of the United States holds more than 25 percent of the beneficial interest in the trust.

"§ 53202. Establishment of the Tanker Security Fleet

"(a) IN GENERAL.—The Secretary of Transportation, in consultation with the Secretary of Defense, shall establish a fleet of active, commercially viable, militarily useful, privately owned product tankers to meet national defense and other security requirements and maintain a United States presence in international commercial shipping. The fleet shall consist of privately owned vessels of the United States for which there are in effect operating agreements under this chapter, and shall be known as the

'Tanker Security Fleet' (hereinafter in this chapter referred to as the 'Fleet').

''(b) VESSEL ELIGIBILITY.—A vessel is eligible to be included in the Fleet if the vessel—

''(1) meets the requirements under paragraph (1), (2), (3), or (4) of subsection (c);

''(2) is operated (or in the case of a vessel to be constructed, will be operated) in providing transportation in United States foreign commerce;

''(3) is self-propelled;

''(4) is not more than ten years of age on the date the vessel is first included in the Fleet and not more than 25 years of age at any time during which the vessel is included in the Fleet;

''(5) is determined by the Secretary of Defense to be suitable for use by the United States for national defense or military purposes in time of war or national emergency; and

''(6) is commercially viable, as determined by the Secretary of Transportation; and

''(7) is—

''(A) a vessel of the United States; or

''(B) not a vessel of the United States, but—

"(i) the owner of the vessel has demonstrated an intent to have the vessel documented under chapter 121 if it is included in the Fleet; and

"(ii) at the time an operating agreement is entered into under this chapter, the vessel is eligible for documentation under chapter 121.

"(c) REQUIREMENTS REGARDING CITIZENSHIP OF OWNERS, CHARTERERS, AND OPERATORS.—

"(1) VESSELS OWNED AND OPERATED BY SECTION 50501 CITIZENS.—A vessel meets the requirements of this paragraph if, during the period of an operating agreement under this chapter that applies to the vessel, the vessel will be owned and operated by one or more persons that are citizens of the United States under section 50501.

"(2) VESSELS OWNED BY A SECTION 50501 CITIZEN, OR UNITED STATES CITIZEN TRUST, AND CHARTERED TO A DOCUMENTATION CITIZEN.—A vessel meets the requirements of this paragraph if—

"(A) during the period of an operating agreement under this chapter that applies to the vessel, the vessel will be—

"(i) owned by a person that is a citizen of the United States under section 50501 or that is a United States citizen trust; and

"(ii) demise chartered to a person—

"(I) that is eligible to document the vessel under chapter 121;

"(II) the chairman of the board of directors, chief executive officer, and a majority of the members of the board of directors of which are citizens of the United States under section 50501, and are appointed and subjected to removal only upon approval by the Secretary; and

"(III) that certifies to the Secretary that there are no treaties, statutes, regulations, or other laws that would prohibit the owner or operator for the vessel from performing its obligations under an operating agreement under this chapter;

"(B) in the case of a vessel that will be demise chartered to a person that is owned or controlled by another person that is not a cit-

izen of the United States under section 50501, the other person enters into an agreement with the Secretary not to influence the operation of the vessel in a manner that will adversely affect the interests of the United States; and

"(C) the Secretary of Transportation and the Secretary of Defense notify the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives that the Secretaries concur with the certification required under subparagraph (A)(ii)(III), and have reviewed and agree that there are no legal, operational, or other impediments that would prohibit the owner or operator for the vessel from performing its obligations under an operating agreement under this chapter.

"(3) VESSELS OWNED AND OPERATED BY A DEFENSE OWNER OR OPERATOR.—A vessel meets the requirements of this paragraph if—

"(A) during the period of an operating agreement under this chapter that applies to

the vessel, the vessel will be owned and operated by a person that—

"(i) is eligible to document a vessel under chapter 121;

"(ii) operates or manages other vessels of the United States for the Secretary of Defense, or charters other vessels to the Secretary of Defense;

"(iii) has entered into a special security agreement for the purpose of this paragraph with the Secretary of Defense;

"(iv) makes the certification described in paragraph (2)(A)(ii)(III); and

"(v) in the case of a vessel described in paragraph (2)(B), enters into an agreement referred to in that subparagraph; and

"(B) the Secretary of Transportation and the Secretary of Defense notify the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives that they concur with the certification required under subparagraph (A)(iv), and have reviewed

and agree that there are no legal, operational, or other impediments that would prohibit the owner or operator for the vessel from performing its obligations under an operating agreement under this chapter.

"(4) VESSELS OWNED BY DOCUMENTATION CITIZENS AND CHARTERED TO SECTION 50501 CITIZENS.—A vessel meets the requirements of this paragraph if, during the period of an operating agreement under this chapter, the vessel will be—

"(A) owned by a person who is eligible to document a vessel under chapter 121; and

"(B) demise chartered to a person that is a citizen of the United States under section 50501.

"(d) REQUEST BY SECRETARY OF DEFENSE.—The Secretary of Defense shall request that the Commandant of the Coast Guard issue any waiver under section 501 that the Secretary of Defense determines is necessary for purposes of this chapter.

"(e) VESSEL STANDARDS.—

"(1) CERTIFICATE OF INSPECTION.—A vessel used to provide oceangoing transportation that the Commandant of the Coast Guard determines meets the criteria of subsection (b) but which, on the date

of enactment of this section, is not documented under chapter 121, shall be eligible for a certificate of inspection if the Commandant of the Coast Guard determines that—

"(A) the vessel is classed by and designed in accordance with the rules of the American Bureau of Shipping, or another classification society accepted by the Commandant of the Coast Guard;

"(B) the vessel complies with applicable international agreements and associated guidelines, as determined by the country in which the vessel was documented immediately before becoming documented under chapter 121; and

"(C) the country has not been identified by the Commandant of the Coast Guard as inadequately enforcing international vessel regulations as to that vessel.

"(2) RELIANCE ON CLASSIFICATION SOCIETY.—

"(A) IN GENERAL.—The Commandant of the Coast Guard may rely on a certification from the American Bureau of Shipping or, subject to subparagraph (B), another classification society accepted by the Commandant of the Coast Guard, to establish that a vessel is in

compliance with the requirements of paragraph (1).

"(B) FOREIGN CLASSIFICATION SOCIETY.—The Secretary may accept certification from a foreign classification society under subparagraph (A) only—

"(i) to the extent that the government of the foreign country in which the society is headquartered provides access on a reciprocal basis to the American Bureau of Shipping; and

"(ii) if the foreign classification society has offices and maintains records in the United States.

"§ 53203. Vessel standards

"(a) CERTIFICATE OF INSPECTION.—A vessel used to provide transportation service as a common carrier that the Secretary of Transportation determines meets the criteria of section 53102(b), which on the date of enactment of this section is not a documented vessel, shall be eligible for a certificate of inspection if the Secretary determines that—

"(1) the vessel is classed by and designed in accordance with the rules of the American Bureau of

Shipping or another classification society accepted by the Secretary;

''(2) the vessel complies with applicable international agreements and associated guidelines, as determined by the country in which the vessel was documented immediately before becoming a documented vessel (as defined in that section); and

''(3) that country has not been identified by the Secretary as inadequately enforcing international vessel regulations as to that vessel.

''(b) CONTINUED ELIGIBILITY FOR CERTIFICATE.—Subsection (a) does not apply to any vessel that has failed to comply with the applicable international agreements and association guidelines referred to in subsection (a)(2).

''(c) RELIANCE ON CLASSIFICATION SOCIETY.—

''(1) IN GENERAL.—The Secretary may rely on a certification from the American Bureau of Shipping or, subject to paragraph (2), another classification society accepted by the Secretary, to establish that a vessel is in compliance with the requirements of subsections (a) and (b).

''(2) FOREIGN CLASSIFICATION SOCIETY.—The Secretary may accept certification from a foreign classification society under paragraph (1) only—

"(A) to the extent that the government of the foreign country in which the society is headquartered provides access on a reciprocal basis to the American Bureau of Shipping; and

"(B) if the foreign classification society has offices and maintains records in the United States.

"§ 53204. Award of operating agreements

"(a) IN GENERAL.—The Secretary of Transportation shall require, as a condition of including any vessel in the Fleet, that the owner or operator of the vessel enter into an operating agreement with the Secretary under this section.

"(b) PROCEDURE FOR APPLICATIONS.—

"(1) PARTICIPATING FLEET VESSELS.—

"(A) IN GENERAL.—The Secretary of Transportation shall accept an application for an operating agreement for a participating Fleet vessel under the priority under paragraph (2) only from a person that has authority to enter into an operating agreement under this chapter.

"(B) VESSEL UNDER DEMISE CHARTER.—For purposes of subparagraph (A), in the case of a vessel that is subject to a demise charter

that terminates by its own terms on September 30, 2035 (without giving effect to any extension provided therein for completion of a voyage or to effect the actual redelivery of the vessel), or that is terminable at the will of the owner of the vessel after such date, only the owner of the vessel shall be treated as having the authority referred to in subparagraph (A).

"(C) VESSEL OWNED BY A UNITED STATES CITIZEN TRUST.—For purposes of subparagraph (B), in the case of a vessel owned by a United States citizen trust, the term 'owner of the vessel' includes the beneficial owner of the vessel with respect to such trust.

"(2) DISCRETION WITHIN PRIORITY.—The Secretary of Transportation—

"(A) may award operating agreements under paragraph (1) according to such priorities as the Secretary considers appropriate; and

"(B) shall award operating agreements within any such priority—

"(i) in accordance with operational requirements specified by the Secretary of Defense;

"(ii) in the case of operating agreements awarded under subparagraph (B) of paragraph (1), according to applicants' records of owning and operating vessels; and

"(iii) subject to approval of the Secretary of Defense.

"(c) LIMITATION.—For any fiscal year, the Secretary may not award operating agreements under this chapter that require payments under section 53207 for more than 10 vessels.

"§ 53205. Effectiveness of operating agreements

"(a) IN GENERAL.—Subject to the availability of appropriations for such purpose, the Secretary of Transportation may enter into an operating agreement under this chapter for fiscal year 2021 and any subsequent fiscal year. Each such agreement may be renewed annually for up to seven years.

"(b) VESSELS UNDER CHARTER TO THE UNITED STATES.—The owner or operator of a vessel under charter to the United States is eligible to receive payments pursuant to any operating agreement that covers such vessel.

"(c) TERMINATION.—

"(1) TERMINATION BY SECRETARY FOR LACK OF OWNER OR OPERATOR COMPLIANCE.—If the

owner or operator with respect to an operating agreement materially fails to comply with the terms of the agreement—

"(A) the Secretary shall notify the owner or operator and provide a reasonable opportunity to comply with the operating agreement; and

"(B) the Secretary shall terminate the operating agreement if the owner or operator fails to achieve such compliance.

"(2) TERMINATION BY OWNER OR OPERATOR.—

"(A) IN GENERAL.—If an owner or operator provides notice of the intent to terminate an operating agreement under this chapter by not later than 60 days prior to the date specified by the owner or operator for such termination, such agreement shall terminate on the date specified by the owner or operator.

"(B) REPLACEMENT.—An operating agreement with respect to a vessel shall terminate on the date that is three years after the date on which the vessel begins operating under the agreement, if—

"(i) the owner or operator notifies the Secretary, by not later than two years after the date the vessel begins operating under the agreement, that the owner or operator intends to terminate the agreement under this subparagraph; and

"(ii) the Secretary of Transportation, in coordination with the Secretary of Defense, determines that—

"(I) an application for an operating agreement under this chapter has been received for a replacement vessel that is acceptable to the Secretaries; and

"(II) during the period of an operating agreement under this chapter that applies to the replacement vessel, the replacement vessel will be—

"(aa) owned and operated by one or more persons that are citizens of the United States under section 50501; or

"(bb) owned by a person who is eligible to document the vessel under chapter 121, and

operated by a person that is a citizen of the United States under section 50501.

"(d) NONRENEWAL FOR LACK OF FUNDS.—

"(1) IN GENERAL.—If sufficient funds are not made available to carry out an operating agreement under this chapter—

"(A) the Secretary of Transportation shall submit to the Committee on Armed Services and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Armed Services and the Committee on Transportation and Infrastructure of the House of Representatives notice that such agreement shall be not renewed effective on the 60th day of the fiscal year, unless such funds are made available before such day; and

"(B) effective on the 60th day of such fiscal year, terminate such agreement and provide notice of such termination to the owner or operator of the vessel covered by the agreement.

"(2) RELEASE OF VESSELS FROM OBLIGATIONS.—If an operating agreement for a vessel under this chapter is not renewed pursuant to paragraph (1), then the owner or operator of the vessel

is released from any further obligation under the operating agreement as of the date of such termination or nonrenewal.

"(3) FOREIGN TRANSFER AND REGISTRATION.—The owner or operator of a vessel covered by an operating agreement under this chapter may transfer and register such vessel under a foreign registry that is acceptable to the Secretary and the Secretary of Defense, notwithstanding section 53201.

"(4) REQUISITION.—If chapter 563 is applicable to a vessel after registration, then the vessel is available to be requisitioned by the Secretary pursuant to chapter 563.

"§ 53206. Obligations and rights under operating agreements

"(a) OPERATION OF VESSEL.—An operating agreement under this chapter shall require that, during the period the vessel covered by the agreement is operating under the agreement the vessel shall—

"(1) be operated in the United States foreign commerce, mixed United States foreign commerce and domestic trade allowed under a registry endorsement issued under section 12111, in foreign-to-for-

eign commerce, or under a charter to the United States;

''(2) not be operated in the coastwise trade except as described in paragraph (1); and

''(3) be documented under chapter 121.

''(b) OPERATING AGREEMENT IS AN OBLIGATION OF THE UNITED STATES GOVERNMENT.—An operating agreement under this chapter constitutes a contractual obligation of the United States Government to pay the amounts provided for in the agreement to the extent of actual appropriations.

''(c) OBLIGATIONS OF OWNER OR OPERATOR.—

''(1) IN GENERAL.—The owner or operator of a vessel covered by an operating agreement under this chapter shall agree, as a condition of such agreement, to remain obligated to carry out the requirements described in paragraph (2) until the termination date specified in the agreement, even in the case of early termination of the agreement under section 53205(c). This subsection shall not apply in the case of an operating agreement terminated for lack of funds under section 53205(d).

''(2) REQUIREMENTS.—The requirements described in this paragraph are the following:

"(A) To continue the documentation of the vessel under chapter 121.

"(B) To be bound by the requirements of section 53208.

"(C) That all terms and conditions of an emergency preparedness agreement entered into under section 53208 shall remain in effect, except that the terms of such emergency preparedness agreement may be modified by the mutual consent of the owner or operator, the Secretary and the Secretary of Defense as provided in such section.

"(d) TRANSFER OF OPERATING AGREEMENTS.—The owner or operator of a vessel covered by an operating agreement under this chapter may transfer that agreement (including all rights and obligations under the agreement) to any person that is eligible to enter into that operating agreement under this chapter, if the transfer is approved by the Secretary of Transportation and the Secretary of Defense.

"(e) REPLACEMENT OF VESSELS COVERED BY AGREEMENTS.—An owner or operator of a vessel covered by an operating agreement under this chapter may replace the vessel with another vessel that is eligible to be included in the Fleet under section 53202(b), if the Secretary of

Transportation, in coordination with the Secretary of Defense, approves the replacement of the vessel. In selecting a replacement vessel, the owner or operator shall give primary consideration to—

"(1) the commercial viability of the vessel;

"(2) the utility of the vessel with respect to the operating requirements of the owner or operator; and

"(3) ensuring that the commercial and military utility of any replacement vessel is not less than that of the initial vessel.

"§ 53207. Payments

"(a) ANNUAL PAYMENT.—Subject to the availability of appropriations for such purpose and the other provisions of this chapter, the Secretary shall pay to the owner or operator of a vessel covered by an operating agreement under this chapter an amount equal to $6,000,000 for each vessel covered by the agreement for each fiscal year that the vessel is covered by the agreement. Such amount shall be paid in equal monthly installments on the last day of each month. The amount payable under this subsection may not be reduced except as provided by this section.

"(b) CERTIFICATION REQUIRED FOR PAYMENT.—As a condition of receiving payment under this section for a fiscal year for a vessel, the owner or operator of the vessel

shall certify, in accordance with regulations issued by the Secretary, that the vessel has been and will be operated in accordance with section 53206 for at least 320 days during the fiscal year. Days during which the vessel is drydocked, surveyed, inspected, or repaired shall be considered days of operation for purposes of this subsection.

''(c) GENERAL LIMITATIONS.—The Secretary may not make any payment under this chapter for a vessel with respect to any days for which the vessel is—

''(1) not operated or maintained in accordance with an operating agreement under this chapter; or

''(2) more than 25 years of age.

''(d) REDUCTIONS IN PAYMENTS.—With respect to payments under this chapter for a vessel covered by an operating agreement, the Secretary—

''(1) except as provided in paragraph (2), may not reduce such a payment for the operation of the vessel to carry military or other preference cargoes under section 55302(a), 55304, 55305, or 55314, section 2631 of title 10, or any other cargo preference law of the United States;

''(2) may not make such a payment for any day that the vessel is engaged in transporting more than 7,500 tons of civilian bulk preference cargoes pursu-

ant to section 55302(a), 55305, or 55314, that is bulk cargo; and

"(3) shall make a pro rata reduction for each day less than 320 in a fiscal year that the vessel is not operated in accordance with section 53206.

"(e) LIMITATIONS REGARDING NONCONTIGUOUS DOMESTIC TRADE.—

"(1) IN GENERAL.—No owner or operator shall receive payments pursuant to this chapter during a period in which it participates in noncontiguous domestic trade.

"(2) LIMITATION ON APPLICATION.—Paragraph (1) shall not apply to a owner or operator that is a citizen of the United States within the meaning of section 50501, applying the 75 percent ownership requirement of that section.

"(3) PARTICIPATES IN A NONCONTIGUOUS TRADE DEFINED.—In this subsection the term 'participates in a noncontiguous domestic trade' means directly or indirectly owns, charters, or operates a vessel engaged in transportation of cargo between a point in the contiguous 48 States and a point in Alaska, Hawaii, or Puerto Rico, other than a point in Alaska north of the Arctic Circle.

"§ 53208. National security requirements

''(a) EMERGENCY PREPAREDNESS AGREEMENT REQUIRED.—The Secretary of Transportation, in coordination with the Secretary of Defense, shall establish an emergency preparedness program under this section under which the owner or operator of a vessel covered by an operating agreement under this chapter shall agree, as a condition of the operating agreement, to enter into an emergency preparedness agreement with the Secretaries. Each such emergency preparedness agreement shall be entered into as promptly as practicable after the owner or operator has entered into the operating agreement.

''(b) TERMS OF AGREEMENT.—The terms of an agreement under this section—

''(1) shall provide that upon request by the Secretary of Defense during time of war or national emergency, or whenever determined by the Secretary of Defense to be necessary for national security or contingency operation (as that term is defined in section 101 of title 10), the owner or operator shall make available commercial transportation resources (including services) described in subsection (d) to the Secretary of Defense;

''(2) shall include such additional terms as may be established by the Secretary of Transportation and the Secretary of Defense; and

"(3) shall allow for the modification or addition of terms upon agreement by the Secretary of Transportation and the owner or operator and the approval by the Secretary of Defense.

"(c) PARTICIPATION AFTER EXPIRATION OF OPERATING AGREEMENT.—Except as provided by section 53206, the Secretary may not require, through an emergency preparedness agreement or an operating agreement, that an owner or operator of a vessel covered by an operating agreement continue to participate in an emergency preparedness agreement after the operating agreement has expired according to its terms or is otherwise no longer in effect. After the expiration of an emergency preparedness agreement, a owner or operator may voluntarily continue to participate in the agreement.

"(d) RESOURCES MADE AVAILABLE.—The commercial transportation resources to be made available under an emergency preparedness agreement shall include vessels or capacity in vessels, terminal facilities, management services, and other related services, or any agreed portion of such nonvessel resources for activation as the Secretary of Defense may determine to be necessary, seeking to minimize disruption of the owner or operator's service to commercial customers.

"(e) COMPENSATION.—

"(1) IN GENERAL.—Each emergency preparedness agreement under this section shall provide that the Secretary of Defense shall pay fair and reasonable compensation for all commercial transportation resources provided pursuant to this section.

"(2) SPECIFIC REQUIREMENTS.—Compensation under this subsection—

"(A) shall not be less than the owner or operator's commercial market charges for like transportation resources;

"(B) shall be fair and reasonable considering all circumstances;

"(C) shall be provided from the time that a vessel or resource is required by the Secretary of Defense until the time it is redelivered to the owner or operator and is available to reenter commercial service; and

"(D) shall be in addition to and shall not in any way reflect amounts payable under section 53207.

"(f) TEMPORARY REPLACEMENT VESSELS.—Notwithstanding section 55302(a), 55304, 55305, or 55314, section 2631 of title 10, or any other cargo preference law of the United States—

"(1) an owner or operator may operate or employ in foreign commerce a foreign-flag vessel or foreign-flag vessel capacity as a temporary replacement for a vessel of the United States or vessel of the United States capacity that is activated by the Secretary of Defense under an emergency preparedness agreement or a primary Department of Defense sealift readiness program; and

"(2) such replacement vessel or vessel capacity shall be eligible during the replacement period to transport preference cargoes subject to sections 55302(a), 55304, 55305, and 55314 and section 2631 of title 10 to the same extent as the eligibility of the vessel or vessel capacity replaced.

"(g) REDELIVERY AND LIABILITY OF THE UNITED STATES FOR DAMAGES.—

"(1) IN GENERAL.—All commercial transportation resources activated under an emergency preparedness agreement shall, upon termination of the period of activation, be redelivered to the owner or operator in the same good order and condition as when received, less ordinary wear and tear, or the Secretary of Defense shall fully compensate the owner or operator for any necessary repair or replacement.

"(2) LIMITATION ON UNITED STATES LIABILITY.—Except as may be expressly agreed in an emergency preparedness agreement, or as otherwise provided by law, the Government shall not be liable for disruption of an owner or operator's commercial business or other consequential damages to an owner or operator arising from the activation of commercial transportation resources under an emergency preparedness agreement.

"§ 53209. Regulatory relief

"(a) OPERATION IN FOREIGN COMMERCE.—An owner or operator for a vessel included in an operating agreement under this chapter may operate the vessel in the foreign commerce of the United States without restriction.

