Mr. Thune to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2278. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2279. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2280. Mr. LEE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2281. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2282. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2283. Ms. COLLINS (for herself, Mr. HEINRICH, and Ms. SMITH) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2284. Mr. SASSE (for himself, Mr. SCOTT of South Carolina, Mr. COTTON, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2285. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2286. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2287. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2288. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2289. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2290. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2291. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2292. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2293. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2294. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2295. Ms. KLOBUCHAR (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2296. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2297. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2298. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2299. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2300. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2301. Mr. INHOFE proposed an amendment to the bill S. 4049, supra.

SA 2302. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2303. Ms. MCSALLY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2304. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2305. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2306. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2307. Mrs. LOEFFLER submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2308. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, Ms. CANTWELL, Mr. KAINE, Mr. CORNYN, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2309. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2310. Mrs. LOEFFLER submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2311. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2312. Mr. INHOFE (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2313. Ms. CORTEZ MASTO (for herself, Ms. ROSEN, Mr. HEINRICH, Mr. MANCHIN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2314. Ms. CORTEZ MASTO (for herself and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2315. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2316. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2317. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2318. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2319. Ms. KLOBUCHAR (for herself, Mr. TILLIS, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2320. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2321. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2322. Mr. DURBIN (for himself, Mr. BROWN, Ms. WARREN, and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2323. Mr. DURBIN (for himself, Mr. BROWN, Ms. WARREN, and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2324. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

SA 2325. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4049, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2214. Mr. KING submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the title X, add the following:

Subtitle __—National Cybersecurity Certification and Labeling

SEC. __01. DEFINITIONS.

In this subtitle:

(1) ACCREDITED CERTIFYING AGENT.—The term ''accredited certifying agent'' means any person who is accredited by the National Cybersecurity Certification and Labeling Authority as a certifying agent for the purposes of certifying a specific class of critical information and communications technology.

(2) CERTIFICATION.—The term ''certification'' means a seal or symbol provided by the National Cybersecurity Certification and Labeling Authority or an accredited certifying agent, that results from passage of a comprehensive evaluation of an information and communications technology that establishes the extent to which a particular design and implementation meets a set of specified security standards.

(3) CRITICAL INFORMATION AND COMMUNICATIONS TECHNOLOGY.—The term ''critical information and communications technology'' means information and communications

technology that is in use in critical infrastructure sectors and that underpins national critical functions as determined by the Secretary of Homeland Security.

(4) LABEL.—The term ''label'' means a clear, visual, and easy to understand symbol or list that conveys specific information about a product's security attributes, characteristics, functionality, components, or other features

SEC. __02. NATIONAL CYBERSECURITY CERTIFICATION AND LABELING AUTHORITY AND PROGRAM.

(a) ESTABLISHMENT.—There is established a National Cybersecurity Certification and Labeling Authority (hereinafter referred to as the ''Authority'') for the purpose of administering a voluntary program, which the Authority shall establish, for the certification and labeling of critical information and communications technologies.

(b) ACCREDITATION OF CERTIFYING AGENTS.—As part of the program established and administered under subsection (a), the Authority shall define and publish a process whereby nongovernmental entities may apply to become accredited agents for the certification of specific critical information and communications technologies.

(c) IDENTIFICATION OF STANDARDS, FRAMEWORKS, AND BENCHMARKS.—As part of the program established and administered under subsection (a), the Authority shall work in close coordination with the Secretary of Commerce, the Secretary of Homeland Security, and subject matter experts from the Federal Government, academia, nongovernmental organizations, and the private sector to identify and harmonize common security standards, frameworks, and benchmarks against which the security of critical information and communications technologies may be measured.

(d) PRODUCT CERTIFICATION.—As part of the program established and administered under subsection (a), the Authority, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and other experts from the Federal Government, academia, nongovernmental organizations, and the private sector, shall—

(1) develop, and disseminate to accredited certifying agents, guidelines to standardize the presentation of certifications to communicate the level of security for critical information and communications technologies;

(2) develop, or permit agents accredited under subsection (b) to develop, certification criteria for critical information and communications technologies based on identified security standards, frameworks, and benchmarks, through the work conducted pursuant to subsection (c);

(3) issue, or permit agents accredited under subsection (b) to issue, certifications for products and services that meet and comply with security standards, frameworks, and benchmarks the standards, frameworks, and benchmarks identified under subsection (c);

(4) permit a manufacturer or distributor of a critical information and communication technology to display a certificate reflecting the extent to which the covered product meets the standards, frameworks, and benchmarks identified under subsection (c);

(5) remove the certification of a critical information and communication technology as a critical information and communication technology certified under the program if the manufacturer of the certified critical information and communication technology falls out of conformity with the standards, frameworks, and benchmarks identified under subsection (c);

(6) work to enhance public awareness of the Authority's certificates and labeling, including through public outreach, education, research and development, and other means; and

(7) publicly display a list of certified critical information and communication technology, along with their respective certification information.

(e) CERTIFICATIONS.—

(1) IN GENERAL.—Certifications issued under the program established and administered under subsection (a) shall remain valid for one year from the date of issuance.

(2) CLASSES OF CERTIFICATION.—In identifying and harmonizing the standards, frameworks, and benchmarks under subsection (c), the Authority shall designate at least three classes of certifications, including—

(A) for products and services that product manufacturers and service providers of critical information and communications attest meet the criteria for certification under the program established and administered under subsection (a), attestation-based certification;

(B) for products that have undergone a security evaluation and testing process by a qualifying third party, accreditation-based certification; and

(C) for products that have undergone a security evaluation and testing process by a qualifying third party, test-based certification.

(f) PRODUCT LABELING.—The Authority, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and other experts from the Federal Government, academia, nongovernmental organizations, and the private sector, shall—

(1) collaborate with the private sector to standardize language and define a labeling schema to provide transparent information on the security characteristics and constituent components of a software or hardware product that includes critical information and communication technology; and

(2) establish a mechanism by which product developers can provide this information for both product labeling and public posting.

(g) ENFORCEMENT.—

(1) PROHIBITION.—It shall be unlawful for a person—

(A) to falsely attested to, or falsify an audit or test for, a security standard, framework, or benchmark for certification;

(B) to intentionally mislabel a product; or

(C) to failed to maintain a security standard, framework, or benchmark to which the person has attested for a security standard, framework, or benchmark for certification.

(2) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(A) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of paragraph (1) shall be treated as an unfair and deceptive act or practice in violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(B) POWERS OF COMMISSION.—

(i) IN GENERAL.—The Federal Trade Commission shall enforce this subsection in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this subsection.

(ii) PRIVILEGES AND IMMUNITIES.—Any person who violates this subsection shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

SEC. __03. SELECTION OF THE AUTHORITY.

(a) SELECTION.—The Secretary of Commerce, in coordination with the Secretary of Homeland Security, shall issue a notice of funding opportunity and select, on a competitive basis, a nonprofit, nongovernmental organization to serve as the National Cybersecurity Certification and Labeling Authority (in this section referred to as the ''Authority'') for period of five years.

(b) ELIGIBILITY FOR SELECTION.—The Secretary of Commerce may only select an organization to serve as the Authority if such organization—

(1) is a nongovernmental, not-for-profit that is—

(A) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986; and

(B) described in sections 501(c)(3) and 170(b)(1)(A)(vi) of that Code;

(2) has a demonstrable track record of work on cybersecurity and information security standards, frameworks, and benchmarks; and

(3) possesses requisite staffing and expertise, with demonstrable prior experience in technology security or safety standards, frameworks, and benchmarks, as well as certification.

(c) APPLICATION.—The Secretary shall establish a process by which a nonprofit, nongovernmental organization that seeks to be selected as the Authority may apply for consideration.

(d) PROGRAM EVALUATION.—Not later than the date that is four years after the initial selection pursuant subsection (a), and every four years thereafter, the Secretary of Commerce, in consultation with the Secretary of Homeland Security, shall—

(1) assess the effectiveness of the labels and certificates produced by the Authority, including—

(A) assessing the costs to businesses that manufacture critical information and communication technologies participating in the Authority's program;

(B) evaluating the level of participation in the Authority's program by businesses that manufacture critical information and communication technologies; and

(C) assessing the level of public awareness and consumer awareness of the labels under the Authority's program;

(2) audit the impartiality and fairness of the activities of the Authority;

(3) issue a public report on the assessment most recently carried out under paragraph (1) and the audit most recently carried out under paragraph (2); and

(4) brief Congress on the findings of the Secretary of Commerce with respect to the most recent assessment under paragraph (1) and the most recent audit under paragraph (2).

(e) RENEWAL.—After the initial selection pursuant to subsection (a), the Secretary of Commerce, in consultation with the Secretary of Homeland Security, shall, every five years—

(1) accept applications from nonprofit, nongovernmental organizations seeking selection as the Authority; and

(2) following competitive consideration of all applications—

(A) renew the selection of the existing Authority; or

(B) select another applicant organization to serve as the Authority.

SEC. __04. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this subtitle. Such funds shall remain available until expended.

SA 2215. Mr. KING (for himself and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CISA DIRECTOR.

Subchapter II of chapter 53 of title 5, United States Code, is amended—

(1) in section 5313, by inserting after the item relating to ''Administrator of the Transportation Security Administration'' the following:
''Director, Cybersecurity and Infrastructure Security Agency.''; and

(2) in section 5314, by striking the item relating to ''Director, Cybersecurity and Infrastructure Security Agency.''.

SEC. ____. AGENCY REVIEW.

(a) REQUIREMENT OF COMPREHENSIVE REVIEW.—In order to strengthen the Cybersecurity and Infrastructure Security Agency, the Secretary of Homeland Security shall conduct a comprehensive review of the ability of the Cybersecurity and Infrastructure Security Agency to fulfill—

(1) the missions of the Cybersecurity and Infrastructure Security Agency; and

(2) the recommendations detailed in the report issued by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(b) ELEMENTS OF REVIEW.—The review conducted under subsection (a) shall include the following elements:

(1) An assessment of how additional budget resources could be used by the Cybersecurity and Infrastructure Security Agency for projects and programs that—

(A) support the national risk management mission;

(B) support public and private-sector cybersecurity;

(C) promote public-private integration; and

(D) provide situational awareness of cybersecurity threats.

(2) A comprehensive force structure assessment of the Cybersecurity and Infrastructure Security Agency including—

(A) a determination of the appropriate size and composition of personnel to accomplish the mission of the Cybersecurity and Infrastructure Security Agency, as well as the recommendations detailed in the report issued by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232);

(B) an assessment of whether existing personnel are appropriately matched to the prioritization of threats in the cyber domain and risks in critical infrastructure;

(C) an assessment of whether the Cybersecurity and Infrastructure Security Agency has the appropriate personnel and resources to—

(i) perform risk assessments, threat hunting, incident response to support both private and public cybersecurity;

(ii) carry out the responsibilities of the Cybersecurity and Infrastructure Security Agency related to the security of Federal information and Federal information systems; and

(iii) carry out the critical infrastructure responsibilities of the Cybersecurity and Infrastructure Security Agency, including national risk management; and

(D) an assessment of whether current structure, personnel, and resources of regional field offices are sufficient in fulfilling agency responsibilities and mission requirements.

(c) SUBMISSION OF REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to Congress detailing the results of the assessments required under subsection (b), including recommendations to address any identified gaps.

SEC. ____. GENERAL SERVICES ADMINISTRATION REVIEW.

(a) REVIEW.—The Administrator of the General Services Administration shall—

(1) conduct a review of current Cybersecurity and Infrastructure Security Agency facilities and assess the suitability of such facilities to fully support current and projected mission requirements nationally and regionally; and

(2) make recommendations regarding resources needed to procure or build a new facility or augment existing facilities to ensure sufficient size and accommodations to fully support current and projected mission requirements, including the integration of personnel from the private sector and other departments and agencies.

(b) SUBMISSION OF REVIEW.—Not later than 1 year after the date of the enactment of this Act, the Administrator of the General Services Administration shall submit the review required under subsection (a) to—

(1) the President;

(2) the Secretary of Homeland Security; and

(3) to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives.

SA 2216. Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. SENSE OF SENATE ON SECURITY COOPERATION WITH JAPAN AND AUSTRALIA.

It is the sense of the Senate that it should be the policy of the United States to continue to develop security cooperation efforts with the Government of Japan and the Government of Australia and strengthen military engagement in the Indo-Pacific region by—

(1) developing a regular trilateral exercise for amphibious operations among the United States, Japan, and Australia;

(2) conducting frequent submarine and anti-submarine warfare exercises;

(3) taking advantage of opportunities to build trilateral humanitarian assistance and disaster response operational expertise;

(4) cooperating on development of next-generation platforms;

(5) exploring opportunities to share, develop, and leverage logistics and distribution capabilities throughout the Indo-Pacific region; and

(6) encouraging annual leader-level meetings.

SA 2217. Mrs. FEINSTEIN (for herself, Mr. CORNYN, Mr. BLUMENTHAL, Ms. ROSEN, Ms. HARRIS, and Mr. MARKEY) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title VII, add the following:

SEC. 752. STUDY ON THE INCIDENCE OF CANCER DIAGNOSIS AND MORTALITY AMONG MILITARY AVIATORS AND AVIATION SUPPORT PERSONNEL.