"(b) OTHER RESTRICTIONS.—The restrictions of section 55305(a) concerning the building, rebuilding, or documentation of a vessel in a foreign country shall not apply to a vessel for any day the operator of the vessel is receiving payments for the operation of that vessel under an operating agreement under this chapter.

"(c) TELECOMMUNICATIONS EQUIPMENT.—The telecommunications and other electronic equipment on an existing vessel that is redocumented under the laws of the United States for operation under an operating agreement

under this chapter shall be deemed to satisfy all Federal Communications Commission equipment certification requirements, if—

"(1) such equipment complies with all applicable international agreements and associated guidelines as determined by the country in which the vessel was documented immediately before becoming documented under the laws of the United States;

"(2) that country has not been identified by the Secretary as inadequately enforcing international regulations as to that vessel; and

"(3) at the end of its useful life, such equipment shall be replaced with equipment that meets Federal Communications Commission equipment certification standards.

"§ 53210. Special rule regarding age of participating Fleet vessels

"Any age restriction under section 53202(b)(4) shall not apply to a participating Fleet vessel during the 30-month period beginning on the date the vessel begins operating under an operating agreement under this chapter, if the Secretary of Transportation determines that the owner or operator of the vessel has entered into an arrangement to obtain and operate under the operating agreement for the participating Fleet vessel a replacement

vessel that, upon commencement of such operation, will be eligible to be included in the Fleet under section 53202(b).

"§ 53211. Regulations

''The Secretary of Transportation and the Secretary of Defense may each prescribe rules as necessary to carry out their respective responsibilities under this chapter.

"§ 53212. Authorization of appropriations

''There is authorized to be appropriated for payments under section 53207, $60,000,000 for each of fiscal years 2021 through 2035, to remain available until expended.

"§ 53213. Acquisition of Fleet vessels

''(a) IN GENERAL.—Upon replacement of a Fleet vessel under an operating agreement under this chapter, and subject to agreement by the owner or operator of the vessel, the Secretary of Transportation may, subject to the concurrence of the Secretary of Defense, acquire the vessel being replaced for inclusion in the National Defense Reserve Fleet.

''(b) REQUIREMENTS.—To be eligible for acquisition by the Secretary of Transportation under this section a vessel shall—

''(1) have been covered by an operating agreement under this chapter for not less than three years; and

"(2) meet recapitalization requirements for the Ready Reserve Force.

"(c) FAIR MARKET VALUE.—A fair market value shall be established by the Maritime Administration for acquisition of an eligible vessel under this section.

"(d) APPROPRIATIONS.—Vessel acquisitions under this section shall be subject to the availability of appropriations. Amounts made available to carry out this section shall be derived from amounts authorized to be appropriated for the National Defense Reserve Fleet. Amounts authorized to be appropriated to carry out the Maritime Security Program may not be use to carry out this section.".

(b) CLERICAL AMENDMENT.—The table of chapters for subtitle VII of title 46, United States Code, is amended by adding at the end the following:

"532. Tanker Security Fleet ..... 53201".

(c) DEADLINE FOR ACCEPTING APPLICATIONS.—

(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.

(2) APPROVAL.—Not later than 90 days after receipt of an application for the enrollment of a ves-

sel in the Tanker Security Fleet, the Secretary, in coordination with the Secretary of Defense, shall—

(A) approve the application and enter into an operating agreement with the applicant; or

(B) provide to the applicant a written explanation for the denial of the application.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1512 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL AND WRITTEN COMMUNICATIONS.—No oral or written communication concerning any amount specified in the funding tables in this division shall supersede the requirements of this section.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
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
	ROTARY		
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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	Program increase		[136,000]
	Unjustified cost growth		[–29,900]
015	CH–47 HELICOPTER AP	18,372	47,372
	Program increase		[29,000]
	MODIFICATION OF AIRCRAFT		
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
	GROUND SUPPORT AVIONICS		
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
	OTHER SUPPORT		
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
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**3,074,594**	**3,267,394**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
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]
	AIR-TO-SURFACE MISSILE SYSTEM		
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
	ANTI-TANK/ASSAULT MISSILE SYS		
009	JAVELIN (AAWS-M) SYSTEM SUMMARY	190,325	190,325
010	TOW 2 SYSTEM SUMMARY	121,074	121,074
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
	MODIFICATIONS		
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
	SPARES AND REPAIR PARTS		
024	SPARES AND REPAIR PARTS	5,090	5,090
	SUPPORT EQUIPMENT & FACILITIES		
025	AIR DEFENSE TARGETS	8,978	8,978
	TOTAL MISSILE PROCUREMENT, ARMY	**3,491,507**	**3,402,757**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	192,971	172,971
	Prior year carry-over		[–80,000]
	Program increase		[60,000]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
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

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Line	Item	FY 2021 Request	House Authorized
	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]
	WEAPONS & OTHER COMBAT VEHICLES		
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
	MOD OF WEAPONS AND OTHER COMBAT VEH		
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
	SUPPORT EQUIPMENT & FACILITIES		
036	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,763	2,763
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,045	3,045
	TOTAL PROCUREMENT OF W&TCV, ARMY	**3,696,740**	**3,916,038**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
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
	MORTAR AMMUNITION		
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
	TANK AMMUNITION		
013	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	233,444	233,444
	ARTILLERY AMMUNITION		
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
	MINES		
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]
	ROCKETS		
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
	OTHER AMMUNITION		
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

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Line	Item	FY 2021 Request	House Authorized
	MISCELLANEOUS		
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
	PRODUCTION BASE SUPPORT		
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
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,777,716**	**2,860,216**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
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
	NON-TACTICAL VEHICLES		
020	PASSENGER CARRYING VEHICLES	1,246	1,246
021	NONTACTICAL VEHICLES, OTHER	19,870	19,870
	COMM—JOINT COMMUNICATIONS		
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
	COMM—SATELLITE COMMUNICATIONS		
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
	COMM—C3 SYSTEM		
036	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,871	94,871
	COMM—COMBAT COMMUNICATIONS		
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
	COMM—INTELLIGENCE COMM		
048	CI AUTOMATION ARCHITECTURE (MIP)	13,146	13,146
049	DEFENSE MILITARY DECEPTION INITIATIVE	5,624	5,624
	INFORMATION SECURITY		
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
	COMM—LONG HAUL COMMUNICATIONS		
057	BASE SUPPORT COMMUNICATIONS	29,761	29,761
	COMM—BASE COMMUNICATIONS		
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

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Line	Item	FY 2021 Request	House Authorized
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	300,035	280,035
	Unjustified growth		[–20,000]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
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
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
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
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
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: LHMBC 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]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
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	IAMD 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]
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	14,574	14,574
110	AUTOMATED DATA PROCESSING EQUIP	140,619	140,619
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	4,448	4,448
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	68,405	68,405
113	CONTRACT WRITING SYSTEM	8,459	8,459
114	CSS COMMUNICATIONS	57,651	57,651
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	14,848	14,848
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	4,995	4,995
	ELECT EQUIP—SUPPORT		
119	BCT EMERGING TECHNOLOGIES	16,983	8,983
	Program reduction		[–8,000]
	CLASSIFIED PROGRAMS		
19A	CLASSIFIED PROGRAMS	1,582	1,582
	CHEMICAL DEFENSIVE EQUIPMENT		
123	CBRN DEFENSE	28,456	28,456
124	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	13,995	13,995
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	10,545	10,545
126	TACTICAL BRIDGE, FLOAT-RIBBON	72,074	72,074
127	BRIDGE SUPPLEMENTAL SET	32,493	32,493
128	COMMON BRIDGE TRANSPORTER (CBT) RECAP	62,978	62,978
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,570	5,570
130	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	2,497	2,497
132	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	109,069	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

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Line	Item	FY 2021 Request	House Authorized
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	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
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	78,448	78,448
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	59,485	64,485
	Future Warfighter Shelter		[5,000]
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	40,337	40,337
153	ITEMS LESS THAN $5.0M (MAINT EQ)	5,386	5,386
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,406	5,406
155	SCRAPERS, EARTHMOVING	4,188	4,188
156	LOADERS	4,521	4,521
157	HYDRAULIC EXCAVATOR	5,186	5,186
158	TRACTOR, FULL TRACKED	4,715	4,715
159	ALL TERRAIN CRANES	70,560	70,560
162	CONST EQUIP ESP	8,925	8,925
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
164	ARMY WATERCRAFT ESP	40,910	40,910
165	MANEUVER SUPPORT VESSEL (MSV)	76,576	76,576
166	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	1,844	1,844
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	53,433	53,433
168	TACTICAL ELECTRIC POWER RECAPITALIZATION	22,216	22,216
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	16,145	16,145
	TRAINING EQUIPMENT		
170	COMBAT TRAINING CENTERS SUPPORT	90,580	90,580
171	TRAINING DEVICES, NONSYSTEM	161,814	161,814
172	SYNTHETIC TRAINING ENVIRONMENT (STE)	13,063	13,063
175	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	1,950	1,950
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
176	CALIBRATION SETS EQUIPMENT	2,511	2,511
177	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	78,578	73,578
	Program reduction		[–5,000]
178	TEST EQUIPMENT MODERNIZATION (TEMOD)	14,941	14,941
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,629	8,629
181	PHYSICAL SECURITY SYSTEMS (OPA3)	75,499	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
	OPA2		
189	INITIAL SPARES—C&E	9,950	9,950
	TOTAL OTHER PROCUREMENT, ARMY	**8,625,206**	**8,288,139**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
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

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Line	Item	FY 2021 Request	House Authorized
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
	TRAINER AIRCRAFT		
017	ADVANCED HELICOPTER TRAINING SYSTEM	269,867	269,867
	OTHER AIRCRAFT		
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	STUASL0 UAV	30,930	30,930
026	VH–92A EXECUTIVE HELO	610,231	610,231
	MODIFICATION OF AIRCRAFT		
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
	Block IV/TR3 upgrade delays		[–5,900]
064	QRC	126,618	126,618
065	MQ–4 SERIES	12,998	12,998
066	RQ–21 SERIES	18,550	18,550
	AIRCRAFT SPARES AND REPAIR PARTS		
070	SPARES AND REPAIR PARTS	2,198,460	2,198,460
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
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
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**17,127,378**	**18,298,078**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,173,837	1,173,837
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,275	7,275
	STRATEGIC MISSILES		
003	TOMAHAWK	277,694	277,694
	TACTICAL MISSILES		
004	AMRAAM	326,952	326,952
005	SIDEWINDER	126,485	126,485
007	STANDARD MISSILE	456,206	456,206

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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
	MODIFICATION OF MISSILES		
019	TOMAHAWK MODS	164,915	164,915
020	ESSM	215,375	206,475
	Excessive production support growth		[–8,900]
022	HARM MODS	147,572	147,572
023	STANDARD MISSILES MODS	83,654	17,254
	SM–2 Blk IIC excessive concurrency		[–66,400]
	SUPPORT EQUIPMENT & FACILITIES		
024	WEAPONS INDUSTRIAL FACILITIES	1,996	1,996
025	FLEET SATELLITE COMM FOLLOW-ON	53,401	53,401
	ORDNANCE SUPPORT EQUIPMENT		
027	ORDNANCE SUPPORT EQUIPMENT	215,659	215,659
	TORPEDOES AND RELATED EQUIP		
028	SSTD	5,811	5,811
029	MK–48 TORPEDO	284,901	284,901
030	ASW TARGETS	13,833	13,833
	MOD OF TORPEDOES AND RELATED EQUIP		
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
	SUPPORT EQUIPMENT		
034	TORPEDO SUPPORT EQUIPMENT	97,581	97,581
035	ASW RANGE SUPPORT	4,159	4,159
	DESTINATION TRANSPORTATION		
036	FIRST DESTINATION TRANSPORTATION	4,106	4,106
	GUNS AND GUN MOUNTS		
037	SMALL ARMS AND WEAPONS	16,030	16,030
	MODIFICATION OF GUNS AND GUN MOUNTS		
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
	SPARES AND REPAIR PARTS		
045	SPARES AND REPAIR PARTS	159,578	159,578
	TOTAL WEAPONS PROCUREMENT, NAVY	**4,884,995**	**4,809,695**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
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
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
	MARINE CORPS AMMUNITION		
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
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**883,602**	**843,760**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	OHIO REPLACEMENT SUBMARINE	2,891,475	2,891,475
002	OHIO REPLACEMENT SUBMARINE AP	1,123,175	1,123,175
	OTHER WARSHIPS		

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(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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]
	AMPHIBIOUS SHIPS		
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]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
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
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**19,902,757**	**22,324,457**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
001	SURFACE POWER EQUIPMENT	11,738	11,738
	GENERATORS		
002	SURFACE COMBATANT HM&E	58,497	58,497
	NAVIGATION EQUIPMENT		
003	OTHER NAVIGATION EQUIPMENT	74,084	74,084
	OTHER SHIPBOARD EQUIPMENT		
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
	Excess cost growth		[–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
	Cost growth		[–10,000]
022	CHEMICAL WARFARE DETECTORS	3,044	3,044
023	SUBMARINE LIFE SUPPORT SYSTEM	5,885	5,885
	REACTOR PLANT EQUIPMENT		
024	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,260,721	400,621
	LCS in-service modernization excess cost growth		[–12,100]
	Realignment to OPN–24A for Shipyard Infrastructure Optimization Plan		[–198,000]
	Transfer to O&M for ship depot maintenance		[–650,000]
024A	SHIPYARD INFRASTRUCTURE OPTIMIZATION PLAN		198,000
	Realignment from OPN–24 for Shipyard Infrastructure Optimization Plan		[198,000]
025	REACTOR POWER UNITS	5,305	5,305
026	REACTOR COMPONENTS	415,404	415,404
	OCEAN ENGINEERING		
027	DIVING AND SALVAGE EQUIPMENT	11,143	11,143
	SMALL BOATS		
028	STANDARD BOATS	52,371	52,371
	PRODUCTION FACILITIES EQUIPMENT		
029	OPERATING FORCES IPE	233,667	233,667
	OTHER SHIP SUPPORT		

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Line	Item	FY 2021 Request	House Authorized
030	LCS COMMON MISSION MODULES EQUIPMENT	39,714	39,714
031	LCS MCM MISSION MODULES	218,822	167,922
	COBRA early to need		[–9,300]
	Program Decrease		[–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
	Preservation of LCS 3 and LCS 4		[30,000]
035	SMALL & MEDIUM UUV	67,709	43,709
	Early to need based on IOTE schedule		[–24,000]
	SHIP SONARS		
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
	ASW ELECTRONIC EQUIPMENT		
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
	ELECTRONIC WARFARE EQUIPMENT		
045	AN/SLQ–32	387,195	387,195
	RECONNAISSANCE EQUIPMENT		
046	SHIPBOARD IW EXPLOIT	235,744	223,644
	Excess cost growth		[–12,100]
047	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,862	3,862
	OTHER SHIP ELECTRONIC EQUIPMENT		
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
	AVIATION ELECTRONIC EQUIPMENT		
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
	OTHER SHORE ELECTRONIC EQUIPMENT		
062	MARITIME INTEGRATED BROADCAST SYSTEM	1,375	1,375
063	TACTICAL/MOBILE C4I SYSTEMS	22,771	22,771
064	DCGS-N	18,872	18,872
065	CANES	389,585	389,585
066	RADIAC	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
071	EMI CONTROL INSTRUMENTATION	4,334	4,334
072	ITEMS LESS THAN $5 MILLION	159,815	159,815
	SHIPBOARD COMMUNICATIONS		
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
	SUBMARINE COMMUNICATIONS		
076	SUBMARINE BROADCAST SUPPORT	31,133	31,133
077	SUBMARINE COMMUNICATION EQUIPMENT	62,214	62,214
	SATELLITE COMMUNICATIONS		
078	SATELLITE COMMUNICATIONS SYSTEMS	47,421	47,421
079	NAVY MULTIBAND TERMINAL (NMT)	64,552	64,552
	SHORE COMMUNICATIONS		
080	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,398	4,398
	CRYPTOGRAPHIC EQUIPMENT		
081	INFO SYSTEMS SECURITY PROGRAM (ISSP)	157,551	147,551
	Program decrease		[–10,000]
082	MIO INTEL EXPLOITATION TEAM	985	985
	CRYPTOLOGIC EQUIPMENT		
083	CRYPTOLOGIC COMMUNICATIONS EQUIP	15,906	15,906
	OTHER ELECTRONIC SUPPORT		
090	COAST GUARD EQUIPMENT	70,689	70,689
	SONOBUOYS		
092	SONOBUOYS—ALL TYPES	237,639	286,639
	Inventory increase		[49,000]
	AIRCRAFT SUPPORT EQUIPMENT		

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Line	Item	FY 2021 Request	House Authorized
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
	SHIP GUN SYSTEM EQUIPMENT		
103	SHIP GUN SYSTEMS EQUIPMENT	5,540	5,540
	SHIP MISSILE SYSTEMS EQUIPMENT		
104	HARPOON SUPPORT EQUIPMENT	208	208
105	SHIP MISSILE SUPPORT EQUIPMENT	262,077	252,077
	Excess cost growth		[–10,000]
106	TOMAHAWK SUPPORT EQUIPMENT	84,087	76,087
	TMPC cost growth		[–8,000]
	FBM SUPPORT EQUIPMENT		
107	STRATEGIC MISSILE SYSTEMS EQUIP	258,910	258,910
	ASW SUPPORT EQUIPMENT		
108	SSN COMBAT CONTROL SYSTEMS	173,770	173,770
109	ASW SUPPORT EQUIPMENT	26,584	26,584
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,470	7,470
111	ITEMS LESS THAN $5 MILLION	6,356	6,356
	OTHER EXPENDABLE ORDNANCE		
112	ANTI-SHIP MISSILE DECOY SYSTEM	86,356	86,356
113	SUBMARINE TRAINING DEVICE MODS	69,240	69,240
114	SURFACE TRAINING EQUIPMENT	192,245	192,245
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	6,123	6,123
116	GENERAL PURPOSE TRUCKS	2,693	2,693
117	CONSTRUCTION & MAINTENANCE EQUIP	47,301	47,301
118	FIRE FIGHTING EQUIPMENT	10,352	10,352
119	TACTICAL VEHICLES	31,475	31,475
121	POLLUTION CONTROL EQUIPMENT	2,630	2,630
122	ITEMS LESS THAN $5 MILLION	47,972	47,972
123	PHYSICAL SECURITY VEHICLES	1,171	1,171
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	19,693	19,693
125	FIRST DESTINATION TRANSPORTATION	4,956	4,956
126	SPECIAL PURPOSE SUPPLY SYSTEMS	668,639	638,639
	Program decrease		[–30,000]
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	4,026	4,026
128	TRAINING AND EDUCATION EQUIPMENT	73,454	73,454
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	32,390	32,390
130	MEDICAL SUPPORT EQUIPMENT	974	974
132	NAVAL MIP SUPPORT EQUIPMENT	5,606	5,606
133	OPERATING FORCES SUPPORT EQUIPMENT	16,024	16,024
134	C4ISR EQUIPMENT	6,697	6,697
135	ENVIRONMENTAL SUPPORT EQUIPMENT	27,503	27,503
136	PHYSICAL SECURITY EQUIPMENT	138,281	138,281
137	ENTERPRISE INFORMATION TECHNOLOGY	42,680	42,680
	OTHER		
140	NEXT GENERATION ENTERPRISE SERVICE	184,443	184,443
141	CYBERSPACE ACTIVITIES	16,523	16,523
	CLASSIFIED PROGRAMS		
41A	CLASSIFIED PROGRAMS	18,446	18,446
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	374,195	421,195
	SPY–1 battle spare		[47,000]
	TOTAL OTHER PROCUREMENT, NAVY	**10,948,518**	**10,236,018**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	87,476	87,476
002	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	478,874	478,874
003	LAV PIP	41,988	41,988
	ARTILLERY AND OTHER WEAPONS		
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
	OTHER SUPPORT		
007	MODIFICATION KITS	3,067	0
	USMC funds identified excess to need		[–3,067]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	GUIDED MISSILES		
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
	COMMAND AND CONTROL SYSTEMS		
013	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,057	35,057
	REPAIR AND TEST EQUIPMENT		
014	REPAIR AND TEST EQUIPMENT	24,405	24,405
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	1,006	1,006
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
016	ITEMS UNDER $5 MILLION (COMM & ELEC)	69,725	69,725
017	AIR OPERATIONS C2 SYSTEMS	15,611	15,611
	RADAR + EQUIPMENT (NON-TEL)		
019	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	284,283	284,283
	INTELL/COMM EQUIPMENT (NON-TEL)		
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
	OTHER SUPPORT (NON-TEL)		
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
	CLASSIFIED PROGRAMS		
36A	CLASSIFIED PROGRAMS	3,797	3,797
	ADMINISTRATIVE VEHICLES		
037	COMMERCIAL CARGO VEHICLES	22,460	22,460
	TACTICAL VEHICLES		
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
	ENGINEER AND OTHER EQUIPMENT		
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
	MATERIALS HANDLING EQUIPMENT		
047	PHYSICAL SECURITY EQUIPMENT	23,063	23,063
	GENERAL PROPERTY		
048	FIELD MEDICAL EQUIPMENT	4,187	4,187
049	TRAINING DEVICES	101,765	101,765
050	FAMILY OF CONSTRUCTION EQUIPMENT	19,305	19,305
051	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	678	678
	OTHER SUPPORT		
052	ITEMS LESS THAN $5 MILLION	9,174	9,174
	SPARES AND REPAIR PARTS		
053	SPARES AND REPAIR PARTS	27,295	27,295
	TOTAL PROCUREMENT, MARINE CORPS	**2,903,976**	**2,960,559**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
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
	TACTICAL AIRLIFT		
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]
	OTHER AIRLIFT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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]
	HELICOPTERS		
012	UH–1N REPLACEMENT	194,016	194,016
013	COMBAT RESCUE HELICOPTER	973,473	973,473
	MISSION SUPPORT AIRCRAFT		
015	CIVIL AIR PATROL A/C	2,811	11,211
	Program Increase		[8,400]
	OTHER AIRCRAFT		
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]
	STRATEGIC AIRCRAFT		
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
	TACTICAL AIRCRAFT		
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]
	AIRLIFT AIRCRAFT		
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]
	TRAINER AIRCRAFT		
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]
	OTHER AIRCRAFT		
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

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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]
	AIRCRAFT SPARES AND REPAIR PARTS		
071	INITIAL SPARES/REPAIR PARTS	926,683	915,383
	Unobligated balances—F–16s		[–11,300]
	COMMON SUPPORT EQUIPMENT		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP	132,719	132,719
	POST PRODUCTION SUPPORT		
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
	INDUSTRIAL PREPAREDNESS		
085	INDUSTRIAL RESPONSIVENESS	18,215	18,215
	WAR CONSUMABLES		
086	WAR CONSUMABLES	36,046	36,046
	OTHER PRODUCTION CHARGES		
087	OTHER PRODUCTION CHARGES	1,439,640	1,439,640
	CLASSIFIED PROGRAMS		
89A	CLASSIFIED PROGRAMS	21,692	21,692
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**17,908,145**	**17,233,745**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	75,012	75,012
	TACTICAL		
002	REPLAC EQUIP & WAR CONSUMABLES	4,495	4,495
004	JOINT AIR-SURFACE STANDOFF MISSILE	475,949	475,949
005	LRASM0	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
	INDUSTRIAL FACILITIES		
011	INDUSTR'L PREPAREDNS/POL PREVENTION	814	814
	CLASS IV		
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
017	AIR LAUNCH CRUISE MISSILE (ALCM)	52,924	52,924
	MISSILE SPARES AND REPAIR PARTS		
018	MSL SPRS/REPAIR PARTS (INITIAL)	9,402	9,402
019	MSL SPRS/REPAIR PARTS (REPLEN)	84,671	84,671
	SPECIAL PROGRAMS		
025	SPECIAL UPDATE PROGRAMS	23,501	23,501
	CLASSIFIED PROGRAMS		
25A	CLASSIFIED PROGRAMS	540,465	540,465
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,396,417**	**2,396,417**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	14,962	14,962
	CARTRIDGES		
002	CARTRIDGES	123,365	123,365
	BOMBS		
003	PRACTICE BOMBS	59,725	59,725
006	JOINT DIRECT ATTACK MUNITION	206,989	206,989
007	B61	35,634	35,634
	OTHER ITEMS		
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
	FLARES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
015	FLARES	40,088	40,088
	FUZES		
016	FUZES	40,983	40,983
	SMALL ARMS		
017	SMALL ARMS	13,925	13,925
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**596,338**	**596,338**
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
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 POSTIONING (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
	SPARES		
019	SPARES AND REPAIR PARTS	1,272	1,272
	TOTAL PROCUREMENT, SPACE FORCE	**2,446,064**	**2,408,064**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	9,016	9,016
	CARGO AND UTILITY VEHICLES		
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
	SPECIAL PURPOSE VEHICLES		
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]
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	8,621	8,621
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	12,897	12,897
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	3,577	3,577
011	BASE MAINTENANCE SUPPORT VEHICLES	43,095	43,095
	COMM SECURITY EQUIPMENT(COMSEC)		
013	COMSEC EQUIPMENT	54,864	54,864
	INTELLIGENCE PROGRAMS		
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
	ELECTRONICS PROGRAMS		
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
	SPCL COMM-ELECTRONICS PROJECTS		
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
	Program decrease		[–2,500]
031	COMBAT TRAINING RANGES	195,185	195,185

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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
	AIR FORCE COMMUNICATIONS		
041	BASE INFORMATION TRANSPT 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
	ORGANIZATION AND BASE		
046	TACTICAL C-E EQUIPMENT	137,033	137,033
047	RADIO EQUIPMENT	15,264	15,264
049	BASE COMM INFRASTRUCTURE	132,281	132,281
	MODIFICATIONS		
050	COMM ELECT MODS	21,471	21,471
	PERSONAL SAFETY & RESCUE EQUIP		
051	PERSONAL SAFETY AND RESCUE EQUIPMENT	49,578	49,578
	DEPOT PLANT+MTRLS HANDLING EQ		
052	POWER CONDITIONING EQUIPMENT	11,454	11,454
053	MECHANIZED MATERIAL HANDLING EQUIP	12,110	12,110
	BASE SUPPORT EQUIPMENT		
054	BASE PROCURED EQUIPMENT	21,142	21,142
055	ENGINEERING AND EOD EQUIPMENT	7,700	7,700
056	MOBILITY EQUIPMENT	18,266	22,966
	Program increase		[4,700]
057	FUELS SUPPORT EQUIPMENT (FSE)	9,601	9,601
058	BASE MAINTENANCE AND SUPPORT EQUIPMENT	42,078	30,378
	Program decrease		[–4,700]
	Unjustified request		[–7,000]
	SPECIAL SUPPORT PROJECTS		
060	DARP RC135	27,164	27,164
061	DCGS-AF	121,528	121,528
063	SPECIAL UPDATE PROGRAM	782,641	782,641
	CLASSIFIED PROGRAMS		
63A	CLASSIFIED PROGRAMS	21,086,112	21,026,112
	Program adjustment		[–60,000]
	SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS (CYBER)	1,664	1,664
065	SPARES AND REPAIR PARTS	15,847	15,847
	TOTAL OTHER PROCUREMENT, AIR FORCE	**23,695,720**	**23,618,185**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
026	MAJOR EQUIPMENT, DPAA	500	500
049	MAJOR EQUIPMENT, OSD	3,099	3,099
	MAJOR EQUIPMENT, NSA		
048	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	101	101
	MAJOR EQUIPMENT, WHS		
053	MAJOR EQUIPMENT, WHS	515	515
	MAJOR EQUIPMENT, DISA		
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
	MAJOR EQUIPMENT, DLA		
023	MAJOR EQUIPMENT	417,459	417,459
	MAJOR EQUIPMENT, DCSA		
003	MAJOR EQUIPMENT	2,212	2,212
	MAJOR EQUIPMENT, TJS		
050	MAJOR EQUIPMENT, TJS	8,329	8,329
051	MAJOR EQUIPMENT—TJS CYBER	1,247	1,247
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
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 IIAS	218,322	333,322
	Increase SM–3 Block IIA quantities		[115,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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
	MAJOR EQUIPMENT, DHRA		
005	PERSONNEL ADMINISTRATION	4,213	4,213
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
028	VEHICLES	215	215
029	OTHER MAJOR EQUIPMENT	9,994	9,994
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
027	REGIONAL CENTER PROCUREMENT	1,598	1,598
	MAJOR EQUIPMENT, DODEA		
025	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,319	1,319
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	1,398	1,398
	MAJOR EQUIPMENT, DMACT		
024	MAJOR EQUIPMENT	7,993	7,993
	CLASSIFIED PROGRAMS		
54A	CLASSIFIED PROGRAMS	554,264	554,264
	AVIATION PROGRAMS		
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
	SHIPBUILDING		
069	UNDERWATER SYSTEMS	20,556	20,556
	AMMUNITION PROGRAMS		
070	ORDNANCE ITEMS <$5M	186,197	186,197
	OTHER PROCUREMENT PROGRAMS		
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
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]
	CBDP		
082	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	147,150	147,150
083	CB PROTECTION & HAZARD MITIGATION	149,944	149,944
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,324,487**	**5,384,987**
	TOTAL PROCUREMENT	**130,684,160**	**132,844,847**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	ROTARY		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
009	AH–64 APACHE BLOCK IIIB NEW BUILD	69,154	64,354
	Unjustified costs		[–4,800]
014	CH–47 HELICOPTER	50,472	50,472
	MODIFICATION OF AIRCRAFT		
017	MQ–1 PAYLOAD (MIP)	5,968	5,968
020	MULTI SENSOR ABN RECON (MIP)	122,520	122,520
025	EMARSS SEMA MODS (MIP)	26,460	26,460
030	DEGRADED VISUAL ENVIRONMENT	1,916	1,916
	GROUND SUPPORT AVIONICS		
037	CMWS	149,162	149,162
038	COMMON INFRARED COUNTERMEASURES (CIRCM)	32,400	32,400
	OTHER SUPPORT		
041	AIRCREW INTEGRATED SYSTEMS	3,028	3,028
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**461,080**	**456,280**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	M-SHORAD—PROCUREMENT	158,300	158,300
003	MSE MISSILE	176,585	176,585
	AIR-TO-SURFACE MISSILE SYSTEM		
006	HELLFIRE SYS SUMMARY	236,265	236,265
	ANTI-TANK/ASSAULT MISSILE SYS		
011	GUIDED MLRS ROCKET (GMLRS)	127,015	127,015
015	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	84,993	84,993
	MODIFICATIONS		
017	ATACMS MODS	78,434	78,434
022	MLRS MODS	20,000	20,000
	TOTAL MISSILE PROCUREMENT, ARMY	**881,592**	**881,592**
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
016	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	4,765	4,765
018	MORTAR SYSTEMS	10,460	10,460
	TOTAL PROCUREMENT OF W&TCV, ARMY	**15,225**	**15,225**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
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
	ARTILLERY AMMUNITION		
016	PROJ 155MM EXTENDED RANGE M982	29,213	29,213
017	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	21,675	21,675
	ROCKETS		
020	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	176	176
021	ROCKET, HYDRA 70, ALL TYPES	33,880	33,880
	MISCELLANEOUS		
029	ITEMS LESS THAN $5 MILLION (AMMO)	11	11
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**110,668**	**110,668**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
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
	COMM—SATELLITE COMMUNICATIONS		
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
	COMM—COMBAT COMMUNICATIONS		
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,257	1,257
	COMM—INTELLIGENCE COMM		
048	CI AUTOMATION ARCHITECTURE (MIP)	1,230	1,230
	INFORMATION SECURITY		
052	COMMUNICATIONS SECURITY (COMSEC)	128	128
	COMM—BASE COMMUNICATIONS		
058	INFORMATION SYSTEMS	15,277	15,277
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	74,004	74,004
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
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
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
080	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	44,293	44,293

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
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Line	Item	FY 2021 Request	House Authorized
081	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	49,100	49,100
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
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: LHMBC XM32	280	280
095	MORTAR FIRE CONTROL SYSTEM	13,672	13,672
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	15,143	15,143
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	4,688	4,688
110	AUTOMATED DATA PROCESSING EQUIP	16,552	16,552
	CHEMICAL DEFENSIVE EQUIPMENT		
121	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
122	BASE DEFENSE SYSTEMS (BDS)	98,960	98,960
123	CBRN DEFENSE	18,887	18,887
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	50,400	50,400
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
137	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND 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
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	4,374	4,374
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	6,390	6,390
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	7,769	7,769
153	ITEMS LESS THAN $5.0M (MAINT EQ)	184	184
	CONSTRUCTION EQUIPMENT		
156	LOADERS	3,190	3,190
157	HYDRAULIC EXCAVATOR	7,600	7,600
158	TRACTOR, FULL TRACKED	7,450	7,450
160	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	3,703	3,703
162	CONST EQUIP ESP	657	657
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	106	106
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	1,885	1,885
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
181	PHYSICAL SECURITY SYSTEMS (OPA3)	3,248	3,248
185	BUILDING, PRE-FAB, RELOCATABLE	31,845	31,845
	TOTAL OTHER PROCUREMENT, ARMY	**924,077**	**924,077**
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
024	STUASL0 UAV	7,921	7,921
	MODIFICATION OF AIRCRAFT		
053	COMMON ECM EQUIPMENT	3,474	3,474
055	COMMON DEFENSIVE WEAPON SYSTEM	3,339	3,339
064	QRC	18,507	18,507
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**33,241**	**33,241**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
012	HELLFIRE	5,572	5,572
	TOTAL WEAPONS PROCUREMENT, NAVY	**5,572**	**5,572**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
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
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**95,942**	**95,942**

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Line	Item	FY 2021 Request	House Authorized
	OTHER PROCUREMENT, NAVY		
	SMALL BOATS		
028	STANDARD BOATS	19,104	19,104
	OTHER SHIP SUPPORT		
035	SMALL & MEDIUM UUV	2,946	2,946
	ASW ELECTRONIC EQUIPMENT		
043	FIXED SURVEILLANCE SYSTEM	213,000	213,000
	SONOBUOYS		
092	SONOBUOYS—ALL TYPES	26,196	26,196
	AIRCRAFT SUPPORT EQUIPMENT		
095	AIRCRAFT SUPPORT EQUIPMENT	60,217	60,217
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	2,124	2,124
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	177	177
116	GENERAL PURPOSE TRUCKS	416	416
118	FIRE FIGHTING EQUIPMENT	801	801
	SUPPLY SUPPORT EQUIPMENT		
125	FIRST DESTINATION TRANSPORTATION	520	520
	TRAINING DEVICES		
128	TRAINING AND EDUCATION EQUIPMENT	11,500	11,500
	COMMAND SUPPORT EQUIPMENT		
130	MEDICAL SUPPORT EQUIPMENT	3,525	3,525
136	PHYSICAL SECURITY EQUIPMENT	3,000	3,000
	TOTAL OTHER PROCUREMENT, NAVY	**343,526**	**343,526**
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
012	GUIDED MLRS ROCKET (GMLRS)	17,456	17,456
	OTHER SUPPORT (TEL)		
015	MODIFICATION KITS	4,200	4,200
	INTELL/COMM EQUIPMENT (NON-TEL)		
022	INTELLIGENCE SUPPORT EQUIPMENT	10,124	10,124
	TACTICAL VEHICLES		
038	MOTOR TRANSPORT MODIFICATIONS	16,183	16,183
	TOTAL PROCUREMENT, MARINE CORPS	**47,963**	**47,963**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	HELICOPTERS		
013	COMBAT RESCUE HELICOPTER	174,000	174,000
	OTHER AIRCRAFT		
020	MQ–9	142,490	142,490
021	RQ–20B PUMA	13,770	13,770
	STRATEGIC AIRCRAFT		
026	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,521	57,521
	OTHER AIRCRAFT		
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
	AIRCRAFT SPARES AND REPAIR PARTS		
071	INITIAL SPARES/REPAIR PARTS	10,700	10,700
072	MQ–9	12,250	12,250
	COMMON SUPPORT EQUIPMENT		
073	AIRCRAFT REPLACEMENT SUPPORT EQUIP	25,614	25,614
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**569,155**	**586,555**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
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
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**223,772**	**223,772**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	19,489	19,489
	CARTRIDGES		
002	CARTRIDGES	40,434	40,434
	BOMBS		
004	GENERAL PURPOSE BOMBS	369,566	369,566
006	JOINT DIRECT ATTACK MUNITION	237,723	237,723
	FLARES		
015	FLARES	21,171	21,171
	FUZES		
016	FUZES	107,855	107,855

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Line	Item	FY 2021 Request	House Authorized
	SMALL ARMS		
017	SMALL ARMS	6,217	6,217
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**802,455**	**802,455**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	1,302	1,302
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	3,400	3,400
004	CARGO AND UTILITY VEHICLES	12,475	12,475
	SPECIAL PURPOSE VEHICLES		
005	JOINT LIGHT TACTICAL VEHICLE	26,150	26,150
007	SPECIAL PURPOSE VEHICLES	51,254	51,254
	FIRE FIGHTING EQUIPMENT		
008	FIRE FIGHTING/CRASH RESCUE VEHICLES	24,903	24,903
	MATERIALS HANDLING EQUIPMENT		
009	MATERIALS HANDLING VEHICLES	14,167	14,167
	BASE MAINTENANCE SUPPORT		
010	RUNWAY SNOW REMOV AND CLEANING EQU	5,759	5,759
011	BASE MAINTENANCE SUPPORT VEHICLES	20,653	20,653
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	5,100	5,100
030	AIR FORCE PHYSICAL SECURITY SYSTEM	56,496	56,496
	ORGANIZATION AND BASE		
049	BASE COMM INFRASTRUCTURE	30,717	30,717
	BASE SUPPORT EQUIPMENT		
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
	SPECIAL SUPPORT PROJECTS		
061	DCGS-AF	18,700	18,700
	SPARES AND REPAIR PARTS		
065	SPARES AND REPAIR PARTS	4,000	4,000
	TOTAL OTHER PROCUREMENT, AIR FORCE	**355,339**	**355,339**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
016	DEFENSE INFORMATION SYSTEM NETWORK	6,120	6,120
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
030	COUNTER IMPROVISED THREAT TECHNOLOGIES	2,540	2,540
	CLASSIFIED PROGRAMS		
54A	CLASSIFIED PROGRAMS	3,500	3,500
	AVIATION PROGRAMS		
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
	AMMUNITION PROGRAMS		
070	ORDNANCE ITEMS <$5M	105,355	105,355
	OTHER PROCUREMENT PROGRAMS		
071	INTELLIGENCE SYSTEMS	16,234	16,234
073	OTHER ITEMS <$5M	984	984
076	TACTICAL VEHICLES	2,990	2,990
077	WARRIOR SYSTEMS <$5M	32,573	37,573
	Development of autonomous, multi-sensor cUAS capabilities with kinetic effects.		[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
	TOTAL PROCUREMENT, DEFENSE-WIDE	**258,491**	**303,591**
	NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT		
	UNDISTRIBUTED		
007	UNDISTRIBUTED		150,000
	Program increase		[150,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT ACCOUNT.		**150,000**
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		**150,000**
	TOTAL PROCUREMENT	**5,128,098**	**5,485,798**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
002	0601102A	DEFENSE RESEARCH SCIENCES	303,257	308,257
		Counter-UAS Army research lab		[5,000]
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	67,148	67,148
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	87,877	96,877
		Automotive research center modeling and simulation		[5,000]
		Biotechnology advancements		[4,000]
005	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,077	5,077
		SUBTOTAL BASIC RESEARCH	**463,359**	**477,359**
		APPLIED RESEARCH		
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
		Next generation additive manufacturing and 3–D printed electronics.		[5,000]
013	0602142A	ARMY APPLIED RESEARCH	30,757	30,757
014	0602143A	SOLDIER LETHALITY TECHNOLOGY	125,435	132,435
		HEROES program increase		[5,000]
		Syn-bio enabled functional materials for the soldier		[2,000]
015	0602144A	GROUND TECHNOLOGY	28,047	45,047
		Cold weather military research		[2,000]
		Materials recovery technologies for defense supply resiliency		[10,000]
		Polymeric composites via cold spray additive manufacturing		[5,000]
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	217,565	217,565
017	0602146A	NETWORK C3I TECHNOLOGY	114,404	129,404
		Alternative positioning navigation and timing		[5,000]
		Multi-drone/multi-sensor intelligence, surveillance, and reconnaissance capabilities.		[2,000]
		Program increase		[5,000]
		Sensor and electronic network initatives		[3,000]
018	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	60,553	60,553
019	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	96,484	101,484
		High density eVOTL power source research		[5,000]
020	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	56,298	76,298
		Advanced tracking and targeting capability		[5,000]
		High energy laser technology		[5,000]
		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
		SUBTOTAL APPLIED RESEARCH	**920,881**	**989,881**
		ADVANCED TECHNOLOGY DEVELOPMENT		
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

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Line	Program Element	Item	FY 2021 Request	House Authorized
		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
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**1,203,590**	**1,258,090**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
078	0603305A	ARMY MISSLE 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
112	0604541A	UNIFIED NETWORK TRANSPORT	40,677	40,677
115	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	50,525	50,525
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**3,421,608**	**3,447,308**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
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	0604710A	NIGHT VISION SYSTEMS—ENG DEV	61,445	61,445
129	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,814	2,814
130	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	28,036	28,036
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	43,651	39,651

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
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Line	Program Element	Item	FY 2021 Request	House Authorized
		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—EXPEDITIONARY (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
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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**3,199,798**	**3,058,719**
		MANAGEMENT SUPPORT		
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]

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		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
		SUBTOTAL MANAGEMENT SUPPORT	**1,333,123**	**1,362,623**
		OPERATIONAL SYSTEMS DEVELOPMENT		
214	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	10,157	10,157
216	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,682	8,682
217	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS.	20,409	20,409
219	0607134A	LONG RANGE PRECISION FIRES (LRPF)	122,733	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
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
		6.8mm projectile development		[4,000]
		Lightweight film armor development		[2,000]
266A	9999999999	CLASSIFIED PROGRAMS	3,983	3,983
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**1,998,539**	**1,742,481**

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Line	Program Element	Item	FY 2021 Request	House Authorized
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
267	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT.	46,445	46,445
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**46,445**	**46,445**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	**12,587,343**	**12,382,906**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
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
		SUBTOTAL BASIC RESEARCH	**603,087**	**608,087**
		APPLIED RESEARCH		
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 ACITIVITIES.	76,745	76,745
		SUBTOTAL APPLIED RESEARCH	**953,175**	**1,033,175**
		ADVANCED TECHNOLOGY DEVELOPMENT		
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
026	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	141,948	161,948
		Accelerated railgun technology maturation		[20,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**760,396**	**815,396**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
027	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS).	464,042	270,442

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Line	Program Element	Item	FY 2021 Request	House Authorized
		EPF conversion to LUSV prototype		[45,000]
		Two additional Overlord vessels excess to need		[–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 COUNTER-MEASURES.	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
		Excess cost growth		[–25,000]
		Program adjustment		[–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
		Excessive accelerated development		[–28,200]
		Project 1 insufficient budget justification		[–66,800]
044	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,528	10,528
045	0603563N	SHIP CONCEPT ADVANCED DESIGN	126,396	136,396
		Expeditionary sustainment and repair-related technologies		[5,000]
		Polymorphic build farm for open source technologies		[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
		Program delay		[–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
		Excess cost growth		[–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
		Excess cost growth		[–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
		One additional system		[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 DEM-ONSTRATION..	12,100	12,100
080	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	78,122	42,122
		Early to need, phase 1 results needed first		[–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
083	0604127N	SURFACE MINE COUNTERMEASURES	18,754	18,754
084	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTER-MEASURES (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

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		XLUUV 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/ ENGINEERING 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
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**6,503,074**	**6,098,674**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
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–22A	132,624	132,624
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,445	21,445
112	0604269N	EA–18	106,134	106,134
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	134,194	134,194
114	0604273M	EXECUTIVE HELO DEVELOPMENT	99,321	99,321
115	0604274N	NEXT GENERATION JAMMER (NGJ)	477,680	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
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