(a) STUDY.—

(1) IN GENERAL.—The Secretary of Defense, in conjunction with the National Institutes of Health and the National Cancer Institute, shall conduct a study on cancer among covered individuals in two phases as provided in this subsection.

(2) PHASE 1.—

(A) IN GENERAL.—Under the initial phase of the study conducted under paragraph (1), the Secretary of Defense shall determine if there is a higher incidence of cancers occurring for covered individuals as compared to similar age groups in the general population through the use of the database of the Surveillance, Epidemiology, and End Results program of the National Cancer Institute.

(B) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the initial phase of the study under subparagraph (A).

(3) PHASE 2.—

(A) IN GENERAL.—If, pursuant to the initial phase of the study under paragraph (2), the Secretary concludes that there is an increased rate of cancers among covered individuals, the Secretary shall conduct a second phase of the study under which the Secretary shall do the following:

(i) Identify the carcinogenic toxins or hazardous materials associated with military flight operations from shipboard or land bases or facilities, such as fuels, fumes, and other liquids.

(ii) Identify the operating environments, including frequencies or electromagnetic fields, where exposure to ionizing radiation (associated with high altitude flight) and nonionizing radiation (associated with airborne, ground, and shipboard radars) occurred in which covered individuals could have received increased radiation amounts.

(iii) Identify, for each covered individual, duty stations, dates of service, aircraft flown, and additional duties (including Landing Safety Officer, Catapult and Arresting Gear Officer, Air Liaison Officer, Tactical Air Control Party, or personnel associated with aircraft maintenance, supply, logistics, fuels, or transportation) that could have increased the risk of cancer for such covered individual.

(iv) Determine locations where a covered individual served or additional duties of a covered individual that are associated with higher incidences of cancers.

(v) Identify potential exposures due to service in the Armed Forces that are not related to aviation, such as exposure to burn pits or toxins in contaminated water, embedded in the soil, or inside bases or housing.

(vi) Determine the appropriate age to begin screening covered individuals for cancer based on race, gender, flying hours, period of service as aviation support personnel, Armed Force, type of aircraft, and mission.

(B) DATA.—The Secretary shall format all data included in the study conducted under this paragraph in accordance with the Surveillance, Epidemiology, and End Results program of the National Cancer Institute, including by disaggregating such data by race, gender, and age.

(C) REPORT.—Not later than one year after the submittal of the report under paragraph (2)(B), if the Secretary conducts the second phase of the study under this paragraph, the Secretary shall submit to the appropriate committees of Congress a report on the findings of the study conducted under this paragraph.

(4) USE OF DATA FROM PREVIOUS STUDIES.—In conducting the study under this subsection, the Secretary of Defense shall incorporate data from previous studies conducted by the Air Force, the Navy, or the Marine Corps that are relevant to the study under this subsection, including data from the comprehensive study conducted by the Air Force identifying each covered individual and documenting the cancers, dates of diagnoses, and mortality of each covered individual.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEE OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives.

(2) ARMED FORCES.—The term ''Armed Forces''—

(A) has the meaning given the term ''armed forces'' in section 101 of title 10, United States Code; and

(B) includes the reserve components named in section 10101 of such title.

(3) COVERED INDIVIDUAL.—The term ''covered individual''—

(A) means an aviator or aviation support personnel who—

(i) served in the Armed Forces on or after February 28, 1961; and

(ii) receives benefits under chapter 55 of title 10, United States Code; and

(B) includes any air crew member of fixed-wing aircraft and personnel supporting generation of the aircraft, including pilots, navigators, weapons systems operators, aircraft system operators, personnel associated with aircraft maintenance, supply, logistics, fuels, or transportation, and any other crew member who regularly flies in an aircraft or is required to complete the mission of the aircraft.

SA 2218. Mr. TESTER (for himself, Mr. YOUNG, and Mr. MURPHY) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. ___. EXPANSION OF ELIGIBILITY FOR HUD–VASH.

(a) HUD PROVISIONS.—Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following new subparagraph:

''(D) VETERAN DEFINED.—In this paragraph, the term 'veteran' has the meaning given that term in section 2002(b) of title 38, United States Code.''.

(b) VHA CASE MANAGERS.—Subsection (b) of section 2003 of title 38, United States Code, is amended—

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

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

''(2) In the case of vouchers provided under the HUD–VASH program under section 8(o)(19) of such Act, for purposes of paragraph (1), the term 'veteran' shall have the meaning given such term in section 2002(b) of this title.''.

(c) ANNUAL REPORTS ON HOMELESSNESS SERVICES PROVIDED BY DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Not less frequently than once each year, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the homelessness services provided under programs of the Department of Veterans Affairs, including services under the HUD–VASH program under section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)).

(2) INCLUDED INFORMATION.—Each such annual report shall include, with respect to the year preceding the submittal of the report, a statement of the number of eligible individuals who were furnished such homelessness services and the number of individuals furnished such services under each such program, disaggregated by the number of men who received such services and the number of women who received such services, and such other information as the Secretary considers appropriate

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SA 2219. Mr. WARNER (for himself, Mr. BENNET, Ms. HARRIS, Mr. KING, Mr. HEINRICH, Mr. WYDEN, and Ms. COLLINS) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. DUTY TO REPORT COUNTERINTELLIGENCE THREATS TO CAMPAIGNS.

(a) IN GENERAL.—Section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104) is amended by adding at the end the following new subsection:

''(j) DISCLOSURE OF REPORTABLE FOREIGN CONTACTS.—

''(1) COMMITTEE OBLIGATION.—Not later than 1 week after a reportable foreign contact, each authorized committee of a candidate for President shall notify the Federal Bureau of Investigation of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

''(2) INDIVIDUAL OBLIGATION.—Not later than 1 week after a reportable foreign contact—

''(A) each candidate for the office of President shall notify the treasurer or other designated official of the principal campaign committee of such candidate of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact; and

''(B) each official, employee, or agent of an authorized committee of a candidate for the office of President shall notify the treasurer or other designated official of the authorized committee of the reportable foreign contact and provide a summary of the circumstances with respect to such reportable foreign contact.

''(3) REPORTABLE FOREIGN CONTACT.—In this subsection:

''(A) IN GENERAL.—The term 'reportable foreign contact' means any direct or indirect contact or communication that—

''(i) is between—

''(I) a candidate for the office of President, an authorized committee of such a candidate, or any official, employee, or agent of such authorized committee; and

''(II) an individual that the person described in subclause (I) knows, has reason to know, or reasonably believes is a covered foreign national; and

''(ii) the person described in clause (i)(I) knows, has reason to know, or reasonably believes involves—

''(I) a contribution, donation, expenditure, disbursement, or solicitation described in section 319; or

''(II) coordination or collaboration with an offer or provision of information or services to or from, or persistent and repeated contact with a covered foreign national in connection with an election.

''(B) EXCEPTION.—Such term shall not include any contact or communication with a covered foreign national by an elected official or an employee of an elected official solely in an official capacity as such an official or employee.

''(C) COVERED FOREIGN NATIONAL DEFINED.—

''(i) IN GENERAL.—In this paragraph, the term 'covered foreign national' means—

''(I) a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)) that is a government of a foreign country or a foreign political party;

''(II) any person who acts as an agent, representative, employee, or servant, or any person who acts in any other capacity at the order, request, or under the direction or control, of a foreign principal described in subclause (I) or of a person any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign principal described in subclause (I); or

''(III) any person included in the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury pursuant to authorities relating to the imposition of sanctions relating to the conduct of a foreign principal described in subclause (I).

''(ii) CLARIFICATION REGARDING APPLICATION TO CITIZENS OF THE UNITED STATES.—In the case of a citizen of the United States, subclause (II) of clause (i) applies only to the extent that the person involved acts within the scope of that person's status as the agent of a foreign principal described in subclause (I) of clause (i).

''(4) CLARIFICATION REGARDING VOLUNTEERS.—For purposes of paragraphs (2)(B) and (3)(A)(i)(I), an unpaid volunteer shall not be treated as an official, employee, or agent of an authorized committee unless such unpaid volunteer has a significant supervisory role or provides advice or input to the candidate or to senior officials of the authorized committee.''.

(b) FEDERAL CAMPAIGN FOREIGN CONTACT REPORTING COMPLIANCE SYSTEM.—Section 302(e) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102(e)) is amended by adding at the end the following new paragraph:

''(6) REPORTABLE FOREIGN CONTACTS COMPLIANCE POLICY.—

''(A) REPORTING.—Each authorized committee of a candidate for the office of President shall establish a policy that requires all officials, employees, and agents of such committee to notify the treasurer or other appropriate designated official of the committee of any reportable foreign contact (as defined in section 304(j)) not later than 1 week after such contact was made.

''(B) RETENTION AND PRESERVATION OF RECORDS.—Each authorized committee of a candidate for the office of President shall establish a policy that provides for the retention and preservation of records and information related to reportable foreign contacts (as so defined) for a period of not less than 3 years.

''(C) CERTIFICATION.—Upon designation of a political committee as an authorized committee by a candidate for the office of President, and with each report filed by such committee under section 304(a), the candidate shall certify that—

''(i) the committee has in place policies that meet the requirements of subparagraphs (A) and (B);

''(ii) the committee has designated an official to monitor compliance with such policies; and

''(iii) not later than 1 week after the beginning of any formal or informal affiliation with the committee, all officials, employees, and agents of such committee will—

''(I) receive notice of such policies;

''(II) be informed of the prohibitions under section 319; and

''(III) sign a certification affirming their understanding of such policies and prohibitions.''.

(c) CRIMINAL PENALTIES.—Section 309(d)(1) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30109(d)(1)) is amended by adding at the end the following new subparagraphs:

''(E) Any person who knowingly and willfully commits a violation of section 304(j) or section 302(e)(6) shall be fined under title 18, United States Code, imprisoned for not more than 3 years, or both.

''(F) Any person who knowingly and willfully conceals or destroys any materials relating to a reportable foreign contact (as defined in section 304(j)) shall be fined under title 18, United States Code, imprisoned for not more than 3 years, or both.''.

(d) RULE OF CONSTRUCTION.—Nothing in this section or the amendments made by this section shall be construed—

(1) to impede legitimate journalistic activities; or

(2) to impose any additional limitation on the right of any individual who is not a citizen of the United States or a national of the United States (as defined in section 101(a)(22) of the Immigration and Nationality Act) and who is not lawfully admitted for permanent residence, as defined by section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20)) to express political views or to participate in public discourse.

SA 2220. Mr. HEINRICH (for himself and Mr. BARRASSO) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XXXI, add the following:

SEC. 3168. SENSE OF THE SENATE ON EXTENSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

It is the sense of the Senate that—

(1) a secure nuclear fuel supply chain is essential to the economic and national security of the United States;

(2) the United States should—

(A) expeditiously complete negotiation of an extension of the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation (commonly referred to as the ''Russian Suspension Agreement''); 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;

(3) a renegotiated, long-term extension of the Russian Suspension Agreement can prevent adversaries of the United States from monopolizing the nuclear fuel supply chain;

(4) 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

(5) 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 global uranium markets and potential domination by the Russian Federation of the United States uranium market.

SA 2221. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. _____. REPORT ON ESTABLISHING AN ELEMENT OF THE INTELLIGENCE COMMUNITY WITHIN THE UNITED STATES SPACE FORCE.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of National Intelligence and the Under Secretary of Defense for Intelligence and Security, in coordination with the Secretary of the Air Force and the Chief of Space Operations, shall submit to the appropriate committees of Congress a report on the potential for establishing an element of the intelligence community and a national intelligence center within the United States Space Force.

(b) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—For purposes of this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Appropriations of the House of Representatives.

SA 2222. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

On page 1083, line 23, insert after ''safety'' the following: ''that are agreed to by the Board and the Secretary of Energy''.

SA 2223. Mr. HEINRICH submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

Strike section 3203.

SA 2224. Mr. JOHNSON submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.

(a) SHORT TITLE.—This section may be cited as the ''Luke and Alex School Safety Act of 2020''.

(b) CLEARINGHOUSE.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended by inserting after section 2214 the following:

''SEC. 2215. FEDERAL CLEARINGHOUSE ON SCHOOL SAFETY BEST PRACTICES.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Secretary, in coordination with the Secretary of Education, the Attorney General, and the Secretary of Health and Human Services, shall establish a Federal Clearinghouse on School Safety Best Practices (in this section referred to as the 'Clearinghouse') within the Department.

''(2) PURPOSE.—The Clearinghouse shall be the primary resource of the Federal Government to identify and publish online through SchoolSafety.gov, or any successor website, the best practices and recommendations for school safety for use by State and local educational agencies, institutions of higher education, State and local law enforcement agencies, health professionals, and the general public.

''(3) PERSONNEL.—

''(A) ASSIGNMENTS.—The Clearinghouse shall be assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

''(B) DETAILEES.—The Secretary of Education, the Attorney General, and the Secretary of Health and Human Services may detail personnel to the Clearinghouse.

''(4) EXEMPTIONS.—

''(A) PAPERWORK REDUCTION ACT.—Chapter 35 of title 44, United States Code (commonly known as the 'Paperwork Reduction Act') shall not apply to any rulemaking or information collection required under this section.

''(B) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5

U.S.C. App.) shall not apply for the purposes of carrying out this section.