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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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**6,263,883**	**6,305,483**
		MANAGEMENT SUPPORT		
171	0604256N	THREAT SIMULATOR DEVELOPMENT	22,075	22,075
172	0604258N	TARGET SYSTEMS DEVELOPMENT	10,224	10,224
173	0604759N	MAJOR T&E INVESTMENT	85,195	85,195
175	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,089	3,089
176	0605154N	CENTER FOR NAVAL ANALYSES	43,517	43,517
179	0605804N	TECHNICAL INFORMATION SERVICES	932	932
180	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	94,297	94,297
181	0605856N	STRATEGIC TECHNICAL SUPPORT	3,813	3,813
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	104,822	104,822
184	0605864N	TEST AND EVALUATION SUPPORT	446,960	446,960
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	27,241	27,241
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	15,787	15,787
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,559	8,559
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	42,749	42,749
189	0605898N	MANAGEMENT HQ—R&D	41,094	41,094
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,022	37,022
193	0305327N	INSIDER THREAT	2,310	2,310
194	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES).	1,536	1,536
		SUBTOTAL MANAGEMENT SUPPORT	**991,222**	**991,222**
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604227N	HARPOON MODIFICATIONS	697	697
200	0604840M	F–35 C2D2	379,549	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 (G/ATOR)	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
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

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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
		Interference mitigation technology, test and verification		[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 (STUASL0)	8,773	8,773
248	0305239M	RQ–21A	10,853	10,853
249	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	60,413	60,413
250	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	5,000	5,000
251	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	34,967	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	9999999999	CLASSIFIED PROGRAMS	1,795,032	1,795,032
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**5,327,043**	**5,261,743**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
258	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM.	14,300	14,300
259	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	10,868	10,868
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**25,168**	**25,168**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	**21,427,048**	**21,138,948**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	315,348	315,348
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	161,861	166,861
		Solar block research		[5,000]
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	15,085	15,085
		SUBTOTAL BASIC RESEARCH	**492,294**	**497,294**
		APPLIED RESEARCH		
004	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	100,000	100,000
005	0602102F	MATERIALS	140,781	165,781
		Advanced materials manufacturing flexible biosensors		[5,000]
		Metals affordability research		[15,000]
		Thermal protection systems		[5,000]
006	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	349,225	374,225
		Advanced batteries for directed energy		[5,000]
		High speed expendable turbine development		[5,000]
		On-orbit propulsion technologies		[5,000]
		Secure unmanned aerial vehicles		[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 HEADQUARTERS 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
		Counter UAS platform integration testbed		[5,000]
		Quantum Innovation Center		[5,000]
		Quantum network testbed		[10,000]

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		Trusted UAS traffic management and C-UAS testbed		[10,000]
015	0602890F	HIGH ENERGY LASER RESEARCH	45,088	45,088
		SUBTOTAL APPLIED RESEARCH	**1,409,749**	**1,489,749**
		ADVANCED TECHNOLOGY DEVELOPMENT		
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
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**778,548**	**755,548**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**7,737,916**	**7,662,416**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
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	SUBMUNITIONS	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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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
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**2,615,359**	**2,557,959**
		MANAGEMENT SUPPORT		
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
		SUBTOTAL MANAGEMENT SUPPORT	**2,891,280**	**2,881,280**
		OPERATIONAL SYSTEMS DEVELOPMENT		
163	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,777	8,777
164	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	499	499
165	0604840F	F–35 C2D2	785,336	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]

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191	0207142F	F–35 SQUADRONS	132,229	129,629
		Unjustified USAF ALIS unique funding		[–2,600]
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

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286	0401318F	CV–22	18,419	18,419
288	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,673	7,673
290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	24,513	24,513
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	35,225	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
		Transfer to Space Force		[–1,889]
302	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	993	993
303	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	8,999	8,999
314	1203400F	SPACE SUPERIORITY INTELLIGENCE	16,810	16,810
316	1203620F	NATIONAL SPACE DEFENSE CENTER	2,687	2,687
318	1203906F	NCMC—TW/AA SYSTEM	6,990	6,990
322A	9999999999	CLASSIFIED PROGRAMS	15,777,856	15,777,856
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**21,466,680**	**21,203,091**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	**37,391,826**	**37,047,337**
		RESEARCH, DEVELOPMENT, TEST & EVAL, SPACE FORCE		
		APPLIED RESEARCH		
001	1206601SF	SPACE TECHNOLOGY	130,874	164,874
		Ground based optical GEO surveillance		[5,000]
		Rapid development of low-cost, small satellite technology		[20,000]
		Small satellite mission operations center		[9,000]
		SUBTOTAL APPLIED RESEARCH	**130,874**	**164,874**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
002	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE).	390,704	390,704
003	1203710SF	EO/IR WEATHER SYSTEMS	131,000	106,000
		Program reduction for phase 2 risk reduction Spec OT2		[–25,000]
004	1206422SF	WEATHER SYSTEM FOLLOW-ON	83,384	83,384
005	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	33,359	33,359
006	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,808	142,808
007	1206438SF	SPACE CONTROL TECHNOLOGY	35,575	35,575
008	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	114,390	109,390
		Unjustified growth		[–5,000]
009	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	205,178	200,178
		Unjustified growth		[–5,000]
010	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	71,395	71,395
011	1206857SF	SPACE RAPID CAPABILITIES OFFICE	103,518	103,518
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**1,311,311**	**1,276,311**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
012	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	263,496	253,496
		Execution lagging		[–10,000]
013	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	41,897	41,897
014	1206421SF	COUNTERSPACE SYSTEMS	54,689	54,689
015	1206422SF	WEATHER SYSTEM FOLLOW-ON	2,526	2,526
016	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	173,074	173,074
017	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	138,257	138,257
018	1206432SF	POLAR MILSATCOM (SPACE)	190,235	190,235
019	1206442SF	NEXT GENERATION OPIR	2,318,864	2,269,864
		Block 0 GEO unjustified cost growth		[–20,000]
		Program decrease		[–29,000]
020	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD.	560,978	710,978
		Program increase		[150,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**3,744,016**	**3,835,016**
		MANAGEMENT SUPPORT		
021	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	20,281	20,281
022	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	183,930	183,930
023	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	9,765	9,765
024	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,993	27,993

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		Tactically Responsive Launch Operations		[10,000]
025	1206864SF	SPACE TEST PROGRAM (STP)	26,541	26,541
		SUBTOTAL MANAGEMENT SUPPORT	**258,510**	**268,510**
		OPERATIONAL SYSTEM DEVELOPMENT		
026	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,708	5,597
		Transfer from Air Force		[1,889]
027	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	247,229	237,229
		Program decrease		[–10,000]
028	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	75,480	60,480
		Program decrease		[–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
		Underexecution		[–5,000]
032	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,020	16,020
		Space launch range services and capabilities		[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
		Underexecution		[–5,000]
037	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	481,999	471,999
		Program decrease		[–5,000]
		Unjustified growth		[–5,000]
041	1206770SF	ENTERPRISE GROUND SERVICES	116,791	116,791
041A	9999999999	CLASSIFIED PROGRAMS	3,632,866	3,632,866
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**4,733,142**	**4,695,031**
		SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
042	1203614SF	JSPOC MISSION SYSTEM	149,742	129,742
		Unjustified increase; transfer to commercial Space Domain Awareness Services and Data.		[–20,000]
42A	9999999999	COMMERCIAL SATCOM		45,000
		Commercial polar space-based proliferated LEO broadband services and demonstrations.		[25,000]
		Increase for commercial space domain awareness services and data		[20,000]
		SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS.	**149,742**	**174,742**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, SPACE FORCE.	**10,327,595**	**10,414,484**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	14,617	14,617
002	0601101E	DEFENSE RESEARCH SCIENCES	479,958	479,958
003	0601110D8Z	BASIC RESEARCH INITIATIVES	35,565	57,565
		Restore Minerva research initiative		[17,000]
		START research consortium of excellence for irregular warfare and advanced analytics.		[5,000]
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	53,730	53,730
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	100,241	105,241
		Civics education pilot		[5,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS.	30,975	50,975
		PIPELINE program		[3,000]
		Program increase		[17,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,300	45,300
		SUBTOTAL BASIC RESEARCH	**760,386**	**807,386**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,409	24,409
		New energetic materials design		[5,000]
009	0602115E	BIOMEDICAL TECHNOLOGY	107,568	107,568
011	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	35,000	35,000
012	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	41,080	41,080
013	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES.	60,722	60,722
014	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	435,920	403,920
		Program decrease		[–32,000]
015	0602383E	BIOLOGICAL WARFARE DEFENSE	26,950	26,950
016	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	201,807	206,807
		Treatment testing technology for nuclear, chemical, and biological exposure.		[5,000]

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017	0602668D8Z	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
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
		Sustained Human Performance and Resilience		[5,000]
		SUBTOTAL APPLIED RESEARCH	**1,976,390**	**1,959,390**
		ADVANCED TECHNOLOGY DEVELOPMENT		
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
		Restore low power laser demonstrator		[50,000]
032	0603180C	ADVANCED RESEARCH	18,687	28,687
		Program increase		[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
		Accelerating rapid prototyping by integrating high performance computing and advanced manufacturing.		[5,000]
		Additive manufacturing training		[5,000]
		Advanced structural manufacturing technologies		[30,000]
		Flexible hybrid electronics		[5,000]
		Hypersonic thermal management research		[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
		AFFF replacement		[50,000]
		PFAS Innovation Award Fund		[5,000]
		PFAS remediation and disposal technology		[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
		Directed energy test workloads		
066	0603950D8Z	NATIONAL SECURITY INNOVATION NETWORK		40,000
		Restore program		[40,000]
067	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT		65,000
		Program increase		[65,000]
070	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,072	94,072
		SOF 3–D printing technologies		[5,000]
071	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT.	72,422	72,422
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**3,588,876**	**3,913,876**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		

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072	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	32,636	32,636
073	0603600D8Z	WALKOFF	106,529	106,529
075	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	61,345	113,345
		PFAS remediation and disposal technology		[50,000]
		Program increase		[2,000]
076	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT.	412,627	312,627
		Insufficient justification—homeland defense underlay		[–100,000]
077	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT.	1,004,305	919,305
		Unjustified growth—RKV cancellation		[–85,000]
078	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL.	76,167	81,167
		Decontamination technologies for civilian pandemic preparedness		[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).	449,000	400,000
		Program decrease for Restoring S&T		[–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]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**9,416,712**	**9,076,712**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	7,173	7,173
126	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	319,976	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
130	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	7,287	7,287
131	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	12,928	12,928
132	0605027D8Z	OUSD(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 ANNUITANT PAY SYSTEM (DRAS)	1,638	1,638
137	0605141BR	MISSION ASSURANCE RISK MANAGEMENT SYSTEM (MARMS).	5,500	5,500
138	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES.	8,279	8,279
139	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	107,585	107,585
140	0605772D8Z	NUCLEAR COMMAND, CONTROL, & COMMUNICATIONS	3,685	3,685
143	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM).	3,275	3,275
144	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION.	20,585	20,585
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**603,808**	**603,808**
		MANAGEMENT SUPPORT		
145	0603829J	JOINT CAPABILITY EXPERIMENTATION	11,239	11,239
146	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,793	9,793
147	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,497	8,497
148	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	422,451	435,451
		Gulf Test range and training enhancements		[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
		Program decrease		[–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	C4I 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

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
196	0901598C	MANAGEMENT HQ—MDA	26,902	26,902
197	0903235K	JOINT SERVICE PROVIDER (JSP)	3,138	3,138
198A	9999999999	CLASSIFIED PROGRAMS	41,583	41,583
		SUBTOTAL MANAGEMENT SUPPORT	**1,297,392**	**1,267,092**
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	14,378	14,378
200	0604532K	JOINT ARTIFICIAL INTELLIGENCE	132,058	132,058
201	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND 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
		Autotune filter manufacturing scale-up for advanced offboard electronic warfare.		[10,000]
		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
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT.	**6,161,946**	**6,252,218**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
269	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM.	121,676	121,676
270	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	16,848	16,848
271	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	86,750	76,750
		Program decrease		[–10,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
272	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM.	250,107	200,107
		Program decrease		[–50,000]
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS.	**475,381**	**415,381**
		UNDISTRIBUTED		
273A	9999999999	PANDEMIC PREPAREDNESS AND RESILIENCE NATIONAL SECURITY FUND.		1,000,000
		Program increase		[1,000,000]
		SUBTOTAL UNDISTRIBUTED		**1,000,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	**24,280,891**	**25,295,863**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
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
		SUBTOTAL MANAGEMENT SUPPORT	**210,090**	**210,090**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**210,090**	**210,090**
		TOTAL RDT&E	**106,224,793**	**106,489,628**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		APPLIED RESEARCH		
016	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	2,000	2,000
		SUBTOTAL APPLIED RESEARCH	**2,000**	**2,000**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
080	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
114	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,020	2,020
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**2,520**	**2,520**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	27,000	27,000
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	2,300	2,300
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	64,625	64,625
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	3,900	3,900
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**97,825**	**97,825**
		MANAGEMENT SUPPORT		
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	1,000	1,000
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	4,137	4,137
		SUBTOTAL MANAGEMENT SUPPORT	**5,137**	**5,137**
		OPERATIONAL SYSTEMS DEVELOPMENT		
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	2,300	2,300
248	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	23,367	23,367
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	34,100	34,100
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	15,575	15,575
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**75,342**	**75,342**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY.	**182,824**	**182,824**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
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
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**55,418**	**55,418**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	1,144	1,144
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION.	**1,144**	**1,144**
		OPERATIONAL SYSTEMS DEVELOPMENT		
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	3,000	3,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**3,000**	**3,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY.	**59,562**	**59,562**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		OPERATIONAL SYSTEMS DEVELOPMENT		
185	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,080	4,080
228	0208288F	INTEL DATA APPLICATIONS	1,224	1,224
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**5,304**	**5,304**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF.	**5,304**	**5,304**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		APPLIED RESEARCH		
010	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	3,699	3,699
		SUBTOTAL APPLIED RESEARCH	**3,699**	**3,699**
		ADVANCED TECHNOLOGY DEVELOPMENT		
026	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	19,288	19,288
028	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	3,861	3,861
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT.	**23,149**	**23,149**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
097	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	19,931	19,931
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES.	**19,931**	**19,931**
		OPERATIONAL SYSTEMS DEVELOPMENT		
260	1160408BB	OPERATIONAL ENHANCEMENTS	1,186	1,186
261	1160431BB	WARRIOR SYSTEMS	5,796	5,796
263	1160434BB	UNMANNED ISR	5,000	5,000
268A	9999999999	CLASSIFIED PROGRAMS	24,057	24,057
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**36,039**	**36,039**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW.	**82,818**	**82,818**
		TOTAL RDT&E	**330,508**	**330,508**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	OPERATING FORCES		
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]
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
	SUBTOTAL OPERATING FORCES	**24,692,261**	**24,900,126**
	MOBILIZATION		
220	STRATEGIC MOBILITY	402,236	402,236
230	ARMY PREPOSITIONED STOCKS	324,306	324,306
240	INDUSTRIAL PREPAREDNESS	3,653	3,653
	SUBTOTAL MOBILIZATION	**730,195**	**730,195**
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	165,142	165,142
260	RECRUIT TRAINING	76,509	76,509
270	ONE STATION UNIT TRAINING	88,523	88,523
280	SENIOR RESERVE OFFICERS TRAINING CORPS	535,578	535,578
290	SPECIALIZED SKILL TRAINING	981,436	981,436
300	FLIGHT TRAINING	1,204,768	1,204,768
310	PROFESSIONAL DEVELOPMENT EDUCATION	215,195	215,195
320	TRAINING SUPPORT	575,232	575,232
330	RECRUITING AND ADVERTISING	722,612	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
	SUBTOTAL TRAINING AND RECRUITING	**5,299,957**	**5,249,957**
	ADMIN & SRVWIDE ACTIVITIES		
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

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
565	CLASSIFIED PROGRAMS	1,069,915	1,069,915
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**9,590,555**	**9,540,915**
	UNDISTRIBUTED		
570	UNDISTRIBUTED		–231,457
	Foreign Currency adjustments		[–137,300]
	Historical unobligated balances		[–94,157]
	SUBTOTAL UNDISTRIBUTED		**–231,457**
	TOTAL OPERATION & MAINTENANCE, ARMY	**40,312,968**	**40,189,736**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,784	10,784
020	ECHELONS ABOVE BRIGADE	530,425	530,425
030	THEATER LEVEL ASSETS	123,737	123,737
040	LAND FORCES OPERATIONS SUPPORT	589,582	589,582
050	AVIATION ASSETS	89,332	89,332
060	FORCE READINESS OPERATIONS SUPPORT	387,545	387,545
070	LAND FORCES SYSTEMS READINESS	97,569	97,569
080	LAND FORCES DEPOT MAINTENANCE	43,148	43,148
090	BASE OPERATIONS SUPPORT	587,098	587,098
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	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
	SUBTOTAL OPERATING FORCES	**2,825,366**	**2,831,425**
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,530	15,530
150	ADMINISTRATION	17,761	17,761
160	SERVICEWIDE COMMUNICATIONS	14,256	14,256
170	MANPOWER MANAGEMENT	6,564	6,564
180	RECRUITING AND ADVERTISING	55,240	55,240
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**109,351**	**109,351**
	UNDISTRIBUTED		
210	UNDISTRIBUTED		–10,100
	Historical unobligated balances		[–10,100]
	SUBTOTAL UNDISTRIBUTED		**–10,100**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,934,717**	**2,930,676**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	769,449	769,449
020	MODULAR SUPPORT BRIGADES	204,604	204,604
030	ECHELONS ABOVE BRIGADE	812,072	812,072
040	THEATER LEVEL ASSETS	103,650	103,650
050	LAND FORCES OPERATIONS SUPPORT	32,485	32,485
060	AVIATION ASSETS	1,011,142	1,011,142
070	FORCE READINESS OPERATIONS SUPPORT	712,881	712,881
080	LAND FORCES SYSTEMS READINESS	47,732	47,732
090	LAND FORCES DEPOT MAINTENANCE	265,408	265,408
100	BASE OPERATIONS SUPPORT	1,106,704	1,106,704
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	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
	SUBTOTAL OPERATING FORCES	**7,008,170**	**7,024,392**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,018	8,018
160	ADMINISTRATION	74,309	74,309

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
170	SERVICEWIDE COMMUNICATIONS	66,140	66,140
180	MANPOWER MANAGEMENT	9,087	9,087
190	OTHER PERSONNEL SUPPORT	251,714	251,714
200	REAL ESTATE MANAGEMENT	2,576	2,576
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**411,844**	**411,844**
	UNDISTRIBUTED		
220	UNDISTRIBUTED		–19,900
	Historical unobligated balances		[–19,900]
	SUBTOTAL UNDISTRIBUTED		**–19,900**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,420,014**	**7,416,336**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,738,746	5,359,952
	Transfer to OCO		[–378,794]
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]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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]
	SUBTOTAL OPERATING FORCES	**40,701,322**	**40,064,639**
	MOBILIZATION		
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
	SUBTOTAL MOBILIZATION	**1,697,075**	**1,359,770**
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	186,117	186,117
350	RECRUIT TRAINING	13,206	13,206
360	RESERVE OFFICERS TRAINING CORPS	163,683	163,683
370	SPECIALIZED SKILL TRAINING	947,841	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
	SUBTOTAL TRAINING AND RECRUITING	**2,365,862**	**2,350,162**
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,928,483**	**4,788,769**
	UNDISTRIBUTED		
770	UNDISTRIBUTED		–71,900
	Foreign Currency adjustments		[–48,500]
	Historical unobligated balances		[–23,400]
	SUBTOTAL UNDISTRIBUTED		**–71,900**
	TOTAL OPERATION & MAINTENANCE, NAVY	**49,692,742**	**48,491,440**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	941,143	527,743
	Transfer to OCO		[–400,000]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	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]
	SUBTOTAL OPERATING FORCES	**5,948,179**	**5,648,150**
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	20,751	20,751
090	OFFICER ACQUISITION	1,193	1,193
100	SPECIALIZED SKILL TRAINING	110,149	110,149
110	PROFESSIONAL DEVELOPMENT EDUCATION	69,509	69,509
120	TRAINING SUPPORT	412,613	412,613
130	RECRUITING AND ADVERTISING	215,464	215,464
140	OFF-DUTY AND VOLUNTARY EDUCATION	33,719	33,719
150	JUNIOR ROTC	25,784	25,784
	SUBTOTAL TRAINING AND RECRUITING	**889,182**	**889,182**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	32,005	32,005
170	ADMINISTRATION	399,363	399,363
215	CLASSIFIED PROGRAMS	59,878	59,878
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**491,246**	**491,246**
	UNDISTRIBUTED		
230	UNDISTRIBUTED		–19,700
	Foreign Currency adjustments		[–13,400]
	Historical unobligated balances		[–6,300]
	SUBTOTAL UNDISTRIBUTED		**–19,700**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**7,328,607**	**7,008,878**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	635,070	635,070
020	INTERMEDIATE MAINTENANCE	8,713	8,713
030	AIRCRAFT DEPOT MAINTENANCE	105,088	105,088
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	398	398
050	AVIATION LOGISTICS	27,284	27,284
070	COMBAT COMMUNICATIONS	17,894	17,894
080	COMBAT SUPPORT FORCES	132,862	132,862
090	CYBERSPACE ACTIVITIES	453	453
100	ENTERPRISE INFORMATION	26,073	26,073
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,762	49,665
	Program increase for additional facility requirements		[903]
120	BASE OPERATING SUPPORT	103,580	103,580
	SUBTOTAL OPERATING FORCES	**1,106,177**	**1,107,080**
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,927	1,927
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	15,895	15,895
150	ACQUISITION AND PROGRAM MANAGEMENT	3,047	3,047
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**20,869**	**20,869**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–3,800
	Historical unobligated balances		[–3,800]
	SUBTOTAL UNDISTRIBUTED		**–3,800**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,127,046**	**1,124,149**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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
	SUBTOTAL OPERATING FORCES	**270,854**	**271,621**
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	13,802	13,802
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**13,802**	**13,802**
	UNDISTRIBUTED		
70	UNDISTRIBUTED		–700
	Historical unobligated balances		[–700]
	SUBTOTAL UNDISTRIBUTED		**–700**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**284,656**	**284,723**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
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]
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
	SUBTOTAL OPERATING FORCES	**25,815,885**	**25,835,597**
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,350,031	1,110,031
	Realignment from Base to OCO		[–240,000]
250	MOBILIZATION PREPAREDNESS	647,168	647,168
	SUBTOTAL MOBILIZATION	**1,997,199**	**1,757,199**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	142,548	142,548
270	RECRUIT TRAINING	25,720	25,720
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	128,295	128,295
290	SPECIALIZED SKILL TRAINING	417,335	417,335
300	FLIGHT TRAINING	615,033	615,033
310	PROFESSIONAL DEVELOPMENT EDUCATION	298,795	298,795
320	TRAINING SUPPORT	85,844	85,844
330	RECRUITING AND ADVERTISING	155,065	155,065