''(b) CLEARINGHOUSE CONTENTS.—

''(1) CONSULTATION.—In identifying the best practices and recommendations for the Clearinghouse, the Secretary may consult with appropriate Federal, State, local, Tribal, private sector, and nongovernmental organizations.

''(2) CRITERIA FOR BEST PRACTICES AND RECOMMENDATIONS.—The best practices and recommendations of the Clearinghouse shall, at a minimum—

''(A) involve comprehensive school safety measures, including threat prevention, preparedness, protection, mitigation, incident response, and recovery to improve the safety posture of a school upon implementation;

''(B) include any evidence or research rationale supporting the determination of the Clearinghouse that the best practice or recommendation under subparagraph (A) has been shown to have a significant effect on improving the health, safety, and welfare of persons in school settings, including—

''(i) relevant research that is evidence-based, as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), supporting the best practice or recommendation;

''(ii) findings and data from previous Federal or State commissions recommending improvements to the safety posture of a school; or

''(iii) other supportive evidence or findings relied upon by the Clearinghouse in determining best practices and recommendations to improve the safety posture of a school upon implementation; and

''(C) include information on Federal grant programs for which implementation of each best practice or recommendation is an eligible use for the program.

''(3) PAST COMMISSION RECOMMENDATIONS.—To the greatest extent practicable, the Clearinghouse shall present, as appropriate, Federal, State, local, Tribal, private sector, and nongovernmental organization issued best practices and recommendations and identify any best practice or recommendation of the Clearinghouse that was previously issued by any such organization or commission.

''(c) ASSISTANCE AND TRAINING.—The Secretary may produce and publish materials on the Clearinghouse to assist and train educational agencies and law enforcement agencies on the implementation of the best practices and recommendations.

''(d) CONTINUOUS IMPROVEMENT.—The Secretary shall—

''(1) collect for the purpose of continuous improvement of the Clearinghouse—

''(A) Clearinghouse data analytics;

''(B) user feedback on the implementation of resources, best practices, and recommendations identified by the Clearinghouse; and

''(C) any evaluations conducted on implementation of the best practices and recommendations of the Clearinghouse; and

''(2) in coordination with the Secretary of Education, the Secretary of Health and Human Services, and the Attorney General—

''(A) regularly assess and identify Clearinghouse best practices and recommendations for which there are no resources available through Federal Government programs for implementation; and

''(B) establish an external advisory board, which shall be comprised of appropriate State, local, Tribal, private sector, and nongovernmental organizations, including organizations representing parents of elementary and secondary school students, to—

''(i) provide feedback on the implementation of best practices and recommendations of the Clearinghouse; and

''(ii) propose additional recommendations for best practices for inclusion in the Clearinghouse.

''(e) PARENTAL ASSISTANCE.—The Clearinghouse shall produce materials to assist parents and legal guardians of students with identifying relevant Clearinghouse resources related to supporting the implementation of Clearinghouse best practices and recommendations.''.

(1) TECHNICAL AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Federal Clearinghouse on School Safety Best Practices.''.

(c) NOTIFICATION OF CLEARINGHOUSE.—

(1) NOTIFICATION BY THE SECRETARY OF EDUCATION.—The Secretary of Education shall provide written notification of the publication of the Federal Clearinghouse on School Safety Best Practices (referred to in this subsection and subsection (d) as the ''Clearinghouse''), as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State and local educational agency; and

(B) other Department of Education partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Education.

(2) NOTIFICATION BY THE SECRETARY OF HOMELAND SECURITY.—The Secretary of Homeland Security shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State homeland security advisor;

(B) every State department of homeland security; and

(C) other Department of Homeland Security partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Homeland Security.

(3) NOTIFICATION BY THE SECRETARY OF HEALTH AND HUMAN SERVICES.—The Secretary of Health and Human Services shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State department of public health; and

(B) other Department of Health and Human Services partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Secretary of Health and Human Services.

(4) NOTIFICATION BY THE ATTORNEY GENERAL.—The Attorney General shall provide written notification of the publication of the Clearinghouse, as required to be established under section 2215 of the Homeland Security Act of 2002, as added by subsection (b), to—

(A) every State department of justice; and

(B) other Department of Justice partners in the implementation of the best practices and recommendations of the Clearinghouse, as determined appropriate by the Attorney General.

(d) GRANT PROGRAM REVIEW.—

(1) FEDERAL GRANTS AND RESOURCES.—The Secretary of Education, the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Attorney General shall each—

(A) review grant programs administered by their respective agency and identify any grant program that may be used to implement best practices and recommendations of the Clearinghouse;

(B) identify any best practices and recommendations of the Clearinghouse for which there is not a Federal grant program that may be used for the purposes of implementing the best practice or recommendation as applicable to the agency; and

(C) periodically report any findings under subparagraph (B) to the appropriate committees of Congress.

(2) STATE GRANTS AND RESOURCES.—The Clearinghouse shall, to the extent practicable, identify, for each State—

(A) each agency responsible for school safety in the State, or any State that does not have such an agency designated;

(B) any grant program that may be used for the purposes of implementing best practices and recommendations of the Clearinghouse; and

(C) any resources other than grant programs that may be used to assist in implementation of best practices and recommendations of the Clearinghouse.

(e) RULES OF CONSTRUCTION.—

(1) WAIVER OF REQUIREMENTS.—Nothing in this section or the amendments made by this section shall be construed to create, satisfy, or waive any requirement under—

(A) title II or III of the Americans With Disabilities Act of 1990 (42 U.S.C. 12131 et seq., 12181 et seq.);

(B) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(C) title IV or VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq., 2000d et seq.);

(D) title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.);

(E) the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.); or

(F) the Equal Educational Opportunities Act of 1974 (20 U.S.C. 1701 et seq.).

(2) PROHIBITION ON FEDERALLY DEVELOPED, MANDATED, OR ENDORSED CURRICULUM.—Nothing in this section or the amendments made by this section shall be construed to authorize any officer or employee of the Federal Government to engage in an activity otherwise prohibited under section 103(b) of the Department of Education Organization Act (20 U.S.C. 3403(b)).

SA 2225. Mr. RUBIO (for himself, Mr. WARNER, Mr. BURR, Mr. CORNYN, Mr. BENNET, Mr. SASSE, and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Wireless Supply Chain Innovation and Multilateral Security

SEC. 1091. DEFINITIONS.

In this subtitle:

(1) 3GPP.—The term ''3GPP'' means the Third Generation Partnership Project.

(2) 5G NETWORK.—The term ''5G network'' means a radio network as described by 3GPP Release 15 or higher.

(3) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(4) NTIA ADMINISTRATOR.—The term ''NTIA Administrator'' means the Assistant Secretary of Commerce for Communications and Information.

(5) OPEN-RAN.—The term ''Open-RAN'' means the Open Radio Access Network approach to standardization adopted by the O-

RAN Alliance, Telecom Infra Project, or 3GPP, or any similar set of open standards for multi-vendor network equipment interoperability.

(6) RELEVANT COMMITTEES OF CONGRESS.—The term ''relevant committees of Congress'' means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Relations of the Senate;

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

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Permanent Select Committee on Intelligence of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

SEC. 1092. COMMUNICATIONS TECHNOLOGY SECURITY FUNDS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated for fiscal years 2021 through 2031—

(A) $50,000,000 for the Public Wireless Supply Chain Innovation Fund established under subsection (b) of this section; and

(B) $25,000,000 for the Multilateral Telecommunications Security Fund established under subsection (c) of this section.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available through fiscal year 2031.

(b) PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Public Wireless Supply Chain Innovation Fund'' (referred to in this subsection as the ''R&D Fund'').

(B) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the R&D Fund shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act.

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the R&D Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(2) USE OF FUND.—

(A) IN GENERAL.—Amounts appropriated to the R&D Fund shall be available to the NTIA Administrator to make grants under this subsection in such amounts as the NTIA Administrator determines appropriate, subject to clause (ii) of this subparagraph.

(B) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this subsection to a recipient for a specific research focus area may not exceed $50,000,000.

(3) ADMINISTRATION OF FUND.—The NTIA Administrator, in consultation with the Commission, the Director of the National Institute of Standards and Technology, the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence, shall establish criteria for grants awarded under this subsection, and administer the R&D Fund, to support research and the commercial application of that research, including in the following areas:

(A) Promoting the development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in the fifth-generation (commonly known as ''5G'') and successor wireless technology supply chains.

(B) Accelerating development and deployment of open interface standards-based compatible, interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, 3GPP, the Open-RAN Software Community, or any successor organizations.

(C) Promoting compatibility of new 5G equipment with future open standards-based, interoperable equipment.

(D) Managing integration of multi-vendor network environments.

(E) Objective criteria to define equipment as compliant with open standards for multi-vendor network equipment interoperability.

(F) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multi-vendor networks.

(G) Promoting the application of network function virtualization to facilitate multi-vendor interoperability and a more diverse vendor market.

(4) TIMING.—Not later than 1 year after the date of enactment of this Act, the NTIA Administrator shall begin awarding grants under this subsection.

(5) FEDERAL ADVISORY BODY.—

(A) ESTABLISHMENT.—The NTIA Administrator shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the NTIA Administrator on the administration of the R&D Fund.

(B) COMPOSITION.—The advisory committee established under subparagraph (A) shall be composed of—

(i) representatives from—

(I) the Commission;

(II) the Department of Defense;

(III) the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence;

(IV) the National Institute of Standards and Technology;

(V) the Department of State;

(VI) the National Science Foundation; and

(VII) the Department of Homeland Security; and

(ii) other representatives from the private and public sectors, at the discretion of the NTIA Administrator.

(C) DUTIES.—The advisory committee established under subparagraph (A) shall advise the NTIA Administrator on technology developments to help inform—

(i) the strategic direction of the R&D Fund; and

(ii) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.

(6) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the NTIA Administrator shall submit to the relevant committees of Congress a report with—

(i) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and

(ii) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of designated funds.

(B) ANNUAL REPORT.—For each fiscal year for which amounts in the R&D Fund are available under this subsection, the NTIA Administrator shall submit to Congress a report that—

(i) describes how, and to whom, amounts in the R&D Fund have been deployed;

(ii) details the progress of the NTIA Administrator in meeting the objectives described in paragraph (3); and

(iii) includes any additional information that the NTIA Administrator determines appropriate.

(c) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Multilateral Telecommunications Security Fund''.

(B) USE OF FUND.—Amounts appropriated to the Multilateral Telecommunications Security Fund shall be available to the Secretary of State to make expenditures under this subsection in such amounts as the Secretary of State determines appropriate.

(C) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the Multilateral Telecommunications Security Fund—

(I) shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act; and

(II) may only be allocated upon the Secretary of State reaching an agreement with foreign government partners to participate in the common funding mechanism described in paragraph (2).

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the Multilateral Telecommunications Security Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(2) ADMINISTRATION OF FUND.—The Secretary of State, in consultation with the NTIA Administrator, the Secretary of Homeland Security, the Secretary of Defense, the Secretary of the Treasury, the Director of National Intelligence, and the Commission, shall establish a common funding mechanism, in coordination with foreign partners, that uses amounts from the Multilateral Telecommunications Security Fund to support the development and adoption of secure and trusted telecommunications technologies.

(3) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Multilateral Telecommunications Security Fund are available, the Secretary of State shall submit to the relevant committees of Congress a report on the status and progress of the funding mechanism established under paragraph (2), including—

(A) any funding commitments from foreign partners, including each specific amount committed;

(B) governing criteria for use of the Multilateral Telecommunications Security Fund;

(C) an account of—

(i) how, and to whom, funds have been deployed;

(ii) amounts remaining in the Multilateral Telecommunications Security Fund; and

(iii) the progress of the Secretary of State in meeting the objective described in paragraph (2); and

(D) additional authorities needed to enhance the effectiveness of the Multilateral Telecommunications Security Fund in achieving the security goals of the United States.

SEC. 1093. PROMOTING UNITED STATES LEADERSHIP IN INTERNATIONAL ORGANIZATIONS AND COMMUNICATIONS STANDARDS-SETTING BODIES.

(a) IN GENERAL.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission, or their designees, shall consider how to enhance representation of the United States at international forums that set standards for 5G networks and for future generations of wireless communications networks, including—

(1) the International Telecommunication Union (commonly known as ''ITU'');

(2) the International Organization for Standardization (commonly known as ''ISO'');

(3) the Inter-American Telecommunications Commission (commonly known as ''CITEL''); and

(4) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3GPP and the Institute of Electrical and Electronics Engineers (commonly known as ''IEEE'').

(b) ANNUAL REPORT.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission shall jointly submit to the relevant committees of Congress an annual report on the progress made under subsection (a).

SA 2226. Mr. RUBIO (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DIVISION ___—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2021''.

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

DIVISION ___—INTELLIGENCE AUTHORIZATIONS FOR FISCAL YEAR 2021

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified Schedule of Authorizations.
Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

Sec. 301. Restriction on conduct of intelligence activities.
Sec. 302. Increase in employee compensation and benefits authorized by law.
Sec. 303. Clarification of authorities and responsibilities of National Manager for National Security Telecommunications and Information Systems Security.
Sec. 304. Continuity of operations plans for certain elements of the intelligence community in the case of a national emergency.
Sec. 305. Application of Executive Schedule level III to position of Director of National Reconnaissance Office.
Sec. 306. National Intelligence University.
Sec. 307. Requiring facilitation of establishment of Social Media Data and Threat Analysis Center.
Sec. 308. Data collection on attrition in intelligence community.
Sec. 309. Limitation on delegation of responsibility for program management of information-sharing environment.
Sec. 310. Improvements to provisions relating to intelligence community information technology environment.
Sec. 311. Requirements and authorities for Director of the Central Intelligence Agency to improve education in science, technology, engineering, arts, and mathematics.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

Sec. 321. Assessment by the Comptroller General of the United States on efforts of the intelligence community and the Department of Defense to identify and mitigate risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.
Sec. 322. Report on use by intelligence community of hiring flexibilities and expedited human resources practices to assure quality and diversity in the workforce of the intelligence community.
Sec. 323. Report on signals intelligence priorities and requirements.
Sec. 324. Assessment of demand for student loan repayment program benefit.
Sec. 325. Assessment of intelligence community demand for child care.
Sec. 326. Open source intelligence strategies and plans for the intelligence community.

TITLE IV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

Sec. 401. Exclusivity, consistency, and transparency in security clearance procedures, and right to appeal.
Sec. 402. Establishing process parity for security clearance revocations.
Sec. 403. Federal policy on sharing of derogatory information pertaining to contractor employees in the trusted workforce.

TITLE V—REPORTS AND OTHER MATTERS

Subtitle A—Wireless Supply Chain Innovation and Multilateral Security

Sec. 501. Definitions.
Sec. 502. Communications technology security funds.
Sec. 503. Promoting United States leadership in international organizations and communications standards-setting bodies.

Subtitle B—Reports and Other Matters

Sec. 511. Report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, certain allies of the United States.
Sec. 512. Report on threats posed by use by foreign governments and entities of commercially available cyber intrusion and surveillance technology.
Sec. 513. Reports on recommendations of the Cyberspace Solarium Commission.
Sec. 514. Assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.
Sec. 515. Combating Chinese influence operations in the United States and strengthening civil liberties protections.
Sec. 516. Annual report on corrupt activities of senior officials of the Chinese Communist Party.
Sec. 517. Report on corrupt activities of Russian and other Eastern European oligarchs.
Sec. 518. Report on biosecurity risk and disinformation by the Chinese Communist Party and the Government of the People's Republic of China.
Sec. 519. Report on effect of lifting of United Nations arms embargo on Islamic Republic of Iran.
Sec. 520. Report on Iranian activities relating to nuclear nonproliferation.
Sec. 521. Sense of Congress on Third Option Foundation.

SEC. 2. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection

(a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2021 the sum of $731,200,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2021 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2021.

TITLE III—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. CLARIFICATION OF AUTHORITIES AND RESPONSIBILITIES OF NATIONAL MANAGER FOR NATIONAL SECURITY TELECOMMUNICATIONS AND INFORMATION SYSTEMS SECURITY.

In carrying out the authorities and responsibilities of the National Manager for National Security Telecommunications and Information Systems Security under National Security Directive 42 (signed by the President on July 5, 1990), the National Manager shall not supervise, oversee, or execute, either directly or indirectly, any aspect of the National Intelligence Program.

SEC. 304. CONTINUITY OF OPERATIONS PLANS FOR CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY IN THE CASE OF A NATIONAL EMERGENCY.

(a) DEFINITION OF COVERED NATIONAL EMERGENCY.—In this section, the term ''covered national emergency'' means the following:

(1) A major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(2) An emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191).

(3) A national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(4) A public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).

(b) IN GENERAL.—The Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each establish continuity of operations plans for use in the case of covered national emergencies for the element of the intelligence community concerned.

(c) SUBMISSION TO CONGRESS.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE AND DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of National Intelligence and the Director of the Central Intelligence Agency shall each submit to the congressional intelligence committees the plan established under subsection (b) for that emergency for the element of the intelligence community concerned.

(2) DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE, DIRECTOR OF DEFENSE INTELLIGENCE AGENCY, DIRECTOR OF NATIONAL SECURITY AGENCY, AND DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit the plan established under subsection (b) for that emergency for the element of the intelligence community concerned to the following:

(A) The congressional intelligence committees.

(B) The Committee on Armed Services of the Senate.

(C) The Committee on Armed Services of the House of Representatives.

(d) UPDATES.—During a covered national emergency, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit any updates to the plans submitted under subsection (c)—

(1) in accordance with that subsection; and

(2) in a timely manner consistent with section 501 of the National Security Act of 1947 (50 U.S.C. 3091).

SEC. 305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL III TO POSITION OF DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.

Section 5314 of title 5, United States Code, is amended by adding at the end the following:

''Director of the National Reconnaissance Office.''.

SEC. 306. NATIONAL INTELLIGENCE UNIVERSITY.

(a) IN GENERAL.—Title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) is amended by adding at the end the following:

''Subtitle D—National Intelligence University

''SEC. 1031. TRANSFER DATE.

''In this subtitle, the term 'transfer date' means the date on which the National Intelligence University is transferred from the Defense Intelligence Agency to the Director of National Intelligence under section 5324(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

''SEC. 1032. DEGREE-GRANTING AUTHORITY.

''(a) IN GENERAL.—Beginning on the transfer date, under regulations prescribed by the Director of National Intelligence, the President of the National Intelligence University may, upon the recommendation of the faculty of the University, confer appropriate degrees upon graduates who meet the degree requirements.

''(b) LIMITATION.—A degree may not be conferred under this section unless—

''(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

''(2) the University is accredited by the appropriate academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

''(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

''(1) ACTIONS ON NONACCREDITATION.—Beginning on the transfer date, the Director shall promptly—

''(A) notify the congressional intelligence committees of any action by the Middle States Commission on Higher Education, or other appropriate academic accrediting agency or organization, to not accredit the University to award any new or existing degree; and

''(B) submit to such committees a report containing an explanation of any such action.

''(2) MODIFICATION OR REDESIGNATION OF DEGREE-GRANTING AUTHORITY.—Beginning on the transfer date, upon any modification or redesignation of existing degree-granting authority, the Director shall submit to the congressional intelligence committees a report containing—

''(A) the rationale for the proposed modification or redesignation; and

''(B) any subsequent recommendation of the Secretary of Education with respect to the proposed modification or redesignation.

''SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.

''(a) AUTHORITY OF DIRECTOR.—Beginning on the transfer date, the Director of National Intelligence may employ as many professors, instructors, and lecturers at the National Intelligence University as the Director considers necessary.

''(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be as prescribed by the Director.

''(c) COMPENSATION PLAN.—The Director shall provide each person employed as a professor, instructor, or lecturer at the University on the transfer date an opportunity to elect to be paid under the compensation plan in effect on the day before the transfer date (with no reduction in pay) or under the authority of this section.

''SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.

''The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of title 10, United States Code.

"SEC. 1035. CONTINUED APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT TO THE BOARD OF VISITORS.

''The Federal Advisory Committee Act (5 U.S.C. App.) shall continue to apply to the Board of Visitors of the National Intelligence University on and after the transfer date.''.

(b) CONFORMING AMENDMENTS.—Section 5324 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (b)(1)(C), by striking ''subsection (e)(2)'' and inserting ''section 1032(b) of the National Security Act of 1947'';

(2) by striking subsections (e) and (f); and

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

(c) CLERICAL AMENDMENT.—The table of contents of the National Security Act of 1947 is amended by inserting after the item relating to section 1024 the following:

''Subtitle D—National Intelligence University

''Sec. 1031. Transfer date.
''Sec. 1032. Degree-granting authority.
''Sec. 1033. Faculty members; employment and compensation.
''Sec. 1034. Acceptance of faculty research grants.
''Sec. 1035. Continued applicability of the Federal Advisory Committee Act to the Board of Visitors.''.

SEC. 307. REQUIRING FACILITATION OF ESTABLISHMENT OF SOCIAL MEDIA DATA AND THREAT ANALYSIS CENTER.

(a) REQUIREMENT TO FACILITATE ESTABLISHMENT.—Subsection (c)(1) of section 5323 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, by striking ''may'' and inserting ''shall''.

(b) DEADLINE TO FACILITATE ESTABLISHMENT.—Such subsection is further amended by striking ''The Director'' and inserting ''Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director''.

(c) CONFORMING AMENDMENTS.—

(1) REPORTING.—Subsection (d) of such section is amended—

(A) in the matter before paragraph (1), by striking ''If the Director'' and all that follows through ''the Center, the'' and inserting ''The''; and

(B) in paragraph (1), by striking ''180 days after the date of the enactment of this Act'' and inserting ''180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021''.

(2) FUNDING.—Subsection (f) of such section is amended by striking ''fiscal year 2020 and 2021'' and inserting ''fiscal year 2021 and 2022''.

(3) CLERICAL.—Subsection (c) of such section is amended—

(A) in the subsection heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''; and

(B) in paragraph (1), in the paragraph heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''.

SEC. 308. DATA COLLECTION ON ATTRITION IN INTELLIGENCE COMMUNITY.

(a) STANDARDS FOR DATA COLLECTION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish standards for collecting data relating to attrition in the intelligence community workforce across demographics, specialities, and length of service.

(2) INCLUSION OF CERTAIN CANDIDATES.—The Director shall include, in the standards established under paragraph (1), standards for collecting data from candidates who accepted conditional offers of employment but chose to withdraw from the hiring process before entering into service, including data with respect to the reasons such candidates chose to withdraw.

(b) COLLECTION OF DATA.—Not later than 120 days after the date of the enactment of this Act, each element of the intelligence community shall begin collecting data on workforce and candidate attrition in accordance with the standards established under subsection (a).

(c) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director shall submit to the congressional intelligence committees a report on workforce and candidate attrition in the intelligence community that includes—

(1) the findings of the Director based on the data collected under subsection (b);

(2) recommendations for addressing any issues identified in those findings; and

(3) an assessment of timeliness in processing hiring applications of individuals previously employed by an element of the intelligence community, consistent with the Trusted Workforce 2.0 initiative sponsored by the Security Clearance, Suitability, and Credentialing Performance Accountability Council.

SEC. 309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING ENVIRONMENT.

(a) IN GENERAL.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)), as amended by section 6402(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in paragraph (1), in the matter before subparagraph (A), by striking ''Director of National Intelligence'' and inserting ''President'';

(2) in paragraph (2), by striking ''Director of National Intelligence'' both places it appears and inserting ''President''; and

(3) by adding at the end the following:

''(3) DELEGATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the President may delegate responsibility for carrying out this subsection.

''(B) LIMITATION.—The President may not delegate responsibility for carrying out this subsection to the Director of National Intelligence.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2020.

SEC. 310. IMPROVEMENTS TO PROVISIONS RELATING TO INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

Section 6312 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking subsections (e) through (i) and inserting the following:

''(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a long-term roadmap for the intelligence community information technology environment.

''(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a business plan to implement the long-term roadmap required by subsection (e).''.

SEC. 311. REQUIREMENTS AND AUTHORITIES FOR DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY TO IMPROVE EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by adding the following:

"SEC. 24. IMPROVEMENT OF EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' includes a department or agency of the Federal Government, a State, a political subdivision of a State, an individual, and a not-for-profit or other organization in the private sector.

''(2) EDUCATIONAL INSTITUTION.—The term 'educational institution' includes any public or private elementary school or secondary school, institution of higher education, college, university, or any other profit or nonprofit institution that is dedicated to improving science, technology, engineering, the arts, mathematics, business, law, medicine, or other fields that promote development and education relating to science, technology, engineering, the arts, or mathematics.

''(3) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

''(b) REQUIREMENTS.—The Director shall, on a continuing basis—

''(1) identify actions that the Director may take to improve education in the scientific, technology, engineering, arts, and mathematics (known as 'STEAM') skills necessary to meet the long-term national security needs of the United States for personnel proficient in such skills; and

''(2) establish and conduct programs to carry out such actions.

''(c) AUTHORITIES.—

''(1) IN GENERAL.—The Director, in support of educational programs in science, technology, engineering, the arts, and mathematics, may—

''(A) award grants to eligible entities;

''(B) provide cash awards and other items to eligible entities;

''(C) accept voluntary services from eligible entities;

''(D) support national competition judging, other educational event activities, and associated award ceremonies in connection with such educational programs; and

''(E) enter into one or more education partnership agreements with educational institutions in the United States for the purpose of encouraging and enhancing study in science, technology, engineering, the arts, and mathematics disciplines at all levels of education.

''(2) EDUCATION PARTNERSHIP AGREEMENTS.—

''(A) NATURE OF ASSISTANCE PROVIDED.—Under an education partnership agreement entered into with an educational institution under paragraph (1)(E), the Director may provide assistance to the educational institution by—

''(i) loaning equipment to the educational institution for any purpose and duration in support of such agreement that the Director considers appropriate;

''(ii) making personnel available to teach science courses or to assist in the development of science courses and materials for the educational institution;

''(iii) providing sabbatical opportunities for faculty and internship opportunities for students;

''(iv) involving faculty and students of the educational institution in Agency projects,

including research and technology transfer or transition projects;

''(v) cooperating with the educational institution in developing a program under which students may be given academic credit for work on Agency projects, including research and technology transfer for transition projects; and

''(vi) providing academic and career advice and assistance to students of the educational institution.