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
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
	SUBTOTAL TRAINING AND RECRUITING	**2,526,154**	**2,536,154**
	ADMIN & SRVWD ACTIVITIES		
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
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,411,359**	**4,379,142**
	UNDISTRIBUTED		
550	UNDISTRIBUTED		–72,700
	Foreign Currency adjustments		[–39,400]
	Historical unobligated balances		[–33,300]
	SUBTOTAL UNDISTRIBUTED		**–72,700**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**34,750,597**	**34,435,392**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	276,109	276,109
030	SPACE LAUNCH OPERATIONS	177,056	177,056
040	SPACE OPERATIONS	475,338	475,338
050	EDUCATION & TRAINING	18,660	18,660
060	SPECIAL PROGRAMS	137,315	137,315
070	DEPOT MAINTENANCE	250,324	250,324
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	1,063,969	1,060,969
	Program decrease		[–3,000]
	SUBTOTAL OPERATING FORCES	**2,398,771**	**2,395,771**
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
090	ADMINISTRATION	132,523	132,523
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	**132,523**	**132,523**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–2,400
	Historical unobligated balances		[–2,400]
	SUBTOTAL UNDISTRIBUTED		**–2,400**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**2,531,294**	**2,525,894**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,782,016	1,782,016
020	MISSION SUPPORT OPERATIONS	215,209	215,209
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	453,896	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
	SUBTOTAL OPERATING FORCES	**3,234,239**	**3,258,354**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
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
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**116,045**	**116,045**
	UNDISTRIBUTED		
130	UNDISTRIBUTED		–9,100
	Historical unobligated balances		[–9,100]
	SUBTOTAL UNDISTRIBUTED		**–9,100**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,350,284**	**3,365,299**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,476,205	2,476,205
020	MISSION SUPPORT OPERATIONS	611,325	611,325
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,138,919	1,153,919
	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
060	BASE SUPPORT	962,438	962,438
070	CYBERSPACE SUSTAINMENT	27,028	27,028
080	CYBERSPACE ACTIVITIES	16,380	16,380
	SUBTOTAL OPERATING FORCES	**6,656,728**	**6,707,721**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	48,218	48,218
100	RECRUITING AND ADVERTISING	48,696	48,696
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**96,914**	**96,914**
	UNDISTRIBUTED		
110	UNDISTRIBUTED		–13,300
	Historical unobligated balances		[–13,300]
	SUBTOTAL UNDISTRIBUTED		**–13,300**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,753,642**	**6,791,335**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	439,111	439,111
020	JOINT CHIEFS OF STAFF—CE2T2	535,728	535,728
030	JOINT CHIEFS OF STAFF—CYBER	24,728	24,728
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	1,069,971	1,069,971
050	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	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/OPERATIONAL HEADQUARTERS	158,971	158,971
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,062,748	1,062,748
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	2,598,385	2,598,385
	SUBTOTAL OPERATING FORCES	**7,146,446**	**7,136,446**

SEC. 4301. OPERATION AND MAINTENANCE
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Line	Item	FY 2021 Request	House Authorized
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	162,963	162,963
130	JOINT CHIEFS OF STAFF	95,684	95,684
140	PROFESSIONAL DEVELOPMENT EDUCATION	33,301	33,301
	SUBTOTAL TRAINING AND RECRUITING	**291,948**	**291,948**
	ADMIN & SRVWIDE ACTIVITIES		
160	CIVIL MILITARY PROGRAMS	147,993	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 AGENCY	949,008	949,008
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—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
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**31,210,685**	**31,584,319**
	UNDISTRIBUTED		
600	UNDISTRIBUTED		–88,000

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Line	Item	FY 2021 Request	House Authorized
	Foreign Currency adjustments		[–18,700]
	Historical unobligated balances		[–69,300]
	SUBTOTAL UNDISTRIBUTED		**–88,000**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**38,649,079**	**38,924,713**
	US COURT OF APPEALS FOR ARMED FORCES, DEF		
	ADMINISTRATION AND ASSOCIATED ACTIVITIES		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,211	15,211
	SUBTOTAL ADMINISTRATION AND ASSOCIATED ACTIVITIES	**15,211**	**15,211**
	TOTAL US COURT OF APPEALS FOR ARMED FORCES, DEF	**15,211**	**15,211**
	DOD ACQUISITION WORKFORCE DEVELOPMENT FUND		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	58,181	198,501
	Transfer from services—reversal of DWR transfers		[140,320]
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	**58,181**	**198,501**
	TOTAL DOD ACQUISITION WORKFORCE DEVELOPMENT FUND	**58,181**	**198,501**
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID		
	HUMANITARIAN ASSISTANCE		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,900	109,900
	SUBTOTAL HUMANITARIAN ASSISTANCE	**109,900**	**109,900**
	TOTAL OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	**109,900**	**109,900**
	COOPERATIVE THREAT REDUCTION ACCOUNT		
	COOPERATIVE THREAT REDUCTION		
010	COOPERATIVE THREAT REDUCTION	238,490	373,690
	Restoration of funding		[135,200]
	SUBTOTAL COOPERATIVE THREAT REDUCTION	**238,490**	**373,690**
	TOTAL COOPERATIVE THREAT REDUCTION ACCOUNT	**238,490**	**373,690**
	ENVIRONMENTAL RESTORATION		
	DEPARTMENT OF THE ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	SUBTOTAL DEPARTMENT OF THE ARMY	**207,518**	**207,518**
	DEPARTMENT OF THE NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	SUBTOTAL DEPARTMENT OF THE NAVY	**335,932**	**335,932**
	DEPARTMENT OF THE AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	303,926	303,926
	SUBTOTAL DEPARTMENT OF THE AIR FORCE	**303,926**	**303,926**
	DEFENSE-WIDE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,105	9,105
	SUBTOTAL DEFENSE-WIDE	**9,105**	**9,105**
	DEFENSE-WIDE		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,587	266,587

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Line	Item	FY 2021 Request	House Authorized
	Military Munitions Response Program		[50,000]
	SUBTOTAL DEFENSE-WIDE	**216,587**	**266,587**
	TOTAL ENVIRONMENTAL RESTORATION	**1,073,068**	**1,123,068**
	UNDISTRIBUTED		
010	UNDISTRIBUTED		–1,455,870
	Excessive standard price for fuel		[–1,455,870]
	SUBTOTAL UNDISTRIBUTED		**–1,455,870**
	TOTAL UNDISTRIBUTED		**–1,455,870**
	TOTAL OPERATION & MAINTENANCE	**196,630,496**	**193,853,071**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
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
	Drawdown from Operation Freedom's Sentinel		[–1,000,000]
080	LAND FORCES SYSTEMS READINESS	180,048	140,048
	Drawdown from Operation Freedom's Sentinel		[–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
	Drawdown from Operation Freedom's Sentinel		[–184,000]
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM	2,500	2,500
150	RESET	403,796	803,796
	Retrograde from Operation Freedom's Sentinel		[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
	SUBTOTAL OPERATING FORCES	**15,267,605**	**13,613,781**
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	103,052	103,052
	SUBTOTAL MOBILIZATION	**103,052**	**103,052**
	TRAINING AND RECRUITING		
290	SPECIALIZED SKILL TRAINING	89,943	89,943
320	TRAINING SUPPORT	2,550	2,550
	SUBTOTAL TRAINING AND RECRUITING	**92,493**	**92,493**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	521,090	821,090
	Retrograde from Operation Freedom's Sentinel		[300,000]
400	CENTRAL SUPPLY ACTIVITIES	43,897	43,897
410	LOGISTIC SUPPORT ACTIVITIES	68,423	68,423

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
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Line	Item	FY 2021 Request	House Authorized
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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**1,674,604**	**1,974,604**
	TOTAL OPERATION & MAINTENANCE, ARMY	**17,137,754**	**15,783,930**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	17,193	17,193
060	FORCE READINESS OPERATIONS SUPPORT	440	440
090	BASE OPERATIONS SUPPORT	15,766	15,766
	SUBTOTAL OPERATING FORCES	**33,399**	**33,399**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**33,399**	**33,399**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	25,746	25,746
020	MODULAR SUPPORT BRIGADES	40	40
030	ECHELONS ABOVE BRIGADE	983	983
040	THEATER LEVEL ASSETS	22	22
060	AVIATION ASSETS	20,624	20,624
070	FORCE READINESS OPERATIONS SUPPORT	7,914	7,914
100	BASE OPERATIONS SUPPORT	24,417	24,417
	SUBTOTAL OPERATING FORCES	**79,746**	**79,746**
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	46	46
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**46**	**46**
	TOTAL OPERATION & MAINTENANCE, ARNG	**79,792**	**79,792**
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,065,932	1,065,932
020	INFRASTRUCTURE	64,501	64,501
030	EQUIPMENT AND TRANSPORTATION	47,854	47,854
040	TRAINING AND OPERATIONS	56,780	56,780
	SUBTOTAL AFGHAN NATIONAL ARMY	**1,235,067**	**1,235,067**
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	434,500	434,500
060	INFRASTRUCTURE	448	448
070	EQUIPMENT AND TRANSPORTATION	108,231	108,231
080	TRAINING AND OPERATIONS	58,993	58,993
	SUBTOTAL AFGHAN NATIONAL POLICE	**602,172**	**602,172**
	AFGHAN AIR FORCE		
090	SUSTAINMENT	534,102	534,102
100	INFRASTRUCTURE	9,532	9,532
110	EQUIPMENT AND TRANSPORTATION	58,487	58,487
120	TRAINING AND OPERATIONS	233,803	233,803
	SUBTOTAL AFGHAN AIR FORCE	**835,924**	**835,924**
	AFGHAN SPECIAL SECURITY FORCES		
	UNDISTRIBUTED		
130	SUSTAINMENT	680,024	680,024
140	INFRASTRUCTURE	2,532	2,532
150	EQUIPMENT AND TRANSPORTATION	486,808	486,808
160	TRAINING AND OPERATIONS	173,085	173,085
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	**1,342,449**	**1,342,449**
170	UNDISTRIBUTED		–500,000
	Insufficient justification		[–500,000]
	SUBTOTAL UNDISTRIBUTED		**–500,000**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**4,015,612**	**3,515,612**
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	645,000	500,000
	Program decrease		[–145,000]
020	SYRIA	200,000	200,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**845,000**	**700,000**
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**845,000**	**700,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	**10,521,682**	**11,450,476**
	MOBILIZATION		
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	22,589	22,589
	SUBTOTAL MOBILIZATION	**22,589**	**22,589**
	TRAINING AND RECRUITING		
370	SPECIALIZED SKILL TRAINING	53,204	53,204
	SUBTOTAL TRAINING AND RECRUITING	**53,204**	**53,204**
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	9,983	9,983
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,805	7,805
480	SERVICEWIDE TRANSPORTATION	72,097	72,097
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	11,354	11,354
520	INVESTIGATIVE AND SECURITY SERVICES	1,591	1,591
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**102,830**	**102,830**
	TOTAL OPERATION & MAINTENANCE, NAVY	**10,700,305**	**11,629,099**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
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
	SUBTOTAL OPERATING FORCES	**1,012,742**	**1,412,742**

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(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	28,458	28,458
	SUBTOTAL TRAINING AND RECRUITING	**28,458**	**28,458**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**61,400**	**61,400**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**1,102,600**	**1,502,600**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
020	INTERMEDIATE MAINTENANCE	522	522
030	AIRCRAFT DEPOT MAINTENANCE	11,861	11,861
080	COMBAT SUPPORT FORCES	9,109	9,109
	SUBTOTAL OPERATING FORCES	**21,492**	**21,492**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**21,492**	**21,492**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	7,627	7,627
040	BASE OPERATING SUPPORT	1,080	1,080
	SUBTOTAL OPERATING FORCES	**8,707**	**8,707**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**8,707**	**8,707**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	125,551	125,551
020	COMBAT ENHANCEMENT FORCES	916,538	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
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
	SUBTOTAL OPERATING FORCES	**16,160,805**	**16,407,135**
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,271,439	1,511,439
	Realignment from Base to OCO		[240,000]
250	MOBILIZATION PREPAREDNESS	120,866	120,866
	SUBTOTAL MOBILIZATION	**1,392,305**	**1,632,305**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	200	200
270	RECRUIT TRAINING	352	352
290	SPECIALIZED SKILL TRAINING	27,010	27,010
300	FLIGHT TRAINING	844	844
310	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
320	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	**30,925**	**30,925**
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	164,701	164,701
390	TECHNICAL SUPPORT ACTIVITIES	11,782	11,782
400	ADMINISTRATION	3,886	3,886
410	SERVICEWIDE COMMUNICATIONS	355	355
420	OTHER SERVICEWIDE ACTIVITIES	100,831	100,831
450	INTERNATIONAL SUPPORT	29,928	29,928
455	CLASSIFIED PROGRAMS	34,502	34,502
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**345,985**	**345,985**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**17,930,020**	**18,416,350**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	227	227
030	SPACE LAUNCH OPERATIONS	321	321
040	SPACE OPERATIONS	15,135	15,135
070	DEPOT MAINTENANCE	18,268	18,268
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	43,164	43,164
	SUBTOTAL OPERATING FORCES	**77,115**	**77,115**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**77,115**	**77,115**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	24,408	24,408
060	BASE SUPPORT	5,682	5,682
	SUBTOTAL OPERATING FORCES	**30,090**	**30,090**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**30,090**	**30,090**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,739	3,739
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	61,862	61,862
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	97,108	97,108
060	BASE SUPPORT	12,933	12,933
	SUBTOTAL OPERATING FORCES	**175,642**	**175,642**
	TOTAL OPERATION & MAINTENANCE, ANG	**175,642**	**175,642**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	3,799	3,799
020	JOINT CHIEFS OF STAFF—CE2T2	6,634	6,634
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	898,024	893,024
	Maritime Support Vessel		[–5,000]
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,244,553	1,214,553
	Program decrease		[–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
	Unjustified growth		[–25,000]
	SUBTOTAL OPERATING FORCES	**3,370,240**	**3,310,240**
	ADMIN & SRVWIDE ACTIVITIES		
180	DEFENSE CONTRACT AUDIT AGENCY	1,247	1,247
210	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
280	DEFENSE INFORMATION SYSTEMS AGENCY	56,256	56,256
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,524	3,524
330	DEFENSE LEGAL SERVICES AGENCY	156,373	156,373
350	DEFENSE MEDIA ACTIVITY	3,555	9,555
	Stars and Stripes		[6,000]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	House Authorized
370	DEFENSE SECURITY COOPERATION AGENCY	1,557,763	1,337,763
	Program increase—security cooperation		[30,000]
	Transfer to Ukraine Security Assistance		[–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
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**2,652,014**	**2,438,014**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**6,022,254**	**5,748,254**
	UKRAINE SECURITY ASSISTANCE		
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE INITIATIVE		250,000
	Transfer from Defense Security Cooperation Agency		[250,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		**250,000**
	TOTAL UKRAINE SECURITY ASSISTANCE		**250,000**
	TOTAL OPERATION & MAINTENANCE	**58,179,782**	**57,972,082**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
Military Personnel Appropriations	**150,524,104**	**149,384,304**
Historical unobligated balances		**–924,000**
Foreign Currency adjustments		**–169,800**
Standardization of payment of hazardous duty incentive pay		**50,000**
Program decrease—Marine Corps		**–96,000**
Medicare-Eligible Retiree Health Fund Contributions	**8,372,741**	**8,372,741**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
Military Personnel Appropriations	**4,602,593**	**4,602,593**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE	32,551	32,551
ARMY SUPPLY MANAGEMENT	24,166	24,166
TOTAL WORKING CAPITAL FUND, ARMY	**56,717**	**56,717**
WORKING CAPITAL FUND, AIR FORCE		
WORKING CAPITAL FUND		
WORKING CAPITAL FUND	95,712	95,712
TOTAL WORKING CAPITAL FUND, AIR FORCE	**95,712**	**95,712**
WORKING CAPITAL FUND, DEFENSE-WIDE		
WORKING CAPITAL FUND SUPPORT		
WORKING CAPITAL FUND SUPPORT	49,821	49,821
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**49,821**	**49,821**
WORKING CAPITAL FUND, DECA		
WORKING CAPITAL FUND SUPPORT	1,146,660	1,146,660
TOTAL WORKING CAPITAL FUND, DECA	**1,146,660**	**1,146,660**
NATIONAL DEFENSE SEALIFT FUND		
SEALIFT RECAPITALIZATION		170,000
Accelerate design of a commercial-based sealift ship		[50,000]
Transfer from OMN–300 for acquisition of four used sealift vessels		[120,000]
SHIP PREPOSITIONING AND SURGE		314,193
Transfer from OMN–290		[314,193]
EXPEDITIONARY HEALTH SERVICES		57,212
Transfer from OMN–320		[57,212]
TOTAL NATIONAL DEFENSE SEALIFT FUND		**541,405**
CHEM AGENTS & MUNITIONS DESTRUCTION		
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
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**889,500**	**876,500**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
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
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**769,629**	**769,629**
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	368,279	384,536
Additional oversight of coronavirus relief		[16,257]
OFFICE OF THE INSPECTOR GENERAL—CYBER		

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
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
TOTAL OFFICE OF THE INSPECTOR GENERAL	**371,439**	**387,696**
DEFENSE HEALTH PROGRAM		
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 Program 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 EXPLORATRY 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 MODERNIZATION	308,504	308,504
SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
UNDISTRIBUTED		–9,800
Foreign Currency adjustments		[–9,800]
TOTAL DEFENSE HEALTH PROGRAM	**32,690,372**	**32,741,572**
TOTAL OTHER AUTHORIZATIONS	**36,069,850**	**36,665,712**

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**

2 **TINGENCY OPERATIONS.**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
ARMY ARSENALS INITIATIVE		
ARMY SUPPLY MANAGEMENT	20,090	20,090
TOTAL WORKING CAPITAL FUND, ARMY	**20,090**	**20,090**
OFFICE OF THE INSPECTOR GENERAL		

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	House Authorized
OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
TOTAL OFFICE OF THE INSPECTOR GENERAL	**24,069**	**24,069**
DEFENSE HEALTH PROGRAM		
IN-HOUSE CARE	65,072	65,072
PRIVATE SECTOR CARE	296,828	296,828
CONSOLIDATED HEALTH SUPPORT	3,198	3,198
TOTAL DEFENSE HEALTH PROGRAM	**365,098**	**365,098**
TOTAL OTHER AUTHORIZATIONS	**409,257**	**409,257**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Alaska			
Army	Fort Wainwright	Child Development Center	0	32,500
Army	Fort Wainwright	Unaccompanied Enlisted Personnel Housing	0	59,000
	Arizona			
Army	Yuma Proving Ground	Ready Building	14,000	14,000
	Colorado			
Army	Fort Carson, Colorado	Physical Fitness Facility	28,000	28,000
	Georgia			
Army	Fort Gillem	Forensic Laboratory	71,000	71,000
Army	Fort Gordon	Adv Individual Training Barracks Cplx, Ph3	80,000	80,000
	Hawaii			
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
	Louisiana			
Army	Fort Polk, Louisiana	Information Systems Facility	25,000	25,000
	Oklahoma			
Army	McAlester AAP	Ammunition Demolition Shop	35,000	35,000
	Pennsylvania			
Army	Carlisle Barracks	General Instruction Building, Incr2	38,000	0
	South Carolina			
Army	Fort Jackson	Trainee Barracks Complex 3, Ph2	0	7,000
	Virginia			
Army	Humphreys Engineer Center	Training Support Facility	51,000	51,000
	Worldwide Unspecified			
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
Military Construction, Army Total			650,336	715,836
	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

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
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
Military Construction, Navy Total			1,975,606	1,676,514
	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
	Qatar			
AF	Al Udeid, Qatar	Cargo Marshalling Yard	26,000	26,000
	Texas			
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
	Utah			
AF	Hill AFB	GBSD Mission Integration Facility, Inc 2	68,000	68,000
	Virginia			
AF	Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq	19,500	19,500