''(B) PRIORITIES.—In entering into education partnership agreements under paragraph (1)(E), the Director shall prioritize entering into education partnership agreements with the following:

''(i) Historically Black colleges and universities and other minority-serving institutions, as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(ii) Educational institutions serving women, members of minority groups, and other groups of individuals who traditionally are involved in the science, technology, engineering, arts, and mathematics professions in disproportionately low numbers.

''(d) DESIGNATION OF ADVISOR.—The Director shall designate one or more individuals within the Agency to advise and assist the Director regarding matters relating to science, technology, engineering, the arts, and mathematics education and training.''.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

SEC. 321. ASSESSMENT BY THE COMPTROLLER GENERAL OF THE UNITED STATES ON EFFORTS OF THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT OF DEFENSE TO IDENTIFY AND MITIGATE RISKS POSED TO THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT BY THE USE OF DIRECT-TO-CONSUMER GENETIC TESTING BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess the efforts of the intelligence community and the Department of Defense to identify and mitigate the risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

(b) REPORT REQUIRED.—

(1) DEFINITION OF UNITED STATES DIRECT-TO-CONSUMER GENETIC TESTING COMPANY.—In this subsection, the term ''United States direct-to-consumer genetic testing company'' means a private entity that—

(A) carries out direct-to-consumer genetic testing; and

(B) is organized under the laws of the United States or any jurisdiction within the United States.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress, including the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, a report on the assessment required by subsection (a).

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

(A) A description of key national security risks and vulnerabilities associated with direct-to-consumer genetic testing, including—

(i) how the Government of the People's Republic of China may be using data provided by personnel of the intelligence community and the Department through direct-to-consumer genetic tests; and

(ii) how ubiquitous technical surveillance may amplify those risks.

(B) An assessment of the extent to which the intelligence community and the Department have identified risks and vulnerabilities posed by direct-to-consumer genetic testing and have sought to mitigate such risks and vulnerabilities, or have plans for such mitigation, including the extent to which the intelligence community has determined—

(i) in which United States direct-to-consumer genetic testing companies the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China have an ownership interest; and

(ii) which United States direct-to-consumer genetic testing companies may have sold data to the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China.

(C) Such recommendations as the Comptroller General may have for action by the intelligence community and the Department to improve the identification and mitigation of risks and vulnerabilities posed by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

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

(c) COOPERATION.—The heads of relevant elements of the intelligence community and components of the Department shall—

(1) fully cooperate with the Comptroller General in conducting the assessment required by subsection (a); and

(2) provide any information and data required by the Comptroller General to conduct the assessment.

SEC. 322. REPORT ON USE BY INTELLIGENCE COMMUNITY OF HIRING FLEXIBILITIES AND EXPEDITED HUMAN RESOURCES PRACTICES TO ASSURE QUALITY AND DIVERSITY IN THE WORKFORCE OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on how elements of the intelligence community are exercising hiring flexibilities and expedited human resources practices afforded under section 3326 of title 5, United States Code, and subpart D of part 315 of title 5, Code of Federal Regulations, or successor regulation, to assure quality and diversity in the workforce of the intelligence community.

(b) OBSTACLES.—The report submitted under subsection (a) shall include identification of any obstacles encountered by the intelligence community in exercising the authorities described in such subsection.

SEC. 323. REPORT ON SIGNALS INTELLIGENCE PRIORITIES AND REQUIREMENTS.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on signals intelligence priorities and requirements subject to Presidential Policy Directive 28.

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

(1) The implementation of the annual process for advising the Director on signals intelligence priorities and requirements described in section 3 of Presidential Policy Directive 28.

(2) The signals intelligence priorities and requirements as of the most recent annual process.

(3) The application of such priorities and requirements to the signals intelligence collection efforts of the intelligence community.

(4) The contents of the classified annex referenced in section 3 of Presidential Policy Directive 28.

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

SEC. 324. ASSESSMENT OF DEMAND FOR STUDENT LOAN REPAYMENT PROGRAM BENEFIT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall—

(1) calculate the number of personnel of that element who qualify for a student loan repayment program benefit;

(2) compare the number calculated under paragraph (1) to the number of personnel who apply for such a benefit;

(3) provide recommendations for how to structure such a program to optimize participation and enhance the effectiveness of the benefit as a retention tool, including with respect to the amount of the benefit offered and the length of time an employee receiving a benefit is required to serve under a continuing service agreement; and

(4) identify any shortfall in funds or authorities needed to provide such a benefit.

(b) INCLUSION IN FISCAL YEAR 2022 BUDGET SUBMISSION.—The Director of National Intelligence shall include in the budget justification materials submitted to Congress in support of the budget for the intelligence community for fiscal year 2022 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the findings of the elements of the intelligence community under subsection (a).

SEC. 325. ASSESSMENT OF INTELLIGENCE COMMUNITY DEMAND FOR CHILD CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community specified in subsection (b), shall submit to the congressional intelligence committees a report that includes—

(1) a calculation of the total annual demand for child care by employees of such elements, at or near the workplaces of such employees, including a calculation of the demand for early morning and evening child care;

(2) an identification of any shortfall between the demand calculated under paragraph (1) and the child care supported by such elements as of the date of the report;

(3) an assessment of options for addressing any such shortfall, including options for providing child care at or near the workplaces of employees of such elements;

(4) an identification of the advantages, disadvantages, security requirements, and costs associated with each such option;

(5) a plan to meet, by the date that is 5 years after the date of the report—

(A) the demand calculated under paragraph (1); or

(B) an alternative standard established by the Director for child care available to employees of such elements; and

(6) an assessment of needs of specific elements of the intelligence community, including any Government-provided child care that could be collocated with a workplace of employees of such an element and any available child care providers in the proximity of such a workplace.

(b) ELEMENTS SPECIFIED.—The elements of the intelligence community specified in this subsection are the following:

(1) The Central Intelligence Agency.

(2) The National Security Agency.

(3) The Defense Intelligence Agency.

(4) The National Geospatial-Intelligence Agency.

(5) The National Reconnaissance Office.

(6) The Office of the Director of National Intelligence.

SEC. 326. OPEN SOURCE INTELLIGENCE STRATEGIES AND PLANS FOR THE INTELLIGENCE COMMUNITY.

(a) REQUIREMENT FOR SURVEY AND EVALUATION OF CUSTOMER FEEDBACK.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the head of each element of the intelligence community, shall—

(1) conduct a survey of the open source intelligence requirements, goals, monetary and property investments, and capabilities for each element of the intelligence community; and

(2) evaluate the usability and utility of the Open Source Enterprise by soliciting customer feedback and evaluating such feedback.

(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK ANALYSIS OF CREATING OPEN SOURCE CENTER.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community and using the findings of the Director with respect to the survey conducted under subsection (a), shall—

(1) develop a strategy for open source intelligence collection, analysis, and production that defines the overarching goals, roles, responsibilities, and processes for such collection, analysis, and production for the intelligence community;

(2) develop a plan for improving usability and utility of the Open Source Enterprise based on the customer feedback solicited under subsection (a)(2); and

(3) conduct a risk and benefit analysis of creating an open source center independent of any current intelligence community element.

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA REPOSITORY.—Not later than 270 days after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under such subsection, the Director shall develop a plan for a centralized data repository of open source intelligence that enables all elements of the intelligence community—

(1) to use such repository for their specific requirements; and

(2) to derive open source intelligence advantages.

(d) REQUIREMENT FOR COST-SHARING MODEL.—Not later than 1 year after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), the risk and benefit analysis conducted under such subsection, and the plan developed under subsection (c), the Director shall develop a cost-sharing model that leverages the open source intelligence investments of each element of the intelligence community for the beneficial use of the entire intelligence community.

(e) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall jointly brief the congressional intelligence committees on—

(1) the strategy developed under paragraph (1) of subsection (b);

(2) the plan developed under paragraph (2) of such subsection;

(3) the plan developed under subsection (c); and

(4) the cost-sharing model developed under subsection (d).

TITLE IV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

SEC. 401. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES, AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

''(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (a) and promulgated and set forth under subpart A of title 32, Code of Federal Regulations, or successor regulations, shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.''.

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

''(d) PUBLICATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

''(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

''(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a)—

''(i) are published in the Federal Register; and

''(ii) comply with the requirements of subsection (a).

''(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective.''.

(c) CONSISTENCY.—

(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

''SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(b) IN GENERAL.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the head of the agency—

''(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

''(2) does not discriminate for or against an individual on the basis of race, ethnicity, color, religion, sex, national origin, age, or handicap;

''(3) is not carrying out—

''(A) retaliation for political activities or beliefs; or

''(B) a coercion or reprisal described in section 2302(b)(3) of title 5, United States Code; and

''(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following:

''Sec. 801A. Decisions relating to access to classified information.''.

(d) RIGHT TO APPEAL.—

(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

''SEC. 801B. RIGHT TO APPEAL.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) COVERED PERSON.—The term 'covered person' means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

''(A) A member of the Armed Forces.

''(B) A civilian.

''(C) An expert or consultant with a contractual or personnel obligation to an agency.

''(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(4) NEED FOR ACCESS.—The term 'need for access' has such meaning as the President may define in the procedures established pursuant to section 801(a).

''(5) RECIPROCITY OF CLEARANCE.—The term 'reciprocity of clearance', with respect to a denial by an agency, means that the agency, with respect to a covered person—

''(A) failed to accept a security clearance background investigation as required by paragraph (1) of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(d));

''(B) failed to accept a transferred security clearance background investigation required by paragraph (2) of such section;

''(C) subjected the covered person to an additional investigative or adjudicative requirement in violation of paragraph (3) of such section; or

''(D) conducted an investigation in violation of paragraph (4) of such section.

''(6) SECURITY EXECUTIVE AGENT.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

''(b) AGENCY REVIEW.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency or for whom reciprocity of clearance was denied by the agency can appeal that denial or revocation within the agency.

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

''(A) In the case of a covered person to whom eligibility for access to classified information or reciprocity of clearance is denied or revoked by an agency, the following:

''(i) The head of the agency shall provide the covered person with a written—

''(I) detailed explanation of the basis for the denial or revocation as the head of the agency determines is consistent with the interests of national security and as permitted by other applicable provisions of law; and

''(II) notice of the right of the covered person to a hearing and appeal under this subsection.

''(ii) Not later than 30 days after receiving a request from the covered person for copies of the documents that formed the basis of the agency's decision to revoke or deny, including the investigative file, the head of the agency shall provide to the covered person copies of such documents as—

''(I) the head of the agency determines is consistent with the interests of national security; and

''(II) permitted by other applicable provisions of law, including—

''(aa) section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(bb) section 552a of such title (commonly known as the 'Privacy Act of 1974'); and

''(cc) such other provisions of law relating to the protection of confidential sources and privacy of individuals.

''(iii)(I) The covered person shall have the opportunity to retain counsel or other representation at the covered person's expense.

''(II) Upon the request of the covered person, and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

''(iv)(I) The head of the agency shall provide the covered person an opportunity, at a point in the process determined by the agency head—

''(aa) to appear personally before an adjudicative or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

''(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses is not consistent with the interests of national security.

''(II) The head of the agency shall make, as part of the security record of the covered person, a written summary, transcript, or recording of any appearance under item (aa) of subclause (I) or of any calling or cross-examining of witnesses under item (bb) of such subclause.

''(v) On or before the date that is 30 days after the date on which the covered person receives copies of documents under clause (ii), the covered person may request a hearing of the decision to deny or revoke by filing a written appeal with the head of the agency.

''(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

''(3) AGENCY REVIEW PANELS.—

''(A) IN GENERAL.—Each head of an agency shall establish a panel to hear and review appeals under this subsection.

''(B) MEMBERSHIP.—

''(i) COMPOSITION.—Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.

''(ii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

''(C) DECISIONS.—

''(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

''(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head personally exercises the authority granted by this clause to overturn such decision.

''(iv) FINALITY.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final.

''(D) ACCESS TO CLASSIFIED INFORMATION.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the agency head determines—

''(i) necessary for the panel to hear and review an appeal under this subsection; and

''(ii) consistent with the interests of national security.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head's agency under this subsection has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—Each head of an agency shall publish each final decision on an appeal under this subsection.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(c) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeals process under this section.

''(2) WAIVER OF RIGHTS.—

''(A) PERSONS.—Any covered person may voluntarily waive the covered person's right to appeal under this section and such waiver shall be conclusive.

''(B) AGENCIES.—The head of an agency may not require a covered person to waive the covered person's right to appeal under this section for any reason.

''(d) WAIVER OF AVAILABILITY OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

''(1) IN GENERAL.—If the head of an agency determines that a procedure established under subsection (b) cannot be made available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

''(2) FINALITY.—A determination under paragraph (1) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(3) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under subsection (b) cannot be made available to a covered person, the agency head shall, not later than 30 days after the date on which the agency head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(e) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.—

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance in the interest of national security.

''(2) DENIALS AND REVOCATION.—The power and responsibility to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance pursuant to any other provision of law or Executive order may be exercised only when the head of an agency determines that an applicable process established under this section cannot be invoked in a manner that is consistent with national security.

''(3) FINALITY.—A determination under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(4) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that a determination relating to a denial or revocation of eligibility for access to classified information or denial of reciprocity of clearance could not be made pursuant to a process established under this section, the agency head shall, not later than 30 days after the date on which the agency head makes such a determination under paragraph (2), submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(f) RELATIONSHIP TO SUITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purpose of denying a covered person the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information or a denial of reciprocity of clearance.

''(g) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DEFENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in this section shall be construed to diminish or otherwise affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

''(h) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed to apply to paragraphs (6) and (7) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

''Sec. 801B. Right to appeal.''.

SEC. 402. ESTABLISHING PROCESS PARITY FOR SECURITY CLEARANCE REVOCATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) BURDENS OF PROOF.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 403. FEDERAL POLICY ON SHARING OF DEROGATORY INFORMATION PERTAINING TO CONTRACTOR EMPLOYEES IN THE TRUSTED WORKFORCE.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the principal members of the Performance Accountability Council and the Attorney General, shall issue a policy for the Federal Government on sharing of derogatory information pertaining to contractor employees engaged by the Federal Government.

(b) CONSENT REQUIREMENT.—

(1) IN GENERAL.—The policy issued under subsection (a) shall require, as a condition of accepting a security clearance with the Federal Government, that a contractor employee provide prior written consent for the Federal Government to share covered derogatory information with the chief security officer of the contractor employer that employs the contractor employee.

(2) COVERED DEROGATORY INFORMATION.—For purposes of this section, covered derogatory information—

(A) is information that—

(i) contravenes National Security Adjudicative Guidelines as specified in Security Executive Agent Directive 4 (10 C.F.R. 710 app. A), or any successor Federal policy;

(ii) a Federal Government agency certifies is accurate and reliable;

(iii) is relevant to a contractor's ability to protect against insider threats as required by section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(iv) may have a bearing on the contractor employee's suitability for a position of public trust or to receive credentials to access certain facilities of the Federal Government; and

(B) shall include any negative information considered in the adjudicative process, including information provided by the contractor employee on forms submitted for the processing of the contractor employee's security clearance.

(c) ELEMENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of a contractor employee engaged with the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guideline it falls under, with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer exclusively for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual;

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information;

(4) establish standards for timeliness for sharing the derogatory information;

(5) specify the methods by which covered derogatory information will be shared with the contractor employer of the contractor employee;

(6) allow the contractor employee, within a specified timeframe, the right—

(A) to contest the accuracy and reliability of covered derogatory information;

(B) to address or remedy any concerns raised by the covered derogatory information; and

(C) to provide documentation pertinent to subparagraph (A) or (B) for an agency to place in relevant security clearance databases;

(7) establish a procedure by which the contractor employer of the contractor employee may consult with the Federal Government prior to taking any remedial action under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information the Federal agency has provided;

(8) stipulate that the chief security officer of the contractor employer is prohibited from sharing or discussing covered derogatory information with other parties, including nonsecurity professionals at the contractor employer; and

(9) require companies in the National Industrial Security Program to comply with the policy.

(d) CONSIDERATION OF LESSONS LEARNED FROM INFORMATION-SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.—In developing the policy issued under subsection (a), the Director shall consider, to the extent available, lessons learned from actions taken to carry out section 6611(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

TITLE V—REPORTS AND OTHER MATTERS

Subtitle A—Wireless Supply Chain Innovation and Multilateral Security

SEC. 501. DEFINITIONS.

In this subtitle:

(1) 3GPP.—The term ''3GPP'' means the Third Generation Partnership Project.

(2) 5G NETWORK.—The term ''5G network'' means a radio network as described by 3GPP Release 15 or higher.

(3) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

(4) NTIA ADMINISTRATOR.—The term ''NTIA Administrator'' means the Assistant Secretary of Commerce for Communications and Information.

(5) OPEN-RAN.—The term ''Open-RAN'' means the Open Radio Access Network approach to standardization adopted by the O-RAN Alliance, Telecom Infra Project, or 3GPP, or any similar set of open standards for multi-vendor network equipment interoperability.

(6) RELEVANT COMMITTEES OF CONGRESS.—The term ''relevant committees of Congress'' means—

(A) the Select Committee on Intelligence of the Senate;

(B) the Committee on Foreign Relations of the Senate;

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

(D) the Committee on Armed Services of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate;

(F) the Committee on Appropriations of the Senate;

(G) the Permanent Select Committee on Intelligence of the House of Representatives;

(H) the Committee on Foreign Affairs of the House of Representatives;

(I) the Committee on Homeland Security of the House of Representatives;

(J) the Committee on Armed Services of the House of Representatives;

(K) the Committee on Energy and Commerce of the House of Representatives; and

(L) the Committee on Appropriations of the House of Representatives.

SEC. 502. COMMUNICATIONS TECHNOLOGY SECURITY FUNDS.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated for fiscal years 2021 through 2031—

(A) $50,000,000 for the Public Wireless Supply Chain Innovation Fund established under subsection (b) of this section; and

(B) $25,000,000 for the Multilateral Telecommunications Security Fund established under subsection (c) of this section.

(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available through fiscal year 2031.

(b) PUBLIC WIRELESS SUPPLY CHAIN INNOVATION FUND.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Public Wireless Supply Chain Innovation Fund'' (referred to in this subsection as the ''R&D Fund'').

(B) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the R&D Fund shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act.

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the R&D Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(2) USE OF FUND.—

(A) IN GENERAL.—Amounts appropriated to the R&D Fund shall be available to the NTIA Administrator to make grants under this subsection in such amounts as the NTIA Administrator determines appropriate, subject to clause (ii) of this subparagraph.

(B) LIMITATION ON GRANT AMOUNTS.—The amount of a grant awarded under this subsection to a recipient for a specific research focus area may not exceed $50,000,000.

(3) ADMINISTRATION OF FUND.—The NTIA Administrator, in consultation with the Commission, the Director of the National Institute of Standards and Technology, the Secretary of Homeland Security, the Secretary of Defense, and the Director of the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence, shall establish criteria for grants awarded under this subsection, and administer the R&D Fund, to support research and the commercial application of that research, including in the following areas:

(A) Promoting the development of technology, including software, hardware, and microprocessing technology, that will enhance competitiveness in the fifth-generation (commonly known as ''5G'') and successor wireless technology supply chains.

(B) Accelerating development and deployment of open interface standards-based compatible, interoperable equipment, such as equipment developed pursuant to the standards set forth by organizations such as the O-RAN Alliance, the Telecom Infra Project, 3GPP, the Open-RAN Software Community, or any successor organizations.

(C) Promoting compatibility of new 5G equipment with future open standards-based, interoperable equipment.

(D) Managing integration of multi-vendor network environments.

(E) Objective criteria to define equipment as compliant with open standards for multi-vendor network equipment interoperability.

(F) Promoting development and inclusion of security features enhancing the integrity and availability of equipment in multi-vendor networks.

(G) Promoting the application of network function virtualization to facilitate multi-vendor interoperability and a more diverse vendor market.

(4) TIMING.—Not later than 1 year after the date of enactment of this Act, the NTIA Administrator shall begin awarding grants under this subsection.

(5) FEDERAL ADVISORY BODY.—

(A) ESTABLISHMENT.—The NTIA Administrator shall establish a Federal advisory committee, in accordance with the Federal Advisory Committee Act (5 U.S.C. App.), composed of government and private sector experts, to advise the NTIA Administrator on the administration of the R&D Fund.

(B) COMPOSITION.—The advisory committee established under subparagraph (A) shall be composed of—

(i) representatives from—

(I) the Commission;

(II) the Department of Defense;

(III) the Intelligence Advanced Research Projects Activity of the Office of the Director of National Intelligence;

(IV) the National Institute of Standards and Technology;

(V) the Department of State;

(VI) the National Science Foundation; and

(VII) the Department of Homeland Security; and

(ii) other representatives from the private and public sectors, at the discretion of the NTIA Administrator.

(C) DUTIES.—The advisory committee established under subparagraph (A) shall advise the NTIA Administrator on technology developments to help inform—

(i) the strategic direction of the R&D Fund; and

(ii) efforts of the Federal Government to promote a more secure, diverse, sustainable, and competitive supply chain.

(6) REPORTS TO CONGRESS.—

(A) INITIAL REPORT.—Not later than 180 days after the date of enactment of this Act, the NTIA Administrator shall submit to the relevant committees of Congress a report with—

(i) additional recommendations on promoting the competitiveness and sustainability of trusted suppliers in the wireless supply chain; and

(ii) any additional authorities needed to facilitate the timely adoption of open standards-based equipment, including authority to provide loans, loan guarantees, and other forms of credit extension that would maximize the use of designated funds.

(B) ANNUAL REPORT.—For each fiscal year for which amounts in the R&D Fund are available under this subsection, the NTIA Administrator shall submit to Congress a report that—

(i) describes how, and to whom, amounts in the R&D Fund have been deployed;

(ii) details the progress of the NTIA Administrator in meeting the objectives described in paragraph (3); and

(iii) includes any additional information that the NTIA Administrator determines appropriate.

(c) MULTILATERAL TELECOMMUNICATIONS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—

(A) IN GENERAL.—There is established in the Treasury of the United States a trust fund to be known as the ''Multilateral Telecommunications Security Fund''.

(B) USE OF FUND.—Amounts appropriated to the Multilateral Telecommunications Security Fund shall be available to the Secretary of State to make expenditures under this subsection in such amounts as the Secretary of State determines appropriate.

(C) AVAILABILITY.—

(i) IN GENERAL.—Amounts deposited in the Multilateral Telecommunications Security Fund—

(I) shall remain available through the end of the tenth fiscal year beginning after the date of enactment of this Act; and

(II) may only be allocated upon the Secretary of State reaching an agreement with foreign government partners to participate in the common funding mechanism described in paragraph (2).

(ii) REMAINDER TO TREASURY.—Any amounts remaining in the Multilateral Telecommunications Security Fund after the end of the tenth fiscal year beginning after the date of enactment of this Act shall be deposited in the general fund of the Treasury.

(2) ADMINISTRATION OF FUND.—The Secretary of State, in consultation with the NTIA Administrator, the Secretary of Homeland Security, the Secretary of Defense, the Secretary of the Treasury, the Director of National Intelligence, and the Commission, shall establish a common funding mechanism, in coordination with foreign partners, that uses amounts from the Multilateral Telecommunications Security Fund to support the development and adoption of secure and trusted telecommunications technologies.

(3) ANNUAL REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Multilateral Telecommunications Security Fund are available, the Secretary of State shall submit to the relevant committees of Congress a report on the status and progress of the funding mechanism established under paragraph (2), including—

(A) any funding commitments from foreign partners, including each specific amount committed;

(B) governing criteria for use of the Multilateral Telecommunications Security Fund;

(C) an account of—

(i) how, and to whom, funds have been deployed;

(ii) amounts remaining in the Multilateral Telecommunications Security Fund; and

(iii) the progress of the Secretary of State in meeting the objective described in paragraph (2); and

(D) additional authorities needed to enhance the effectiveness of the Multilateral Telecommunications Security Fund in achieving the security goals of the United States.

SEC. 503. PROMOTING UNITED STATES LEADERSHIP IN INTERNATIONAL ORGANIZATIONS AND COMMUNICATIONS STANDARDS-SETTING BODIES.

(a) IN GENERAL.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission, or their designees, shall consider how to enhance representation of the United States at international forums that set standards for 5G networks and for future generations of wireless communications networks, including—

(1) the International Telecommunication Union (commonly known as ''ITU'');

(2) the International Organization for Standardization (commonly known as ''ISO'');

(3) the Inter-American Telecommunications Commission (commonly known as ''CITEL''); and

(4) the voluntary standards organizations that develop protocols for wireless devices and other equipment, such as the 3GPP and the Institute of Electrical and Electronics Engineers (commonly known as ''IEEE'').

(b) ANNUAL REPORT.—The Secretary of State, the Secretary of Commerce, and the Chairman of the Commission shall jointly submit to the relevant committees of Congress an annual report on the progress made under subsection (a).

Subtitle B—Reports and Other Matters

SEC. 511. REPORT ON ATTEMPTS BY FOREIGN ADVERSARIES TO BUILD TELECOMMUNICATIONS AND CYBERSECURITY EQUIPMENT AND SERVICES FOR, OR TO PROVIDE SUCH EQUIPMENT AND SERVICES TO, CERTAIN ALLIES OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FIVE EYES COUNTRY.—The term ''Five Eyes country'' means any of the following:

(A) Australia.

(B) Canada.

(C) New Zealand.

(D) The United Kingdom.

(E) The United States.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency, the Director of the National Security Agency, and the Director of the Defense Intelligence Agency shall jointly submit to the appropriate committees of Congress a report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, Five Eyes countries.

(c) ELEMENTS.—The report submitted under subsection (b) shall include the following:

(1) An assessment of United States intelligence sharing and intelligence and military force posture in any Five Eyes country that currently uses or intends to use telecommunications or cybersecurity equipment or services provided by a foreign adversary of the United States, including China and Russia.

(2) A description and assessment of mitigation of any potential compromises or risks for any circumstance described in paragraph (1).

(d) FORM.—The report required by subsection (b) shall include an unclassified executive summary, and may include a classified annex.