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
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
	Wyoming			
AF	FE Warren	Weapons Storage Facility	0	12,000
Military Construction, Air Force Total			767,132	661,249
	Alabama			
Def-Wide	Anniston Army Depot	Demilitarization Facility	18,000	18,000
Def-Wide	Fort Rucker	Construct 10mw Generation & Microgrid	0	24,000
	Alaska			
Def-Wide	Fort Greely	Communications Center	48,000	48,000
	Arizona			
Def-Wide	Fort Huachuca	Laboratory Building	33,728	33,728
Def-Wide	Yuma	SOF Hangar	49,500	49,500
	Arkansas			
Def-Wide	Fort Smith ANG	PV Arrays and Battery Storage	0	2,600
	California			
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
	Colorado			
Def-Wide	Fort Carson, Colorado	SOF Tactical Equipment Maintenance Facility	15,600	15,600
	Conus Unspecified			
Def-Wide	Conus Unspecified	Training Target Structure	14,400	14,400
	District of Columbia			
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
	Florida			
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
	Georgia			
Def-Wide	Fort Benning	Construct 4.8mw Generation & Microgrid	0	17,000
	Germany			
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Inc 9	200,000	200,000
	Italy			
Def-Wide	NSA Naples	Smart Grid—NSA Naples	3,490	3,490
	Japan			
Def-Wide	Def Fuel Support Point Tsurumi	Fuel Wharf	49,500	49,500
Def-Wide	Yokosuka	Kinnick High School Inc	30,000	0
	Kentucky			
Def-Wide	Fort Knox	Van Voorhis Elementary School	69,310	69,310
	Maryland			
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
	Missouri			
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
	Nevada			
Def-Wide	Creech AFB	Central Standby Generators	32,000	32,000
	New Mexico			
Def-Wide	Kirtland AFB	Administrative Building	46,600	46,600
	North Carolina			
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
	Ohio			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
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
	Tennessee			
Def-Wide	Memphis ANG	PV Arrays and Battery Storage	0	4,780
	Texas			
Def-Wide	Fort Hood, Texas	Fuel Facilities	32,700	32,700
	Virginia			
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF Dcs Operations Fac. and Command Center	54,500	54,500
Def-Wide	Joint Expeditionary Base Little Creek—Story	SOF NSWG–2 Nswtg Css 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	Wallops Island	Wallops Generation and Distribution Resiliency Improvements.	9,100	9,100
	Washington			
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
	Worldwide Unspecified			
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
Military Construction, Defense-Wide Total			2,027,520	2,073,760
	Worldwide Unspecified			
NATO	NATO Security Investment Program	NATO Security Investment Program	173,030	173,030
NATO Security Investment Program Total			173,030	173,030
	Arizona			
Army NG	Tucson	National Guard Readiness Center	18,100	18,100
	Colorado			
Army NG	Peterson AFB	National Guard Readiness Center	15,000	15,000
	Indiana			
Army NG	Shelbyville	National Guard/Reserve Center Building Add/Al	12,000	12,000
	Kentucky			
Army NG	Frankfort	National Guard/Reserve Center Building	15,000	15,000
	Mississippi			
Army NG	Brandon	National Guard Vehicle Maintenance Shop	10,400	10,400
	Nebraska			
Army NG	North Platte	National Guard Vehicle Maintenance Shop	9,300	9,300
	New Jersey			
Army NG	Joint Base McGuire-Dix-Lakehurst	National Guard Readiness Center	15,000	15,000
	Ohio			
Army NG	Columbus	National Guard Readiness Center	15,000	15,000
	Oregon			
Army NG	Hermiston	Enlisted Barracks, Transient Training	9,300	25,035
	Puerto Rico			
Army NG	Fort Allen	National Guard Readiness Center	37,000	37,000
	South Carolina			
Army NG	Joint Base Charleston	National Guard Readiness Center	15,000	15,000
	Tennessee			
Army NG	Mcminnville	National Guard Readiness Center	11,200	11,200
	Texas			
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
	Utah			
Army NG	Nephi	National Guard Readiness Center	12,000	12,000
	Virgin Islands			
Army NG	St. Croix	Army Aviation Support Facility (Aasf)	28,000	28,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
Army NG	St. Croix	CST Ready Building	11,400	11,400
	Wisconsin			
Army NG	Appleton	National Guard Readiness Center Add/Alt	11,600	11,600
	Worldwide Unspecified			
Army NG	Unspecified Worldwide Locations	Planning and Design	29,593	29,593
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction	32,744	32,744
Military Construction, Army National Guard Total			321,437	337,172
	Florida			
Army Res	Gainesville	ECS TEMF/Warehouse	36,000	36,000
	Massachusetts			
Army Res	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	8,700	8,700
	North Carolina			
Army Res	Asheville	Army Reserve Center/Land	24,000	24,000
	Wisconsin			
Army Res	Fort McCoy	Scout Reconnaissance Range	14,600	14,600
Army Res	Fort McCoy	Transient Trainee Barracks	0	2,500
	Worldwide Unspecified			
Army Res	Unspecified Worldwide Locations	Planning and Design	1,218	1,218
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction	3,819	3,819
Military Construction, Army Reserve Total			88,337	90,837
	Maryland			
N/MC Res	Reisterstown	Reserve Training Center, Camp Fretterd, MD	39,500	39,500
	Utah			
N/MC Res	Hill AFB	Naval Operational Support Center	25,010	25,010
	Worldwide Unspecified			
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
Military Construction, Naval Reserve Total			70,995	70,995
	Alabama			
Air NG	Montgomery Regional Airport (ANG) Base	F–35 Simulator Facility	11,600	11,600
	Guam			
Air NG	Joint Region Marianas	Space Control Facility #5	20,000	20,000
	Maryland			
Air NG	Joint Base Andrews	F–16 Mission Training Center	9,400	9,400
	Texas			
Air NG	Joint Base San Antonio	F–16 Mission Training Center	10,800	10,800
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	9,000	9,000
Air NG	Various Worldwide Locations	Planning and Design	3,414	3,414
Military Construction, Air National Guard Total			64,214	64,214
	Texas			
AF Res	Fort Worth	F–35A Simulator Facility	14,200	14,200
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	3,270	3,270
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	5,647	5,647
Military Construction, Air Force Reserve Total			23,117	23,117
	Italy			
FH Con Army	Vicenza	Family Housing New Construction	84,100	84,100
	Kwajalein			
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction	32,000	32,000
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Family Housing P & D	3,300	3,300
Family Housing Construction, Army Total			119,400	119,400

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	18,004	18,004
FH Ops Army	Unspecified Worldwide Locations	Housing Privitization Support	37,948	62,948
FH Ops Army	Unspecified Worldwide Locations	Leasing	123,841	123,841
FH Ops Army	Unspecified Worldwide Locations	Maintenance	97,789	97,789
FH Ops Army	Unspecified Worldwide Locations	Management	39,716	39,716
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	526	526
FH Ops Army	Unspecified Worldwide Locations	Services	8,135	8,135
FH Ops Army	Unspecified Worldwide Locations	Utilities	41,183	41,183
Family Housing Operation And Maintenance, Army Total			367,142	392,142
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	37,043	37,043
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	3,128	3,128
FH Con Navy	Unspecified Worldwide Locations	USMC DPRI/Guam Planning and Design	2,726	2,726
Family Housing Construction, Navy And Marine Corps Total			42,897	42,897
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	17,977	17,977
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	53,700	78,700
FH Ops Navy	Unspecified Worldwide Locations	Leasing	62,658	62,658
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	85,630	110,630
FH Ops Navy	Unspecified Worldwide Locations	Management	51,006	51,006
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	350	350
FH Ops Navy	Unspecified Worldwide Locations	Services	16,743	16,743
FH Ops Navy	Unspecified Worldwide Locations	Utilities	58,429	58,429
Family Housing Operation And Maintenance, Navy And Marine Corps Total			346,493	396,493
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	94,245	94,245
FH Con AF	Unspecified Worldwide Locations	Planning & Design	2,969	2,969
Family Housing Construction, Air Force Total			97,214	97,214
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	25,805	25,805
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	23,175	23,175
FH Ops AF	Unspecified Worldwide Locations	Leasing	9,318	9,318
FH Ops AF	Unspecified Worldwide Locations	Maintenance	140,666	165,666
FH Ops AF	Unspecified Worldwide Locations	Management	64,732	99,732
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	2,184	2,184
FH Ops AF	Unspecified Worldwide Locations	Services	7,968	7,968
FH Ops AF	Unspecified Worldwide Locations	Utilities	43,173	43,173
Family Housing Operation And Maintenance, Air Force Total			317,021	377,021

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings	727	727
FH Ops DW	Unspecified Worldwide Locations	Leasing	49,856	49,856
FH Ops DW	Unspecified Worldwide Locations	Maintenance	32	32
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,113	4,113
Family Housing Operation And Maintenance, Defense-Wide Total			54,728	54,728
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	5,897	5,897
DOD Family Housing Improvement Fund Total			5,897	5,897
	Worldwide Unspecified			
UHIF	Unspecified Worldwide Locations	Administrative Expenses—UHIF	600	600
Unaccompanied Housing Improvement Fund Total			600	600
	Worldwide Unspecified			
BRAC—Air Force	Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	109,222	109,222
BRAC—Army	Base Realignment & Closure, Army	Base Realignment and Closure	66,060	106,060
BRAC—Navy	Unspecified Worldwide Locations	Base Realignment & Closure	125,165	225,165
Base Realignment and Closure—Total			300,447	440,447
Total, Military Construction			**7,813,563**	**7,813,563**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	EDI: Minor Construction	3,970	3,970
Army	Unspecified Worldwide Locations	EDI: Planning and Design	11,903	11,903
Military Construction, Army Total			15,873	15,873
	Spain			
Navy	Rota	EDI: EOD Boat Shop	31,760	31,760
Navy	Rota	EDI: Expeditionary Maintenance Facility	27,470	27,470
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	10,790	10,790
Military Construction, Navy Total			70,020	70,020
	Germany			
AF	Ramstein	EDI: Rapid Airfield Damage Repair Storage	36,345	36,345
AF	Spangdahlem AB	EDI: Rapid Airfield Damage Repair Storage	25,824	25,824
	Romania			
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
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	EDI: Unspecified Minor Military Construction	16,400	16,400

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	House Agreement
AF	Various Worldwide Locations	EDI: Planning & Design	54,800	54,800
Military Construction, Air Force Total			263,869	263,869
Total, Military Construction			**349,762**	**349,762**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	137,800	137,800
Atomic Energy Defense Activities		
National nuclear security administration:		
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
Total, National nuclear security administration	**19,771,000**	**19,851,000**
Environmental and other defense activities:		
Defense environmental cleanup	4,983,608	5,773,708
Other defense activities	1,054,727	899,289
Total, Environmental & other defense activities	**6,038,335**	**6,672,997**
Total, Atomic Energy Defense Activities	**25,809,335**	**26,523,997**
Total, Discretionary Funding	**25,947,135**	**26,661,797**
Nuclear Energy		
Idaho sitewide safeguards and security	137,800	137,800
Total, Nuclear Energy	**137,800**	**137,800**
Stockpile Management		
Stockpile Major Modernization		
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
Total, Stockpile Major Modernization	**2,666,946**	**2,666,946**
Stockpile services		
Production Operations	568,941	568,941
Stockpile Sustainment	998,357	998,357
Weapons Dismantlement and Disposition	50,000	50,000
Subtotal, Stockpile Services	**1,617,298**	**1,617,298**
Total, Stockpile Management	**4,284,244**	**4,284,244**
Weapons Activities		
Production Modernization		
Primary Capability Modernization		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
Plutonium Modernization		
Los Alamos Plutonium Modernization		
Los Alamos Plutonium Operations	610,599	610,599
21–D–512 Plutonium Pit Production Project, LANL	226,000	226,000
Subtotal, Los Alamos Plutonium Modernization	**836,599**	**836,599**
Savannah River Plutonium Modernization		
Savannah River Plutonium Operations	200,000	200,000
21–D–511 Savannah River Plutonium Processing Facility, SRS	241,896	241,896
Subtotal, Savannah River Plutonium Modernization	**441,896**	**441,896**
Enterprise Plutonium Support	90,782	90,782
Total, Plutonium Modernization	**1,369,277**	**1,369,277**
High Explosives and Energetics	67,370	67,370
Total, Primary Capability Modernization	**1,436,647**	**1,436,647**
Secondary Capability Modernization	457,004	457,004
Tritium and Domestic Uranium Enrichment	457,112	457,112
Non-Nuclear Capability Modernization	107,137	107,137
Total, Production Modernization	**2,457,900**	**2,457,900**
Stockpile Research, Technology, and Engineering		
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
Total, Stockpile Research, Technology, and Engineering	**2,782,131**	**2,782,131**
Infrastructure and Operations		
Operations of facilities	1,014,000	1,014,000
Safety and environmental operations	165,354	165,354
Maintenance and repair of facilities	792,000	792,000
Recapitalization:		
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
Total, Recapitalization	**903,904**	**903,904**
Construction:		
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
Total, Construction	**1,508,319**	**1,508,319**
Total, Infrastructure and operations	**4,383,577**	**4,383,577**
Secure transportation asset		
Operations and equipment	266,390	266,390
Program direction	123,684	123,684
Total, Secure transportation asset	**390,074**	**390,074**
Defense Nuclear Security		
Operations and maintenance	815,895	815,895
Construction:		
17–D–710 West end protected area reduction project, Y–12	11,000	11,000
Total, Defense nuclear security	**826,895**	**826,895**
Information technology and cybersecurity	375,511	375,511

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
Legacy contractor pensions	101,668	101,668
Total, Weapons Activities	**15,602,000**	**15,602,000**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
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
Total, Global material security	**400,480**	**430,480**
Material management and minimization		
HEU reactor conversion	170,000	170,000
Nuclear material removal	40,000	40,000
Material disposition	190,711	190,711
Total, Material management & minimization	**400,711**	**400,711**
Nonproliferation and arms control	138,708	138,708
National Technical Nuclear Forensics R&D	40,000	40,000
Defense nuclear nonproliferation R&D		
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]
Total, Defense nuclear nonproliferation R&D	**531,651**	**581,651**
Nonproliferation Construction:		
18–D–150 Surplus Plutonium Disposition Project, SRS	148,589	148,589
Total, Nonproliferation construction	**148,589**	**148,589**
Total, Defense Nuclear Nonproliferation Programs	**1,660,139**	**1,740,139**
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
Total, Defense Nuclear Nonproliferation	**2,031,000**	**2,111,000**
Naval Reactors		
Naval reactors development	590,306	590,306
Columbia-Class reactor systems development	64,700	64,700
S8G Prototype refueling	135,000	135,000
Naval reactors operations and infrastructure	506,294	506,294
Construction:		
21–D–530 KL Steam and Condensate Upgrades	4,000	4,000
14–D–901 Spent fuel handling recapitalization project, NRF	330,000	330,000
Total, Construction	**334,000**	**334,000**
Program direction	53,700	53,700
Total, Naval Reactors	**1,684,000**	**1,684,000**
Federal Salaries And Expenses		
Program direction	454,000	454,000
Total, Office Of The Administrator	**454,000**	**454,000**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations	54,949	235,949
Program restoration		[181,000]

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
Central plateau remediation	498,335	658,335
Program restoration		[160,000]
Richland community and regulatory support	2,500	10,100
Program restoration		[7,600]
Total, Hanford site	**555,784**	**904,384**
Office of River Protection:		
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]
Construction:		
18–D–16 Waste treatment and immobilization plant—LBL/Direct feed LAW	609,924	779,924
Program restoration		[170,000]
Total, Construction	**609,924**	**779,924**
Total, Office of River Protection	**1,257,681**	**1,607,681**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	257,554	257,554
Idaho community and regulatory support	2,400	2,400
Total, Idaho National Laboratory	**259,954**	**259,954**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,764	1,764
Nuclear facility D & D		
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]
Total, NNSA sites and Nevada off-sites	**202,361**	**247,361**
Oak Ridge Reservation:		
OR Nuclear facility D & D	109,077	109,077
Total, OR Nuclear facility D & D	**109,077**	**109,077**
U233 Disposition Program	45,000	45,000
OR cleanup and disposition	58,000	58,000
Construction:		
17–D–401 On-site waste disposal facility	22,380	22,380
14–D–403 Outfall 200 Mercury Treatment Facility	20,500	20,500
Total, Construction	**42,880**	**42,880**
Total, OR cleanup and waste disposition	**145,880**	**145,880**
OR community & regulatory support	4,930	4,930
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**262,887**	**262,887**
Savannah River Sites:		
Savannah River risk management operations		
Savannah River risk management operations	455,122	495,122
H-Canyon not placed into stand-by condition		[40,000]
Total, risk management operations	**455,122**	**495,122**
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
Construction:		
20-D–402 Advanced Manufacturing Collaborative Facility (AMC)	25,000	25,000
18–D–402 Saltstone Disposal Unit #8/9	65,500	65,500
17–D–402 Saltstone Disposal Unit #7	10,716	10,716
Total, Construction	**101,216**	**101,216**
Total, Savannah River site	**1,531,659**	**1,578,159**
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	323,260	323,260
Construction:		
15–D–412 Utility Saft	50,000	50,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	House Authorized
21–D–401 Hoisting Capability Project	10,000	10,000
Total, Construction	**60,000**	**60,000**
Total, Waste Isolation Pilot Plant	**383,260**	**383,260**
Program direction	275,285	275,285
Program support	12,979	12,979
Technology development	25,000	25,000
Safeguards and Security		
Safeguards and Security	320,771	320,771
Total, Safeguards and Security	**320,771**	**320,771**
Prior year balances credited	–109,000	–109,000
Total, Defense Environmental Cleanup	**4,983,608**	**5,773,708**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	134,320	134,320
Program direction	75,368	75,368
Total, Environment, Health, safety and security	**209,688**	**209,688**
Independent enterprise assessments		
Independent enterprise assessments	26,949	26,949
Program direction	54,635	54,635
Total, Independent enterprise assessments	**81,584**	**81,584**
Specialized security activities	258,411	258,411
Office of Legacy Management		
Legacy management	293,873	138,435
Rejection of proposed transfer		[–155,438]
Program direction	23,120	23,120
Total, Office of Legacy Management	**316,993**	**161,555**
Defense related administrative support	183,789	183,789
Office of hearings and appeals	4,262	4,262
Subtotal, Other defense activities	**1,054,727**	**899,289**
Total, Other Defense Activities	**1,054,727**	**899,289**

DIVISION E—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE ACT OF 2020

SEC. 5001. SHORT TITLE.

This division may be cited as the ''National Artificial Intelligence Initiative Act of 2020''.

SEC. 5002. FINDINGS.

Congress finds the following:

(1) Artificial intelligence is a tool that has the potential to change and possibly transform every sector of the United States economy and society.

(2) The Federal Government should continue to play an important role advancing research, development, standards, and education activities in artificial intelligence through coordination and collaboration between government, academia, and the private sector to leverage the intellectual, physical, and digital resources of each stakeholder.

(3) The Federal Government lacks clear understanding of the capabilities of artificial intelligence and its potential to affect various social and economic sectors, including ethical concerns, national security implications, and workforce impacts.

(4) Researchers from academia, Federal laboratories, and much of the private sector have limited access to many high-quality datasets, computing resources, or real-world testing environments to design and deploy safe and trustworthy artificial intelligence systems.

(5) There is a lack of standards and benchmarking for artificial intelligence systems that academia and the public and private sectors can use

to evaluate the performance of these systems before and after deployment.

(6) Artificial intelligence is increasingly becoming a highly interdisciplinary field with expertise required from a diverse range of scientific and other scholarly disciplines that traditionally work independently and continue to face cultural and institutional barriers to large scale collaboration.

(7) Current Federal investments and funding mechanisms are largely insufficient to incentivize and support the large-scale interdisciplinary and public-private collaborations that will be required to advance trustworthy artificial intelligence systems in the United States.

(8) The United States education pipeline for artificial intelligence fields faces significant challenges. Not only does the artificial intelligence research field lack the gender and racial diversity of the American population as a whole, but it is failing to both retain researchers and adequately support educators to meet the demands of the next generation of students studying artificial intelligence.

(9) In order to help drive forward advances in trustworthy artificial intelligence across all sectors and to the benefit of all Americans, the Federal

Government must provide sufficient resources and use its convening power to facilitate the growth of artificial intelligence human capital, research, and innovation capacity in academia and other nonprofit research organizations, companies of all sizes and across all sectors, and within the Federal Government.

SEC. 5003. DEFINITIONS.

In this division:

(1) ADVISORY COMMITTEE.—The term ''Advisory Committee'' means the National Artificial Intelligence Advisory Committee established under section 5104(a).

(2) AGENCY HEAD.—The term ''agency head'' means the head of any Executive agency (as defined in section 105 of title 5, United States Code).

(3) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' means a machine-based system that can, for a given set of human-defined objectives, make predictions, recommendations or decisions influencing real or virtual environments. Artificial intelligence systems use machine and human-based inputs to—

(A) perceive real and virtual environments;

(B) abstract such perceptions into models through analysis in an automated manner; and

(C) use model inference to formulate options for information or action.

(4) INITIATIVE.—The term ''Initiative'' means the National Artificial Intelligence Initiative established under section 5101(a).

(5) INITIATIVE OFFICE.—The term ''Initiative Office'' means the National Artificial Intelligence Initiative Office established under section 5102(a).

(6) INSTITUTE.—The term ''Institute'' means an Artificial Intelligence Research Institute described in section 201(b)(1).

(7) INTERAGENCY COMMITTEE.—The term ''Interagency Committee'' means the interagency committee established under section 5103(a).

(8) K-12 EDUCATION.—The term ''K-12 education'' means elementary school and secondary education, as such terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) MACHINE LEARNING.—The term ''machine learning'' means an application of artificial intelligence that is characterized by providing systems the ability to automatically learn and improve on the

basis of data or experience, without being explicitly programmed.

TITLE I—NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE

SEC. 5101. NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE.

(a) ESTABLISHMENT; PURPOSES.—The President shall establish and implement an initiative to be known as the ''National Artificial Intelligence Initiative''. The purposes of the Initiative shall be to—

(1) ensure continued United States leadership in artificial intelligence research and development;

(2) lead the world in the development and use of trustworthy artificial intelligence systems in the public and private sectors;

(3) maximize the benefits of artificial intelligence systems for all American people; and

(4) prepare the present and future United States workforce for the integration of artificial intelligence systems across all sectors of the economy and society.

(b) INITIATIVE ACTIVITIES.—In carrying out the Initiative, the President, acting through the Initiative Office, the Interagency Committee, and agency heads as the

President considers appropriate, shall carry out activities that include the following:

(1) Sustained, consistent, and coordinated support for artificial intelligence research and development through grants, cooperative agreements, testbeds, and access to data and computing resources.

(2) Support for the development of voluntary standards, best practices, and benchmarks for the development and use of trustworthy artificial intelligence systems.

(3) Support for educational programs at all levels, in both formal and informal learning environments, to prepare the American workforce and the general public to be able to use and interact with artificial intelligence systems, as well as adapt to the potentially transformative impact of artificial intelligence on society and the economy.

(4) Support for interdisciplinary research, education, and training programs for students and researchers that promote learning in the methods and systems used in artificial intelligence and foster interdisciplinary perspectives and collaborations among subject matter experts in relevant fields, including computer science, mathematics, statistics,

engineering, social sciences, psychology, behavioral science, ethics, security, legal scholarship, and other disciplines that will be necessary to advance artificial intelligence research and development responsibly.

(5) Support for partnerships to leverage knowledge, computing resources, access to open datasets, and other resources from industry, government, nonprofit organizations, Federal laboratories, State programs, and institutions of higher education to advance activities under the Initiative.

(6) Interagency planning and coordination of Federal artificial intelligence research, development, demonstration, standards engagement, and other activities under the Initiative.

(7) Establish the public sector infrastructure and artificial intelligence capabilities necessary to respond to pressing national challenges, including economic and public health emergencies such as pandemics.

(8) Outreach to diverse stakeholders, including citizen groups and industry, to ensure public input is taken into account in the activities of the Initiative.

(9) Leveraging existing Federal investments to advance objectives of the Initiative.