SEC. 512. REPORT ON THREATS POSED BY USE BY FOREIGN GOVERNMENTS AND ENTITIES OF COMMERCIALLY AVAILABLE CYBER INTRUSION AND SURVEILLANCE TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats posed by the use by foreign governments and entities of commercially available cyber intrusion and other surveillance technology.

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

(1) Matters relating to threats described in subsection (a) as they pertain to the following:

(A) The threat posed to United States persons and persons inside the United States.

(B) The threat posed to United States personnel overseas.

(C) The threat posed to employees of the Federal Government, including through both official and personal accounts and devices.

(2) A description of which foreign governments and entities pose the greatest threats from the use of technology described in subsection (a) and the nature of those threats.

(3) An assessment of the source of the commercially available cyber intrusion and other surveillance technology that poses the threats described in subsection (a), including whether such technology is made by United States companies or companies in the United States or by foreign companies.

(4) An assessment of actions taken, as of the date of the enactment of this Act, by the Federal Government and foreign governments to limit the export of technology described in subsection (a) from the United States or foreign countries to foreign governments and entities in ways that pose the threats described in such subsection.

(5) Matters relating to how the Federal Government, Congress, and foreign governments can most effectively mitigate the threats described in subsection (a), including matters relating to the following:

(A) Working with the technology and telecommunications industry to identify and improve the security of consumer software and hardware used by United States persons and persons inside the United States that is targeted by commercial cyber intrusion and surveillance software.

(B) Export controls.

(C) Diplomatic pressure.

(D) Trade agreements.

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

SEC. 513. REPORTS ON RECOMMENDATIONS OF THE CYBERSPACE SOLARIUM COMMISSION.

(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Homeland Security, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representatives.

(b) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each head of an agency described in subsection (c) shall submit to the appropriate committees of Congress a report on the recommendations included in the report issued by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(c) AGENCIES DESCRIBED.—The agencies described in this subsection are the following:

(1) The Office of the Director of National Intelligence.

(2) The Department of Homeland Security.

(3) The Department of Energy.

(4) The Department of Commerce.

(5) The Department of Defense.

(d) CONTENTS.—Each report submitted under subsection (b) by the head of an agency described in subsection (c) shall include the following:

(1) An evaluation of the recommendations in the report described in subsection (b) that the agency identifies as pertaining directly to the agency.

(2) A description of the actions taken, or the actions that the head of the agency may consider taking, to implement any of the recommendations (including a comprehensive estimate of requirements for appropriations to take such actions).

SEC. 514. ASSESSMENT OF CRITICAL TECHNOLOGY TRENDS RELATING TO ARTIFICIAL INTELLIGENCE, MICROCHIPS, AND SEMICONDUCTORS AND RELATED SUPPLY CHAINS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a detailed assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.

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

(1) EXPORT CONTROLS.—

(A) IN GENERAL.—An assessment of efforts by partner countries to enact and implement export controls and other technology transfer measures with respect to artificial intelligence, microchips, advanced manufacturing equipment, and other artificial intelligence enabled technologies critical to United States supply chains.

(B) IDENTIFICATION OF OPPORTUNITIES FOR COOPERATION.—The assessment under subparagraph (A) shall identify opportunities for further cooperation with international partners on a multilateral and bilateral basis to strengthen export control regimes and address technology transfer threats.

(2) SEMICONDUCTOR SUPPLY CHAINS.—

(A) IN GENERAL.—An assessment of global semiconductor supply chains, including areas to reduce United States vulnerabilities and maximize points of leverage.

(B) ANALYSIS OF POTENTIAL EFFECTS.—The assessment under subparagraph (A) shall include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.

(C) IDENTIFICATION OF OPPORTUNITIES FOR DIVERSIFICATION.—The assessment under subparagraph (A) shall also identify opportunities for diversification of United States supply chains, including an assessment of cost, challenges, and opportunities to diversify manufacturing capabilities on a multinational basis.

(3) COMPUTING POWER.—An assessment of trends relating to computing power and the effect of such trends on global artificial intelligence development and implementation, in consultation with the Director of the Intelligence Advanced Research Projects Activity, the Director of the Defense Advanced Research Projects Agency, and the Director of the National Institute of Standards and Technology, including forward-looking assessments of how computing resources may affect United States national security, innovation, and implementation relating to artificial intelligence.

(c) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Financial Services,

and the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the assessment completed under subsection (a).

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

SEC. 515. COMBATING CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES AND STRENGTHENING CIVIL LIBERTIES PROTECTIONS.

(a) UPDATES TO ANNUAL REPORTS ON INFLUENCE OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY THE CHINESE COMMUNIST PARTY.—Section 1107(b) of the National Security Act of 1947 (50 U.S.C. 3237(b)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

''(8) An identification of influence activities and operations employed by the Chinese Communist Party against the United States science and technology sectors, specifically employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States.''.

(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION TO INCREASE PUBLIC AWARENESS AND DETECTION OF INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a plan—

(A) to increase public awareness of influence activities by the Government of the People's Republic of China; and

(B) to publicize mechanisms that members of the public can use—

(i) to detect such activities; and

(ii) to report such activities to the Bureau.

(2) CONSULTATION.—In carrying out paragraph (1), the Director shall consult with the following:

(A) The Director of the Office of Science and Technology Policy.

(B) Such other stakeholders outside the intelligence community, including professional associations, institutions of higher education, businesses, and civil rights and multicultural organizations, as the Director determines relevant.

(c) RECOMMENDATIONS OF THE FEDERAL BUREAU OF INVESTIGATION TO STRENGTHEN RELATIONSHIPS AND BUILD TRUST WITH COMMUNITIES OF INTEREST.—

(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in consultation with the Assistant Attorney General for the Civil Rights Division and the Chief Privacy and Civil Liberties Officer of the Department of Justice, shall develop recommendations to strengthen relationships with communities targeted by influence activities of the Government of the People's Republic of China and build trust with such communities through local and regional grassroots outreach.

(2) SUBMITTAL TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to Congress the recommendations developed under paragraph (1).

(d) TECHNICAL CORRECTIONS.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) in section 1107 (50 U.S.C. 3237)—

(A) in the section heading, by striking ''**COMMUNIST PARTY OF CHINA**'' and inserting ''**CHINESE COMMUNIST PARTY**''; and

(B) by striking ''Communist Party of China'' both places it appears and inserting ''Chinese Communist Party''; and

(2) in the table of contents before section 2 (50 U.S.C. 3002), by striking the item relating to section 1107 and inserting the following new item:

''Sec. 1107. Annual reports on influence operations and campaigns in the United States by the Chinese Communist Party.''.

SEC. 516. ANNUAL REPORT ON CORRUPT ACTIVITIES OF SENIOR OFFICIALS OF THE CHINESE COMMUNIST PARTY.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter through 2025, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on the corruption and corrupt activities of senior officials of the Chinese Communist Party.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report under paragraph (1) shall include the following:

(i) A description of the wealth of, and corruption and corrupt activities among, senior officials of the Chinese Communist Party.

(ii) A description of any recent actions of the officials described in clause (i) that could be considered a violation, or potential violation, of United States law.

(iii) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) for the corruption and corrupt activities described in that clause and for the actions described in clause (ii).

(B) SCOPE OF REPORTS.—The first report under paragraph (1) shall include comprehensive information on the matters described in subparagraph (A). Any succeeding report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(3) COORDINATION.—In preparing each report, update, or supplement under this subsection, the Director of the Central Intelligence Agency shall coordinate as follows:

(A) In preparing the description required by clause (i) of paragraph (2)(A), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(B) In preparing the descriptions required by clauses (ii) and (iii) of such paragraph, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(4) FORM.—Each report under paragraph (1) shall include an unclassified executive summary, and may include a classified annex.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake every effort and pursue every opportunity to expose the corruption and illicit practices of senior officials of the Chinese Communist Party, including President Xi Jinping.

SEC. 517. REPORT ON CORRUPT ACTIVITIES OF RUSSIAN AND OTHER EASTERN EUROPEAN OLIGARCHS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress and the Undersecretary of State for Public Diplomacy and Public Affairs a report on the corruption and corrupt activities of Russian and other Eastern European oligarchs.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report under subsection (b) shall include the following:

(A) A description of corruption and corrupt activities among Russian and other Eastern European oligarchs who support the Government of the Russian Federation, including estimates of the total assets of such oligarchs.

(B) An assessment of the impact of the corruption and corrupt activities described pursuant to subparagraph (A) on the economy and citizens of Russia.

(C) A description of any connections to, or support of, organized crime, drug smuggling, or human trafficking by an oligarch covered by subparagraph (A).

(D) A description of any information that reveals corruption and corrupt activities in Russia among oligarchs covered by subparagraph (A).

(E) A description and assessment of potential sanctions actions that could be imposed upon oligarchs covered by subparagraph (A) who support the leadership of the Government of Russia, including President Vladimir Putin.

(2) SCOPE OF REPORTS.—The first report under subsection (a) shall include comprehensive information on the matters described in paragraph (1). Any succeeding report under subsection (a) may consist of an update or supplement to the preceding report under that subsection.

(d) COORDINATION.—In preparing each report, update, or supplement under this section, the Director of the Central Intelligence Agency shall coordinate as follows:

(1) In preparing the assessment and descriptions required by subparagraphs (A) through (D) of subsection (c)(1), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(2) In preparing the description and assessment required by subparagraph (E) of such subsection, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(e) FORM.—

(1) IN GENERAL.—Subject to paragraph (2), each report under subsection (b) shall include an unclassified executive summary, and may include a classified annex.

(2) UNCLASSIFIED FORM OF CERTAIN INFORMATION.—The information described in subsection (c)(1)(D) in each report under subsection (b) shall be submitted in unclassified form.

SEC. 518. REPORT ON BIOSECURITY RISK AND DISINFORMATION BY THE CHINESE COMMUNIST PARTY AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

(2) CRITICAL INFRASTRUCTURE.—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)).

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report identifying whether and how officials of the Chinese Communist Party and the Government of the People's Republic of China may have sought—

(1) to suppress information about—

(A) the outbreak of the novel coronavirus in Wuhan;

(B) the spread of the virus through China; and

(C) the transmission of the virus to other countries;

(2) to spread disinformation relating to the pandemic; or

(3) to exploit the pandemic to advance their national security interests.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments of reported actions and the effect of those actions on efforts to contain the novel coronavirus pandemic, including each of the following:

(1) The origins of the novel coronavirus outbreak, the time and location of initial infections, and the mode and speed of early viral spread.

(2) Actions taken by the Government of China to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(3) The effect of disinformation or the failure of the Government of China to fully disclose details of the outbreak on response efforts of local governments in China and other countries.

(4) Diplomatic, political, economic, intelligence, or other pressure on other countries and international organizations to conceal information about the spread of the novel coronavirus and the response of the Government of China to the contagion, as well as to influence or coerce early responses to the pandemic by other countries.

(5) Efforts by officials of the Government of China to deny access to health experts and international health organizations to afflicted individuals in Wuhan, pertinent areas of the city, or laboratories of interest in China, including the Wuhan Institute of Virology.

(6) Efforts by the Government of China, or those acting at its direction or with its assistance, to conduct cyber operations against international, national, or private health organizations conducting research relating to the novel coronavirus or operating in response to the pandemic.

(7) Efforts to control, restrict, or manipulate relevant segments of global supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(8) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(9) Efforts to exploit the disruption of the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in order to advance the economic and political objectives of the Government of China following the pandemic.

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

SEC. 519. REPORT ON EFFECT OF LIFTING OF UNITED NATIONS ARMS EMBARGO ON ISLAMIC REPUBLIC OF IRAN.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency, in consultation with such heads of other elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on—

(1) the plans of the Government of the Islamic Republic of Iran to acquire military arms if the ban on arms transfers to or from such government under United Nations Security Council resolutions are lifted; and

(2) the effect such arms acquisitions may have on regional security and stability.

(c) CONTENTS.—The report submitted under subsection (b) shall include assessments relating to plans of the Government of the Islamic Republic of Iran to acquire additional weapons, the intention of other countries to provide such weapons, and the effect such acquisition and provision would have on regional stability, including with respect to each of the following:

(1) The type and quantity of weapon systems under consideration for acquisition.

(2) The countries of origin of such systems.

(3) Likely reactions of other countries in the region to such acquisition, including the potential for proliferation by other countries in response.

(4) The threat that such acquisition could present to international commerce and energy supplies in the region, and the potential implications for the national security of the United States.

(5) The threat that such acquisition could present to the Armed Forces of the United States, of countries allied with the United States, and of countries partnered with the United States stationed in or deployed in the region.

(6) The potential that such acquisition could be used to deliver chemical, biological, or nuclear weapons.

(7) The potential for the Government of the Islamic Republic of Iran to proliferate weapons acquired in the absence of an arms embargo to regional groups, including Shi'a militia groups backed by such government.

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

SEC. 520. REPORT ON IRANIAN ACTIVITIES RELATING TO NUCLEAR NONPROLIFERATION.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing—

(1) any relevant activities potentially relating to nuclear weapons research and development by the Islamic Republic of Iran; and

(2) any relevant efforts to afford or deny international access in accordance with international nonproliferation agreements.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments, for the period beginning on January 1, 2018, and ending on the date of the submittal of the report, of the following:

(1) Activities to research, develop, or enrich uranium or reprocess plutonium with the intent or capability of creating weapons-grade nuclear material.