(10) Support for a network of interdisciplinary artificial intelligence research institutes, as described in section 5201(b)(7)(B).

(11) Support opportunities for international cooperation with strategic allies, as appropriate, on the research and development, assessment, and resources for trustworthy artificial intelligence systems and the development of voluntary consensus standards for those systems.

SEC. 5102. NATIONAL ARTIFICIAL INTELLIGENCE INITIATIVE OFFICE.

(a) IN GENERAL.—The Director of the Office of Science and Technology Policy shall establish or designate, and appoint a director of, an office to be known as the ''National Artificial Intelligence Initiative Office'' to carry out the responsibilities described in subsection (b) with respect to the Initiative. The Initiative Office shall have sufficient staff to carry out such responsibilities, including staff detailed from the Federal departments and agencies described in section 5103(c).

(b) RESPONSIBILITIES.—The Director of the Initiative Office shall—

(1) provide technical and administrative support to the Interagency Committee and the Advisory Committee;

(2) serve as the point of contact on Federal artificial intelligence activities for Federal departments and agencies, industry, academia, nonprofit organizations, professional societies, State governments, and such other persons as the Initiative Office considers appropriate to exchange technical and programmatic information;

(3) conduct regular public outreach to diverse stakeholders, including through the convening of conferences and educational events, the publication of information about significant Initiative activities on a publicly available website, and the dissemination of findings and recommendations of the Advisory Committee, as appropriate; and

(4) promote access to and early adoption of the technologies, innovations, lessons learned, and expertise derived from Initiative activities to agency missions and systems across the Federal Government, and to industry, including startup companies.

(c) FUNDING ESTIMATE.—The Director of the Office of Science and Technology Policy shall develop an estimate of the funds necessary to carry out the activities of the Initiative Coordination Office, including an estimate of how much each participating Federal department and agency described in section 5103(c) will contribute to such

funds, and submit such estimate to Congress not later than 90 days after the enactment of this Act. The Director shall update this estimate each year based on participating agency investments in artificial intelligence.

SEC. 5103. COORDINATION BY INTERAGENCY COMMITTEE.

(a) INTERAGENCY COMMITTEE.—The Director of the Office of Science and Technology Policy, acting through the National Science and Technology Council, shall establish or designate an Interagency Committee to coordinate Federal programs and activities in support of the Initiative.

(b) CO-CHAIRS.—The Interagency Committee shall be co-chaired by the Director of the Office of Science and Technology Policy and, on an annual rotating basis, a representative from the National Institute of Standards and Technology, the National Science Foundation, or the Department of Energy, as selected by the Director of the Office of Science and Technology Policy.

(c) AGENCY PARTICIPATION.—The Committee shall include representatives from—

(1) the National Institute of Standards and Technology;

(2) the National Science Foundation;

(3) the Department of Energy;

(4) the National Aeronautics and Space Administration;

(5) the Department of Defense;

(6) the Defense Advanced Research Projects Agency;

(7) the Department of Commerce;

(8) the Office of the Director of National Intelligence;

(9) the Office of Management and Budget;

(10) the Office of Science and Technology Policy;

(11) the Department of Health and Human Services;

(12) the Department of Education;

(13) the Department of Labor;

(14) the Department of the Treasury;

(15) the General Services Administration;

(16) the Department of Transportation;

(17) the Department of State;

(18) the Department of Veterans Affairs; and

(19) any other Federal agency as considered appropriate by the Director of the Office of Science and Technology Policy.

(d) RESPONSIBILITIES.—The Interagency Committee shall—

(1) provide for interagency coordination of Federal artificial intelligence research, development, and demonstration activities, development of voluntary consensus standards and guidelines for research, development, testing, and adoption of ethically developed, safe, and trustworthy artificial intelligence systems, and education and training activities and programs of Federal departments and agencies undertaken pursuant to the Initiative;

(2) not later than 2 years after the date of the enactment of this Act, develop a strategic plan for artificial intelligence (to be updated not less than every 3 years) that—

(A) establishes goals, priorities, and metrics for guiding and evaluating the Initiative's activities; and

(B) describes how the agencies carrying out the Initiative will—

(i) determine and prioritize areas of artificial intelligence research, development, and demonstration requiring Federal Government leadership and investment;

(ii) support long-term funding for interdisciplinary artificial intelligence re-

search, development, demonstration, education and public outreach activities;

(iii) support research and other activities on ethical, legal, environmental, safety, security, and other appropriate societal issues related to artificial intelligence;

(iv) provide or facilitate the availability of curated, standardized, secure, representative, and privacy-protected data sets for artificial intelligence research and development;

(v) provide or facilitate the necessary computing, networking, and data facilities for artificial intelligence research and development;

(vi) support and coordinate Federal education and workforce activities related to artificial intelligence;

(vii) reduce barriers to transferring artificial intelligence systems from the laboratory into application for the benefit of society and United States competitiveness;

(viii) support and coordinate the network of artificial intelligence research institutes described in section 5201(b)(7)(B);

(ix) in consultation with the Council of Economic Advisers, measure and track the contributions of artificial intelligence to United States economic growth and other societal indicators; and

(x) leverage the resources of the Initiative to respond to pressing national challenges, including economic and public health emergencies such as pandemics;

(3) propose an annually coordinated interagency budget for the Initiative to the Office of Management and Budget that is intended to ensure that the balance of funding across the Initiative is sufficient to meet the goals and priorities established for the Initiative; and

(4) in carrying out this section, take into consideration the recommendations of the Advisory Committee, existing reports on related topics, and the views of academic, State, industry, and other appropriate groups.

(e) ANNUAL REPORT.—For each fiscal year beginning with fiscal year 2022, not later than 90 days after submission of the President's annual budget request for such fiscal year, the Interagency Committee shall prepare and submit to the Committee on Science, Space, and

Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that includes—

(1) a summarized budget in support of the Initiative for such fiscal year and the preceding fiscal year, including a disaggregation of spending for each Federal agency participating in the Initiative and for the development and acquisition of any research facilities and instrumentation; and

(2) an assessment of how Federal agencies are implementing the plan described in subsection (d)(2), and a description of those efforts.

SEC. 5104. NATIONAL ARTIFICIAL INTELLIGENCE ADVISORY COMMITTEE.

(a) IN GENERAL.—The Secretary of Energy shall, in consultation with the Director of the Office of Science and Technology Policy, establish an advisory committee to be known as the ''National Artificial Intelligence Advisory Committee''.

(b) QUALIFICATIONS.—The Advisory Committee shall consist of members, appointed by the Secretary of Energy, who are representing broad and interdisciplinary expertise and perspectives, including from academic institutions, companies across diverse sectors, nonprofit and civil society entities, and Federal laboratories, that are

qualified to provide advice and information on science and technology research, development, ethics, standards, education, technology transfer, commercial application, security, and economic competitiveness related to artificial intelligence.

(c) MEMBERSHIP CONSIDERATION.—In selecting the members of the Advisory Committee, the Secretary of Energy may seek and give consideration to recommendations from the Congress, industry, nonprofit organizations, the scientific community (including the National Academy of Sciences, scientific professional societies, and academic institutions), the defense community, and other appropriate organizations.

(d) DUTIES.—The Advisory Committee shall advise the President and the Initiative Office on matters related to the Initiative, including recommendations related to—

(1) the current state of United States competitiveness and leadership in artificial intelligence, including the scope and scale of United States investments in artificial intelligence research and development in the international context;

(2) the progress made in implementing the Initiative, including a review of the degree to which the Initiative has achieved the goals under the metrics

established by the Interagency Committee under section 5103(d)(2);

(3) the state of the science around artificial intelligence, including progress towards artificial general intelligence;

(4) the need to update the Initiative;

(5) the balance of activities and funding across the Initiative;

(6) whether the strategic plan developed or updated by the Interagency Committee established under section 5103(d)(2) is helping to maintain United States leadership in artificial intelligence;

(7) the management, coordination, and activities of the Initiative;

(8) whether ethical, legal, safety, security, and other appropriate societal issues are adequately addressed by the Initiative; and

(9) opportunities for international cooperation with strategic allies on artificial intelligence research activities and standards development.

(e) REPORTS.—Not later than 1 year after the date of the enactment of this Act, and not less frequently than once every 3 years thereafter, the Advisory Committee shall submit to the President, the Committee on Science, Space, and Technology of the House of Representatives,

and the Committee on Commerce, Science, and Transportation of the Senate, a report on the Advisory Committee's findings and recommendations under subsection (d).

(f) TRAVEL EXPENSES OF NON-FEDERAL MEMBERS.—Non-Federal members of the Advisory Committee, while attending meetings of the Advisory Committee or while otherwise serving at the request of the head of the Advisory Committee away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving without pay. Nothing in this subsection shall be construed to prohibit members of the Advisory Committee who are officers or employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with existing law.

(g) FACA EXEMPTION.—The Secretary of Energy shall charter the Advisory Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), except that the Advisory Committee shall be exempt from section 14 of such Act.

SEC. 5105. NATIONAL ACADEMIES ARTIFICIAL INTELLIGENCE IMPACT STUDY ON WORKFORCE.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the National Science Foundation shall enter into a contract with the National Research Council of the National Academies of Sciences, Engineering, and Medicine to conduct a study of the current and future impact of artificial intelligence on the workforce of the United States across sectors.

(b) CONTENTS.—The study shall address—

(1) workforce impacts across sectors caused by the increased adoption of artificial intelligence, automation, and other related trends;

(2) workforce needs and employment opportunities generated by the increased adoption of artificial intelligence across sectors;

(3) research gaps and data needed to better understand and track both workforce impacts and workforce needs and opportunities generated by adoption of artificial intelligence systems across sectors; and

(4) recommendations to address the challenges and opportunities described in paragraphs (1), (2), and (3).

(c) STAKEHOLDERS.—In conducting the study, the National Academies of Sciences, Engineering, and Medi-

cine shall seek input from a wide range of stakeholders in the public and private sectors.

(d) REPORT TO CONGRESS.—The contract entered into under subsection (a) shall require the National Academies of Sciences, Engineering, and Medicine, not later than 2 years after the date of the enactment of this Act, to—

(1) submit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report containing the findings and recommendations of the study conducted under subsection (a); and

(2) make a copy of such report available on a publicly accessible website.

SEC. 5106. GAO REPORT ON COMPUTATIONAL NEEDS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study of artificial intelligence computer hardware and computing required in order to maintain U.S. leadership in artificial intelligence research and development. The Comptroller General shall—

(1) assess the composition of civilian computing resources supported by the Federal Government at

universities and Federal Laboratories, including programs with laboratory computing, high performance computing, cloud computing, quantum computing, edge computing, and other computing resources;

(2) evaluate projected needs for computing consumption and performance required by the public and private sector for the training, auditing, validation, testing, and use of artificial intelligence over the next five years; and

(3) offer recommendations to meet these projected needs.

SEC. 5107. NATIONAL AI RESEARCH RESOURCE TASK FORCE.

(a) ESTABLISHMENT OF TASK FORCE.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Office of Science and Technology Policy, shall establish a task force—

(i) to investigate the feasibility and advisability of establishing and sustaining a national artificial intelligence research resource; and

(ii) to propose a roadmap detailing how such resource should be established and sustained.

(B) DESIGNATION.—The task force established by subparagraph (A) shall be known as the ''National Artificial Intelligence Research Resource Task Force'' (in this section referred to as the ''Task Force'').

(2) MEMBERSHIP.—

(A) COMPOSITION.—The Task Force shall be composed of 12 members selected by the co-chairpersons of the Task Force from among technical experts in artificial intelligence or related subjects, of whom—

(i) 4 shall be representatives from the Interagency Committee established in section 5103, including the co-chairpersons of the Task Force;

(ii) 4 shall be representatives from institutions of higher education (as such term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)); and

(iii) 4 shall be representatives from private organizations.

(B) APPOINTMENT.—Not later than 120 days after enactment of this Act, the co-chairpersons of the Task Force shall appoint members to the Task Force pursuant to subparagraph (A).

(C) TERM OF APPOINTMENT.—Members of the Task Force shall be appointed for the life of the Task Force.

(D) VACANCY.—Any vacancy occurring in the membership of the Task Force shall be filled in the same manner in which the original appointment was made.

(E) CO-CHAIRPERSONS.—The Director of the Office of Science and Technology Policy and the Director of the National Sciences Foundation, or their designees, shall be the co-chairpersons of the Task Force. If the role of the Director of the National Science Foundation is vacant, the Chair of the National Science Board shall act as a co-chairperson of the Task Force.

(F) EXPENSES FOR NON-FEDERAL MEMBERS.—Non-Federal Members of the Task Force shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees under subchapter I of

chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Task Force.

(b) ROADMAP AND IMPLEMENTATION PLAN.—

(1) IN GENERAL.—The Task Force shall develop a coordinated roadmap and implementation plan for creating and sustaining a National Artificial Intelligence Research Resource.

(2) CONTENTS.—The roadmap and plan required by paragraph (1) shall include the following:

(A) Goals for establishment and sustainment of a national artificial intelligence research resource and metrics for success.

(B) A plan for ownership and administration of the National Artificial Intelligence Research Resource, including—

(i) an appropriate agency or organization responsible for the implementation, deployment, and administration of the Resource; and

(ii) a governance structure for the resource, including oversight and decision-making authorities.

(C) A model for governance and oversight to establish strategic direction, make programmatic decisions, and manage the allocation of resources;

(D) Capabilities required to create and maintain a shared computing infrastructure to facilitate access to computing resources for researchers across the country, including scalability, secured access control, resident data engineering and curation expertise, provision of curated, data sets, compute resources, educational tools and services, and a user interface portal.

(E) An assessment of, and recommend solutions to, barriers to the dissemination and use of high-quality government data sets as part of the national artificial intelligence research resource.

(F) An assessment of security requirements associated with the national artificial intelligence research resource and its research and recommend a framework for the management of access controls.

(G) An assessment of privacy and civil liberties requirements associated with the national

artificial intelligence research resource and its research.

(H) A plan for sustaining the resources, including through Federal funding and partnerships with the private sector.

(I) The parameters for the establishment and sustainment of the national artificial intelligence resource, including agency roles and responsibilities and milestones to implement the resource.

(c) CONSULTATIONS.—In conducting its duties required under subsection (b), the Task Force shall consult with the following:

(1) The National Science Foundation.

(2) The Office of Science and Technology Policy.

(3) The National Academies of Sciences, Engineering, and Medicine.

(4) The National Institute of Standards and Technology.

(5) The Defense Advanced Research Projects Agency.

(6) The Intelligence Advanced Research Projects Activity.

(7) The Department of Energy.

(8) The Department of Defense.

(9) The General Services Administration.

(10) Private industry.

(11) Institutions of higher education.

(12) Such other persons as the Task Force considers appropriate.

(d) STAFF.—Staff of the Task Force shall comprise detailees with expertise in artificial intelligence, or related fields from the Office of Science and Technology Policy, the National Science Foundation, or any other agency the co-chairs deem appropriate, with the consent of the head of the agency. The co-chairs shall also be authorized to hire staff from outside the Federal government for the duration of the task force.

(e) TASK FORCE REPORTS.—

(1) INITIAL REPORT.—Not later than 12 months after the date on which all of the appointments have been made under subsection (a)(2)(B), the Task Force shall submit to Congress and the President an interim report containing the findings, conclusions, and recommendations of the Task Force. The report shall include specific recommendations regarding steps the Task Force believes necessary for the establishment and sustainment of a national artificial intelligence research resource.

(2) FINAL REPORT.—Taking into account the findings of the Government Accountability Office report required in section 106 of this Act, not later than 6 months after the submittal of the interim report under paragraph (1), the Task Force shall submit to Congress and the President a final report containing the findings, conclusions, and recommendations of the Task Force, including the specific recommendations required by subsection (b).

(f) TERMINATION.—

(1) IN GENERAL.—The Task Force shall terminate 90 days after the date on which it submits the final report under subsection (e)(2).

(2) RECORDS.—Upon termination of the Task Force, all of its records shall become the records of the National Archives and Records Administration.

(g) DEFINITIONS.—In this section:

(1) NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH RESOURCE AND RESOURCE.—The terms ''National Artificial Intelligence Research Resource'' and ''Resource'' mean a system that provides researchers and students across scientific fields and disciplines with access to compute resources, co-located with publicly-available, artificial intelligence-ready government and non-government data sets and

a research environment with appropriate educational tools and user support.

(2) OWNERSHIP.—The term ''ownership'' means responsibility and accountability for the implementation, deployment, and ongoing development of the National Artificial Intelligence Research Resource, and for providing staff support to that effort.

SEC. 5108. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) artificial intelligence systems have the potential to transform every sector of the United States economy, boosting productivity, enhancing scientific research, and increasing U.S. competitiveness; and

(2) the United States Government should use this Initiative to enable the benefits of trustworthy artificial intelligence while preventing the creation and use of artificial intelligence systems that behave in ways that cause harm, including—

(A) high-risk systems that lack sufficient robustness to prevent adversarial attacks;

(B) high-risk systems that harm the privacy or security of users or the general public; and

(C) artificial general intelligence systems that may become self-aware or uncontrollable.

TITLE II—NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES

SEC. 5201. NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES.

(a) IN GENERAL.—As part of the Initiative, the Director of the National Science Foundation shall establish a program to award financial assistance for the planning, establishment, and support of Institutes (as described in subsection (b)(2)) in accordance with this section.

(b) FINANCIAL ASSISTANCE TO ESTABLISH AND SUPPORT NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES.—

(1) IN GENERAL.—Under the Initiative, the Secretary of Energy, the Secretary of Commerce, the Director of the National Science Foundation, and every other agency head may award financial assistance to an eligible entity, or consortia thereof, as determined by an agency head, to establish and support an Institute.

(2) ARTIFICIAL INTELLIGENCE INSTITUTES.—An Institute described in this subsection is an artificial intelligence research institute that—

(A) is focused on—

(i) a particular economic or social sector, including health, education, manufacturing, agriculture, security, energy, and environment, and includes a component that addresses the ethical, societal, safety, and security implications relevant to the application of artificial intelligence in that sector; or

(ii) a cross-cutting challenge for artificial intelligence systems, including trustworthiness, or foundational science;

(B) requires partnership among public and private organizations, including, as appropriate, Federal agencies, research universities, community colleges, nonprofit research organizations, Federal laboratories, State, local, and tribal governments, and industry (or consortia thereof);

(C) has the potential to create an innovation ecosystem, or enhance existing ecosystems, to translate Institute research into applications and products, as appropriate to the topic of each Institute;

(D) supports interdisciplinary research and development across multiple institutions and organizations involved in artificial intelligence research and related disciplines, including physics, engineering, mathematical sciences, computer and information science, robotics, biological and cognitive sciences, material science, social and behavioral sciences, cybersecurity, and technology ethics;

(E) supports interdisciplinary education activities, including curriculum development, research experiences, and faculty professional development across two-year, undergraduates, masters, and doctoral level programs; and

(F) supports workforce development in artificial intelligence related disciplines in the United States, including broadening participation of underrepresented communities.

(3) USE OF FUNDS.—Financial assistance awarded under paragraph (1) may be used by an Institute for—

(A) managing and making available to researchers accessible, curated, standardized, secure, and privacy protected data sets from the public and private sectors for the purposes of

training and testing artificial intelligence systems and for research using artificial intelligence systems, pursuant to section 5301(b) and 5301(c);

(B) developing and managing testbeds for artificial intelligence systems, including sector-specific test beds, designed to enable users to evaluate artificial intelligence systems prior to deployment;

(C) conducting research and education activities involving artificial intelligence systems to solve challenges with social, economic, health, scientific, and national security implications;

(D) providing or brokering access to computing resources, networking, and data facilities for artificial intelligence research and development relevant to the Institute's research goals;

(E) providing technical assistance to users, including software engineering support, for artificial intelligence research and development relevant to the Institute's research goals;

(F) engaging in outreach and engagement to broaden participation in artificial intelligence research and workforce; and

(G) such other activities that an agency head, whose agency's missions contribute to or are affected by artificial intelligence, considers consistent with the purposes described in section 5101(a).

(4) DURATION.—

(A) INITIAL PERIODS.—An award of financial assistance under paragraph (1) shall be awarded for an initial period of 5 years.

(B) EXTENSION.—An established Institute may apply for, and the agency head may grant, extended funding for periods of 5 years on a merit-reviewed basis using the merit review criteria of the sponsoring agency.

(5) APPLICATION FOR FINANCIAL ASSISTANCE.—

(A) IN GENERAL.—A person or group of persons seeking financial assistance under paragraph (1) shall submit to an agency head an application at such time, in such manner, and containing such information as the agency head may require.

(B) REQUIREMENTS.—An application submitted under subparagraph (A) for an Institute shall, at a minimum, include the following:

(i) A plan for the Institute to include—

(I) the proposed goals and activities of the Institute;

(II) how the Institute will form partnerships with other research institutions, industry, and nonprofits to leverage expertise in artificial intelligence and access to data, including non-governmental data and computing resources;

(III) how the institute will support long-term and short-term education and workforce development in artificial intelligence, including broadening participation of underrepresented communities; and

(IV) a plan for how the Institute will transition from planning into operations.

(ii) A description of the anticipated sources and nature of any non-Federal contributions, including privately held data sets, computing resources, and other types of in-kind support.

(iii) A description of the anticipated long-term impact of such Institute.

(6) COMPETITIVE, MERIT REVIEW.—In awarding financial assistance under paragraph (1), the agency head shall—

(A) use a competitive, merit review process that includes peer review by a diverse group of individuals with relevant expertise from both the private and public sectors; and

(B) ensure the focus areas of the Institute do not substantially duplicate the efforts of any other Institute.

(7) COLLABORATION.—

(A) IN GENERAL.—In awarding financial assistance under paragraph (1), an agency head may collaborate with Federal departments and agencies whose missions contribute to or are affected by artificial intelligence systems, including the agencies outlined in section 5103(c).

(B) COORDINATING NETWORK.—The Director of the National Science Foundation shall establish a network of Institutes receiving financial assistance under this subsection, to be known as the ''Artificial Intelligence Leadership Network'', to coordinate cross-cutting research

and other activities carried out by the Institutes.

(C) FUNDING.—The head of an agency may request, accept, and provide funds from other Federal departments and agencies, State, United States territory, local, or tribal government agencies, private sector for-profit entities, and nonprofit entities, to be available to the extent provided by appropriations Acts, to support an Institute's activities. The head of an agency may not give any special consideration to any agency or entity in return for a donation.

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

SEC. 5301. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACTIVITIES.

(a) IN GENERAL.—As part of the Initiative, the Director of the National Institute of Standards and Technology shall—

(1) support measurement research and development of best practices and voluntary standards for trustworthy artificial intelligence systems, including for—

(A) privacy and security, including for datasets used to train or test artificial intelligence systems and software and hardware used in artificial intelligence systems;

(B) advanced computer chips and hardware designed for artificial intelligence systems;

(C) data management and techniques to increase the usability of data, including strategies to systematically clean, label, and standardize data into forms useful for training artificial intelligence systems and the use of common, open licenses;

(D) safety and robustness of artificial intelligence systems, including assurance, verification, validation, security, control, and the ability for artificial intelligence systems to withstand unexpected inputs and adversarial attacks;

(E) auditing mechanisms and benchmarks for accuracy, transparency, verifiability, and safety assurance for artificial intelligence systems;

(F) applications of machine learning and artificial intelligence systems to improve other scientific fields and engineering;

(G) model documentation, including performance metrics and constraints, measures of fairness, training and testing processes, and results;

(H) system documentation, including connections and dependences within and between systems, and complications that may arise from such connections; and

(I) all other areas deemed by the Director to be critical to the development and deployment of trustworthy artificial intelligence;

(2) produce curated, standardized, representative, secure, and privacy protected data sets for artificial intelligence research, development, and use, prioritizing data for high-value, high-risk research;

(3) support one or more institutes as described in section 5201(a) for the purpose of advancing the field of artificial intelligence;

(4) support and strategically engage in the development of voluntary consensus standards, including international standards, through open, transparent, and consensus-based processes;

(5) taking into account the findings from the National Academies study in section 5105, develop taxonomies and lexica to describe artificial intel-

ligence tasks, knowledge, skills, abilities, competencies, and work roles to guide career development, education, and training activities in industry, academia, nonprofit organizations, and the Federal government, identify workforce gaps in the public and private sector, and create criteria and measurement for credentials in artificial intelligence-related careers; and

(6) enter into and perform such contracts, including cooperative research and development arrangements and grants and cooperative agreements or other transactions, as may be necessary in the conduct of the work of the National Institute of Standards and Technology and on such terms as the Director considers appropriate, in furtherance of the purposes of this division.

(b) RISK MANAGEMENT FRAMEWORK.—Not later than 2 years after the date of the enactment of this Act, the Director shall work to develop, and periodically update, in collaboration with other public and private sector organizations, including the National Science Foundation and the Department of Energy, a voluntary risk management framework for the trustworthiness of artificial intelligence systems. The framework shall—

(1) identify and provide standards, guidelines, best practices, methodologies, procedures, and processes for assessing the trustworthiness of, and mitigating risks to, artificial intelligence systems;

(2) establish common definitions and characterizations for aspects and levels of trustworthiness, including explainability, transparency, safety, privacy, security, robustness, fairness, bias, ethics, validation, verification, interpretability, and other properties related to artificial intelligence systems that are common across all sectors;

(3) provide guidance and implementation steps for risk management of artificial intelligence systems;

(4) provide sector-specific case studies of implementation of the framework;

(5) align with voluntary consensus standards, including international standards, to the fullest extent possible;

(6) incorporate voluntary consensus standards and industry best practices; and

(7) not prescribe or otherwise require—

(A) the use of specific solutions; or

(B) the use of specific information or communications technology products or services.

(c) DATA SHARING AND DOCUMENTATION BEST PRACTICES.—Not later than 1 year after the date of enactment of this Act, the Director shall, in collaboration with other public and private sector organizations, develop guidance to facilitate the creation of voluntary data sharing arrangements between industry, federally funded research centers, and Federal agencies for the purpose of advancing artificial intelligence research and technologies, including—

(1) options for partnership models between government entities, industry, universities, and nonprofits that incentivize each party to share the data they collected; and

(2) best practices for datasets used to train artificial intelligence systems, including—

(A) standards for metadata that describe the properties of datasets, including—

(i) the origins of the data;

(ii) the intent behind the creation of the data;

(iii) authorized uses of the data;

(iv) descriptive characteristics of the data, including what populations are included and excluded from the datasets; and

(v) any other properties as determined by the Director; and

(B) standards for privacy and security of datasets with human characteristics.

(d) STAKEHOLDER OUTREACH.—In carrying out the activities under this subsection, the Director shall—

(1) solicit input from university researchers, private sector experts, relevant Federal agencies, Federal laboratories, State and local governments, civil society groups, and other relevant stakeholders;

(2) solicit input from experts in relevant fields of social science, technology ethics, and law; and

(3) provide opportunity for public comment on guidelines and best practices developed as part of the Initiative, as appropriate.

TITLE IV—NATIONAL SCIENCE FOUNDATION ARTIFICIAL INTELLIGENCE ACTIVITIES

SEC. 5401. ARTIFICIAL INTELLIGENCE RESEARCH AND EDUCATION.

(a) IN GENERAL.—As part of the Initiative, the Director of the National Science Foundation shall fund research and education activities in artificial intelligence systems and related fields, including competitive awards or

grants to institutions of higher education or eligible non-profit organizations (or consortia thereof).

(b) USES OF FUNDS.—In carrying out the activities under subsection (a), the Director of the National Science Foundation shall—

(1) support research, including interdisciplinary research on artificial intelligence systems and related areas;

(2) support collaborations among researchers across disciplines, including between social scientists and computer and data scientists, to advance research critical to the development and deployment of trustworthy artificial intelligence systems, including support for interdisciplinary research relating advances in artificial intelligence to changes in the future workplace, in a social and economic context;

(3) use the existing programs of the National Science Foundation, in collaboration with other Federal departments and agencies, as appropriate to—

(A) improve the teaching and learning of artificial intelligence systems at all levels of education; and

(B) increase participation in artificial intelligence related fields, including by individuals identified in sections 33 and 34 of the Science

and Engineering Equal Opportunity Act (42 U.S.C. 1885a, 1885b);

(4) engage with institutions of higher education, research communities, industry, Federal laboratories, nonprofit organizations, State and local governments, and potential users of information produced under this section, including through the convening of workshops and conferences, to leverage the collective body of knowledge across disciplines relevant to artificial intelligence, facilitate new collaborations and partnerships, and identify emerging research needs;

(5) support partnerships among institutions of higher education and industry that facilitate collaborative research, personnel exchanges, and workforce development with respect to artificial intelligence systems;

(6) ensure adequate access to research and education infrastructure with respect to artificial intelligence systems, including through the development of new computing resources and partnership with the private sector for the provision of cloud-based computing services;

(7) conduct prize competitions, as appropriate, pursuant to section 24 of the Stevenson-Wydler

Technology Innovation Act of 1980 (15 U.S.C. 3719);

(8) coordinate research efforts funded through existing programs across the directorates of the National Science Foundation;

(9) provide guidance on data sharing by grantees to public and private sector organizations consistent with the standards and guidelines developed under section 5301(c); and

(10) evaluate opportunities for international collaboration with strategic allies on artificial intelligence research and development.

(c) ARTIFICIAL INTELLIGENCE RESEARCH GRANTS.—

(1) IN GENERAL.—The Director shall award grants for research on artificial intelligence systems. Research areas may include—

(A) artificial intelligence systems, including machine learning, computer vision, robotics, and hardware for accelerating artificial intelligence systems;

(B) artificial intelligence-enabled systems;

(C) fields and research areas that will contribute to the advancement of artificial intelligence systems, including information theory,

1 causal and statistical inference, data mining, in-
2 formation extraction, human-robot interaction,
3 and intelligent interfaces;
4 (D) fields and research areas that increase
5 understanding of human characteristics relevant
6 to artificial intelligence systems, including com-
7 putational neuroscience, reasoning and rep-
8 resentation, speech and language, multi-agent
9 systems, intelligent interfaces, human-artificial
10 intelligence cooperation, and artificial intel-
11 ligence-augmented human problem solving;
12 (E) fields and research areas that increase
13 understanding of learning, adaptability, and re-
14 silience beyond the human cognitive model, in-
15 cluding topics in developmental biology, zoology,
16 botany, morphological computation, and
17 organismal systems;
18 (F) fields and research areas that will con-
19 tribute to the development and deployment of
20 trustworthy artificial intelligence systems, in-
21 cluding—
22 (i) algorithmic explainability;
23 (ii) methods to assess, characterize,
24 and reduce bias in datasets and artificial
25 intelligence systems; and

(iii) safety and robustness of artificial intelligence systems, including assurance, verification, validation, security, and control;

(G) privacy and security, including for datasets used for the training and inference of artificial intelligence systems, and software and hardware used in artificial intelligence systems;

(H) fields and research areas that address the application of artificial intelligence systems to scientific discovery and societal challenges, including economic and public health emergencies;

(I) societal, ethical, safety, education, workforce, and security implications of artificial intelligence systems, including social impact of artificial intelligence systems on different groups within society, especially historically marginalized groups; and

(J) qualitative and quantitative forecasting of future capabilities, applications, and impacts.

(2) ENGINEERING SUPPORT.—In soliciting proposals for funding under this section, the Director shall permit applicants to include in their proposed

budgets funding for software engineering support to assist with the proposed research.

(3) ETHICS.—

(A) SENSE OF CONGRESS.—It is the sense of Congress that—

(i) a number of emerging areas of research, including artificial intelligence, have potential ethical, social, safety, and security implications that might be apparent as early as the basic research stage;

(ii) the incorporation of ethical, social, safety, and security considerations into the research design and review process for Federal awards may help mitigate potential harms before they happen;

(iii) the National Science Foundation's intent to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine to conduct a study and make recommendations with respect to governance of research in emerging technologies is a positive step toward accomplishing this goal; and

(iv) the National Science Foundation should continue to work with stakeholders

to understand and adopt policies that promote best practices for governance of research in emerging technologies at every stage of research.

(B) ETHICS STATEMENTS.—

(i) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director shall amend grant proposal instructions to include a requirement for an ethics statement to be included as part of any proposal for funding prior to making the award. Such statement shall be considered by the Director in the review of proposals, taking into consideration any relevant input from the peer-reviewers for the proposal, and shall factor into award decisions as deemed necessary by the Director.

(ii) CONTENTS.—Such statements may include, as appropriate—

(I) the potential societal benefits of the research;

(II) any foreseeable or quantifiable risks to society, including how the research could enable products,

technologies, or other outcomes that could intentionally or unintentionally cause significant societal harm; and

(III) how technical or social solutions can mitigate such risks and, as appropriate, a plan to implement such mitigation measures.

(iii) GUIDANCE.—The Director shall issue clear guidance on what constitutes a foreseeable or quantifiable risk described in clause (ii)(II), and to the extent practical harmonize this policy with existing ethical policies or related requirements for human subjects.

(iv) ANNUAL REPORTS.—The Director shall encourage grantees to update their ethics statements as appropriate as part of the annual reports required by all grantees under the grant terms and conditions.

(d) EDUCATION.—

(1) IN GENERAL.—The Director of the National Science Foundation shall award grants for education programs at the K-12, community college, undergraduate, graduate, postdoctoral, adult learning, and retraining stages of education that—

(A) support the development of a diverse workforce pipeline for science and technology with respect to artificial intelligence systems;

(B) increase awareness of ethical, social, safety, and security implications of artificial intelligence systems; and

(C) promote the widespread understanding of artificial intelligence principles and methods to create an educated workforce and general public able to use products enabled by artificial intelligence systems and adapt to future societal and economic changes caused by artificial intelligence systems.

(2) USE OF FUNDS.—Grants awarded under this section for education activities referred to in paragraph (1) may be used for—

(A) collaborative interdisciplinary research, development, testing, and dissemination of K-12, undergraduate, and community college curriculum development, dissemination, and other educational tools and methods in artificial intelligence related fields;

(B) curriculum development in the field of technology ethics;

(C) support for informal education activities for K-12 students to engage with artificial intelligence systems, including mentorship programs for underrepresented populations;

(D) efforts to achieve equitable access to K-12 artificial intelligence education for populations and geographic areas traditionally underrepresented in the artificial intelligence field;

(E) training and professional development programs, including innovative pre-service and in-service programs, in artificial intelligence and related fields for K-12 teachers;

(F) efforts to improve the retention rate for researchers focusing on artificial intelligence systems at institutions of higher learning and other nonprofit research institutions;

(G) outreach programs to educate the general public about the uses of artificial intelligence and its societal implications;

(H) assessments of activities conducted under this subsection; and

(I) any other relevant activities the Director determines will accomplish the aim described in paragraph (1).

(3) ARTIFICIAL INTELLIGENCE TRAINEESHIPS AND FELLOWSHIPS.—

(A) ARTIFICIAL INTELLIGENCE TRAINEESHIPS.—

(i) IN GENERAL.—The Director of the National Science Foundation shall award grants to institutions of higher education to establish traineeship programs for graduate students who pursue artificial intelligence-related research leading to a masters or doctorate degree by providing funding and other assistance, and by providing graduate students opportunities for research experiences in government or industry related to the students' artificial intelligence studies.

(ii) USE OF FUNDS.—An institution of higher education shall use grant funds provided under clause (i) for the purposes of—

(I) providing traineeships to students who are pursuing research in artificial intelligence leading to a masters or doctorate degree;

(II) paying tuition and fees for students receiving traineeships who are citizens, nationals, or lawfully admitted permanent resident aliens of the United States;

(III) creating and requiring courses or training programs in technology ethics for students receiving traineeships;

(IV) creating opportunities for research in technology ethics for students receiving traineeships;

(V) establishing scientific internship programs for students receiving traineeships in artificial intelligence at for-profit institutions, nonprofit research institutions, or government laboratories; and

(VI) other costs associated with the administration of the program.

(B) ARTIFICIAL INTELLIGENCE FELLOWSHIPS.—The Director of the National Science Foundation shall award fellowships to masters and doctoral students and postdoctoral researchers at institutions of higher education

who are pursuing degrees or research in artificial intelligence and related fields, including in the field of technology ethics. In making such awards, the Director shall—

(i) ensure recipients of artificial intelligence fellowships are citizens, nationals, or lawfully admitted permanent resident aliens of the United States; and

(ii) conduct outreach, including through formal solicitations, to solicit proposals from students and postdoctoral researchers seeking to carry out research in aspects of technology ethics with relevance to artificial intelligence systems.

(C) FACULTY RECRUITMENT FELLOWSHIPS.—

(i) IN GENERAL.—The Director of the National Science Foundation shall establish a program to award grants to institutions of higher education to recruit and retain tenure-track or tenured faculty in artificial intelligence and related fields.

(ii) USE OF FUNDS.—An institution of higher education shall use grant funds

provided under clause (i) for the purposes of—

(I) recruiting new tenure-track or tenured faculty members to that conduct research and teaching in artificial intelligence and related fields and research areas, including technology ethics; and

(II) paying salary and benefits for the academic year of newly recruited tenure-track or tenured faculty members for a duration of up to three years.

(D) FACULTY TECHNOLOGY ETHICS FELLOWSHIPS.—

(i) IN GENERAL.—The Director of the National Science Foundation shall establish a program to award fellowships to tenure-track and tenured faculty in social and behavioral sciences, ethics, law, and related fields to develop new research projects and partnerships in technology ethics, in collaboration with faculty conducting empirical research in artificial intelligence and related fields.

(ii) PURPOSES.—The purposes of such fellowships are to enable researchers in social and behavioral sciences, ethics, law, and related fields to establish new research and education partnerships with researchers in artificial intelligence and related fields; learn new techniques and acquire systematic knowledge in artificial intelligence and related fields; shift their research to focus on technology ethics; and mentor and advise graduate students and postdocs pursuing research in technology ethics.

(iii) USES OF FUNDS.—A fellowship may include salary and benefits for up to one academic year and additional expenses to support coursework or equivalent training in artificial intelligence systems.

(E) UPDATE TO ROBERT NOYCE TEACHER SCHOLARSHIP PROGRAM.—Section 10(i)(5) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1(i)(5)) is amended by inserting ''and artificial intelligence'' after ''computer science''.

(4) UPDATE TO ADVANCED TECHNOLOGICAL EDUCATION PROGRAM.—

(A) IN GENERAL.—Section 3(b) of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862(i)) is amended by striking "10" and inserting "12".

(B) ARTIFICIAL INTELLIGENCE CENTERS OF EXCELLENCE.—The Director of the National Science Foundation shall establish national centers of scientific and technical education to advance education and workforce development in areas related to artificial intelligence pursuant to Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862(i)). Activities of such centers may include—

(i) the development, dissemination, and evaluation of curriculum and other educational tools and methods in artificial intelligence related fields and research areas, including technology ethics;

(ii) the development and evaluation of artificial intelligence related certifications for 2-year programs; and

(iii) interdisciplinary science and engineering research in employment-based adult learning and career retraining related to artificial intelligence fields.

TITLE V—DEPARTMENT OF ENERGY ARTIFICIAL INTELLIGENCE RESEARCH PROGRAM

SEC. 5501. DEPARTMENT OF ENERGY ARTIFICIAL INTELLIGENCE RESEARCH PROGRAM.

(a) IN GENERAL.—The Secretary shall carry out a cross-cutting research and development program to advance artificial intelligence tools, systems, capabilities, and workforce needs and to improve the reliability of artificial intelligence methods and solutions relevant to the mission of the Department. In carrying out this program, the Secretary shall coordinate across all relevant offices and programs at the Department, including the Office of Science, the Office of Energy Efficiency and Renewable Energy, the Office of Nuclear Energy, the Office of Fossil Energy, the Office of Electricity, the Office of Cybersecurity, Energy Security, and Emergency Response, the Advanced Research Projects Agency-Energy, and any other relevant office determined by the Secretary.

(b) RESEARCH AREAS.—In carrying out the program under subsection (a), the Secretary shall award financial assistance to eligible entities to carry out research projects on topics including—

(1) the application of artificial intelligence systems to improve large-scale simulations of natural and other phenomena;

(2) the study of applied mathematics, computer science, and statistics, including foundations of methods and systems of artificial intelligence, causal and statistical inference, and the development of algorithms for artificial intelligence systems;

(3) the analysis of existing large-scale datasets from science and engineering experiments and simulations, including energy simulations and other priorities at the Department as determined by the Secretary using artificial intelligence tools and techniques;

(4) the development of operation and control systems that enhance automated, intelligent decisionmaking capabilities;

(5) the development of advanced computing hardware and computer architecture tailored to artificial intelligence systems, including the codesign of networks and computational hardware;

(6) the development of standardized datasets for emerging artificial intelligence research fields and applications, including methods for addressing data scarcity; and

(7) the development of trustworthy artificial intelligence systems, including—

(A) algorithmic explainability;

(B) analytical methods for identifying and mitigating bias in artificial intelligence systems; and

(C) safety and robustness, including assurance, verification, validation, security, and control.

(c) TECHNOLOGY TRANSFER.—In carrying out the program under subsection (a), the Secretary shall support technology transfer of artificial intelligence systems for the benefit of society and United States economic competitiveness.

(d) FACILITY USE AND UPGRADES.—In carrying out the program under subsection (a), the Secretary shall—

(1) make available high-performance computing infrastructure at national laboratories;

(2) make any upgrades necessary to enhance the use of existing computing facilities for artificial

intelligence systems, including upgrades to hardware;

(3) establish new computing capabilities necessary to manage data and conduct high performance computing that enables the use of artificial intelligence systems; and

(4) maintain and improve, as needed, networking infrastructure, data input and output mechanisms, and data analysis, storage, and service capabilities.

(e) ETHICS.—

(1) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Secretary shall amend grant proposal instructions to include a requirement for an ethics statement to be included as part of any proposal for funding prior to making the award. Such statement shall be considered by the Secretary in the review of proposals, taking into consideration any relevant input from the peer-reviewers for the proposal, and shall factor into award decisions as deemed necessary by the Secretary. Such statements may include, as appropriate—

(A) the potential societal benefits of the research;

(B) any foreseeable or quantifiable risks to society, including how the research could enable products, technologies, or other outcomes that could intentionally or unintentionally cause significant societal harm; and

(C) how technical or social solutions can mitigate such risks and, as appropriate, a plan to implement such mitigation measures.

(2) GUIDANCE.—The Secretary shall issue clear guidance on what constitutes risks as described in section (1)(B), and to the extent practical harmonize this policy with existing ethical policies or related requirements for human subjects.

(3) ANNUAL REPORTS.—The Secretary shall encourage awardees to update their ethics statements as appropriate as part of the annual reports required by all awardees under the grant terms and conditions.

(f) RISK MANAGEMENT.—The Secretary shall review agency policies for risk management in artificial intelligence related projects and issue as necessary policies and principles that are consistent with the framework developed under section 5301(b).

(g) DATA PRIVACY AND SHARING.—The Secretary shall review agency policies for data sharing with other

public and private sector organizations and issue as necessary policies and principles that are consistent with the standards and guidelines submitted under section 5301(c). In addition, the Secretary shall establish a streamlined mechanism for approving research projects or partnerships that require sharing sensitive public or private data with the Department.

(h) PARTNERSHIPS WITH OTHER FEDERAL AGENCIES.—The Secretary may request, accept, and provide funds from other Federal departments and agencies, State, United States territory, local, or Tribal government agencies, private sector for-profit entities, and nonprofit entities, to be available to the extent provided by appropriations Acts, to support a research project or partnership carried out under this section. The Secretary may not give any special consideration to any agency or entity in return for a donation.

(i) STAKEHOLDER ENGAGEMENT.—In carrying out the activities authorized in this section, the Secretary shall—

(1) collaborate with a range of stakeholders including small businesses, institutes of higher education, industry, and the National Laboratories;

(2) leverage the collective body of knowledge from existing artificial intelligence and machine learning research; and

(3) engage with other Federal agencies, research communities, and potential users of information produced under this section.

(j) DEFINITIONS.—In this section:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(2) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(3) NATIONAL LABORATORY.—The term ''national laboratory'' has the meaning given such term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) ELIGIBLE ENTITIES.—The term ''eligible entities'' means—

(A) an institution of higher education;

(B) a National Laboratory;

(C) a Federal research agency;

(D) a State research agency;

(E) a nonprofit research organization;

(F) a private sector entity; or

(G) a consortium of 2 or more entities described 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.''.

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