(2) Research, development, testing, or design activities that could contribute to or inform construction of a device intended to initiate or capable of initiating a nuclear explosion.

(3) Efforts to receive, transmit, store, destroy, relocate, archive, or otherwise preserve research, processes, products, or enabling materials relevant or relating to any efforts assessed under paragraph (1) or (2).

(4) Efforts to afford or deny international access, in accordance with international nonproliferation agreements, to locations, individuals, and materials relating to activities described in paragraph (1), (2), or (3).

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

SEC. 521. SENSE OF CONGRESS ON THIRD OPTION FOUNDATION.

It is the sense of the Congress that—

(1) the work of the Third Option Foundation to heal, help, and honor members of the special operations community of the Central Intelligence Agency and their families is invaluable; and

(2) the Director of the Central Intelligence Agency should work closely with the Third Option Foundation in implementing section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b), as added by section 6412 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92).

SA 2227. Mr. PERDUE (for himself and Mrs. LOEFFLER) submitted an amendment intended to be proposed by

him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

Section 219(d)(2) is amended by inserting ''and shall include a survey of the availability of such infrastructure in the United States, including commercial capabilities'' before the period.

SA 2228. Mr. MORAN submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS

SEC. 1701. REFERENCES TO NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COMMISSIONED OFFICER CORPS ACT OF 2002.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001 et seq.).

Subtitle A—General Provisions

SEC. 1711. STRENGTH AND DISTRIBUTION IN GRADE.

Section 214 (33 U.S.C. 3004) is amended to read as follows:

''SEC. 214. STRENGTH AND DISTRIBUTION IN GRADE.

''(a) GRADES.—The commissioned grades in the commissioned officer corps of the Administration are the following, in relative rank with officers of the Navy:

''(1) Vice admiral.

''(2) Rear admiral.

''(3) Rear admiral (lower half).

''(4) Captain.

''(5) Commander.

''(6) Lieutenant commander.

''(7) Lieutenant.

''(8) Lieutenant (junior grade).

''(9) Ensign.

''(b) GRADE DISTRIBUTION.—The Secretary shall prescribe, with respect to the distribution on the lineal list in grade, the percentages applicable to the grades set forth in subsection (a).

''(c) ANNUAL COMPUTATION OF NUMBER IN GRADE.—

''(1) IN GENERAL.—Not less frequently than once each year, the Secretary shall make a computation to determine the number of officers on the lineal list authorized to be serving in each grade.

''(2) METHOD OF COMPUTATION.—The number in each grade shall be computed by applying the applicable percentage to the total number of such officers serving on active duty on the date the computation is made.

''(3) FRACTIONS.—If a final fraction occurs in computing the authorized number of officers in a grade, the nearest whole number shall be taken. If the fraction is one-half, the next higher whole number shall be taken.

''(d) TEMPORARY INCREASE IN NUMBERS.—The total number of officers authorized by law to be on the lineal list during a fiscal year may be temporarily exceeded if the average number on that list during that fiscal year does not exceed the authorized number.

''(e) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228(a) and officers recalled from retired status shall not be counted when computing authorized strengths under subsection (c) and shall not count against those strengths.

''(f) PRESERVATION OF GRADE AND PAY.—No officer may be reduced in grade or pay or separated from the commissioned officer corps of the Administration as the result of a computation made to determine the authorized number of officers in the various grades.''.

SEC. 1712. RECALLED OFFICERS.

(a) IN GENERAL.—Section 215 (33 U.S.C. 3005) is amended to read as follows:

''SEC. 215. NUMBER OF AUTHORIZED COMMISSIONED OFFICERS.

''(a) IN GENERAL.—The total number of authorized commissioned officers on the lineal list of the commissioned officer corps of the Administration shall not exceed 500.

''(b) POSITIONS OF IMPORTANCE AND RESPONSIBILITY.—Officers serving in positions designated under section 228 and officers recalled from retired status or detailed to an agency other than the Administration—

''(1) may not be counted in determining the total number of authorized officers on the lineal list under this section; and

''(2) may not count against such number.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 215 and inserting the following:

''Sec. 215. Number of authorized commissioned officers.''.

SEC. 1713. OBLIGATED SERVICE REQUIREMENT.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.) is amended by adding at the end the following:

''SEC. 216. OBLIGATED SERVICE REQUIREMENT.

''(a) IN GENERAL.—

''(1) REGULATIONS.—The Secretary shall prescribe the obligated service requirements for appointments, training, promotions, separations, continuations, and retirements of officers not otherwise covered by law.

''(2) WRITTEN AGREEMENTS.—The Secretary and officers shall enter into written agreements that describe the officers' obligated service requirements prescribed under paragraph (1) in return for such appointments, training, promotions, separations, continuations, and retirements as the Secretary considers appropriate.

''(b) REPAYMENT FOR FAILURE TO SATISFY REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary may require an officer who fails to meet the service requirements prescribed under subsection (a)(1) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the training provided to that officer by the Secretary as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve.

''(2) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary under paragraph (1) is, for all purposes, a debt owed to the United States.

''(3) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11 that is entered less than five years after the termination of a written agreement entered into under subsection (a)(2) does not discharge the individual signing the agreement from a debt arising under such agreement.

''(c) WAIVER OR SUSPENSION OF COMPLIANCE.—The Secretary may waive the service obligation of an officer who—

''(1) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that officer; or

''(2) is—

''(A) not physically qualified for appointment; and

''(B) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the officer's own misconduct or grossly negligent conduct.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 215 the following:

''Sec. 216. Obligated service requirement.''.

SEC. 1714. TRAINING AND PHYSICAL FITNESS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1713(a), is further amended by adding at the end the following:

''SEC. 217. TRAINING AND PHYSICAL FITNESS.

''(a) TRAINING.—The Secretary may take such measures as may be necessary to ensure that officers are prepared to carry out their duties in the commissioned officer corps of the Administration and proficient in the skills necessary to carry out such duties. Such measures may include the following:

''(1) Carrying out training programs and correspondence courses, including establishing and operating a basic officer training program to provide initial indoctrination and maritime vocational training for officer candidates as well as refresher training, mid-career training, aviation training, and such other training as the Secretary considers necessary for officer development and proficiency.

''(2) Providing officers and officer candidates with educational materials.

''(3) Acquiring such equipment as may be necessary for training and instructional purposes.

''(b) PHYSICAL FITNESS.—The Secretary shall ensure that officers maintain a high physical state of readiness by establishing standards of physical fitness for officers that are substantially equivalent to those prescribed for officers in the Coast Guard.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1713(b), is further amended by inserting after the item relating to section 216 the following:

''Sec. 217. Training and physical fitness.''.

SEC. 1715. AVIATION ACCESSION TRAINING PROGRAMS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1714(a), is further amended by adding at the end the following:

''SEC. 218. AVIATION ACCESSION TRAINING PROGRAMS.

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Under Secretary of Commerce for Oceans and Atmosphere and the Administrator of the National Oceanic and Atmospheric Administration.

''(2) MEMBER OF THE PROGRAM.—The term 'member of the program' means a student who is enrolled in the program.

''(3) PROGRAM.—The term 'program' means an aviation accession training program of

the commissioned officer corps of the Administration established pursuant to subsection (b).

''(b) AVIATION ACCESSION TRAINING PROGRAMS.—

''(1) ESTABLISHMENT AUTHORIZED.—The Administrator, under regulations prescribed by the Secretary, shall establish and maintain one or more aviation accession training programs for the commissioned officer corps of the Administration at institutions described in paragraph (2).

''(2) INSTITUTIONS DESCRIBED.—An institution described in this paragraph is an educational institution—

''(A) that requests to enter into an agreement with the Administrator providing for the establishment of the program at the institution;

''(B) that has, as a part of its curriculum, a four-year baccalaureate program of professional flight and piloting instruction that is accredited by the Aviation Accreditation Board International;

''(C) that is located in a geographic area that—

''(i) experiences a wide variation in climate-related activity, including frequent high winds, convective activity (including tornadoes), periods of low visibility, heat, and snow and ice episodes, to provide opportunities for pilots to demonstrate skill in all weather conditions compatible with future encounters during their service in the commissioned officer corps; and

''(ii) has a climate that can accommodate both primary and advanced flight training activity at least 75 percent of the year; and

''(D) at which the Administrator determines that—

''(i) there will be at least one student enrolled in the program; and

''(ii) the provisions of this section are otherwise satisfied.

''(3) LIMITATIONS IN CONNECTION WITH PARTICULAR INSTITUTIONS.—The program may not be established or maintained at an institution unless—

''(A) the senior commissioned officer or employee of the commissioned officer corps who is assigned as an advisor to the program at that institution is given the academic rank of adjunct professor; and

''(B) the institution fulfills the terms of its agreement with the Administrator.

''(4) MEMBERSHIP IN CONNECTION WITH STATUS AS STUDENT.—At institutions at which the program is established, the membership of students in the program shall be elective, as provided by State law or the authorities of the institution concerned.

''(c) MEMBERSHIP.—

''(1) ELIGIBILITY.—To be eligible for membership in the program, an individual must—

''(A) be a student at an institution at which the program is established;

''(B) be a citizen of the United States;

''(C) contract in writing, with the consent of a parent or guardian if a minor, with the Administrator, to—

''(i) accept an appointment, if offered, as a commissioned officer in the commissioned officer corps of the Administration; and

''(ii) serve in the commissioned officer corps for not fewer than four years;

''(D) enroll in—

''(i) a four-year baccalaureate program of professional flight and piloting instruction; and

''(ii) other training or education, including basic officer training, which is prescribed by the Administrator as meeting the preliminary requirement for admission to the commissioned officer corps; and

''(E) execute a certificate or take an oath relating to morality and conduct in such form as the Administrator prescribes.

''(2) COMPLETION OF PROGRAM.—A member of the program may be appointed as a regular officer in the commissioned officer corps if the member meets all requirements for appointment as such an officer.

''(d) FINANCIAL ASSISTANCE FOR QUALIFIED MEMBERS.—

''(1) EXPENSES OF COURSE OF INSTRUCTION.—

''(A) IN GENERAL.—In the case of a member of the program who meets such qualifications as the Administrator establishes for purposes of this subsection, the Administrator may pay the expenses of the member in connection with pursuit of a course of professional flight and piloting instruction under the program, including tuition, fees, educational materials such as books, training, certifications, travel, and laboratory expenses.

''(B) ASSISTANCE AFTER FOURTH ACADEMIC YEAR.—In the case of a member of the program described in subparagraph (A) who is enrolled in a course described in that subparagraph that has been approved by the Administrator and requires more than four academic years for completion, including elective requirements of the program, assistance under this subsection may also be provided during a fifth academic year or during a combination of a part of a fifth academic year and summer sessions.

''(2) ROOM AND BOARD.—In the case of a member eligible to receive assistance under paragraph (1), the Administrator may, in lieu of payment of all or part of such assistance, pay the room and board expenses of the member, and other educational expenses, of the educational institution concerned.

''(3) FAILURE TO COMPLETE PROGRAM OR ACCEPT COMMISSION.—A member of the program who receives assistance under this subsection and who does not complete the course of instruction, or who completes the course but declines to accept a commission in the commissioned officer corps when offered, shall be subject to the repayment provisions of subsection (e).

''(e) REPAYMENT OF UNEARNED PORTION OF FINANCIAL ASSISTANCE WHEN CONDITIONS OF PAYMENT NOT MET.—

''(1) IN GENERAL.—A member of the program who receives or benefits from assistance under subsection (d), and whose receipt of or benefit from such assistance is subject to the condition that the member fully satisfy the requirements of subsection (c), shall repay to the United States an amount equal to the assistance received or benefitted from if the member fails to fully satisfy such requirements and may not receive or benefit from any unpaid amounts of such assistance after the member fails to satisfy such requirements, unless the Administrator determines that the imposition of the repayment requirement and the termination of payment of unpaid amounts of such assistance with regard to the member would be—

''(A) contrary to a personnel policy or management objective;

''(B) against equity and good conscience; or

''(C) contrary to the best interests of the United States.

''(2) REGULATIONS.—The Administrator may establish, by regulations, procedures for determining the amount of the repayment required under this subsection and the circumstances under which an exception to repayment may be granted. The Administrator may specify in the regulations the conditions under which financial assistance to be paid to a member of the program will not be made if the member no longer satisfies the requirements in subsection (c) or qualifications in subsection (d) for such assistance.

''(3) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to repay the United States under this subsection is, for all purposes, a debt owed to the United States.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1714(b), is further amended by inserting after the item relating to section 217 the following:

''Sec. 218. Aviation accession training programs.''.

SEC. 1716. RECRUITING MATERIALS.

(a) IN GENERAL.—Subtitle A (33 U.S.C. 3001 et seq.), as amended by section 1715(a), is further amended by adding at the end the following:

''SEC. 219. USE OF RECRUITING MATERIALS FOR PUBLIC RELATIONS.

''The Secretary may use for public relations purposes of the Department of Commerce any advertising materials developed for use for recruitment and retention of personnel for the commissioned officer corps of the Administration. Any such use shall be under such conditions and subject to such restrictions as the Secretary shall prescribe.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1715(b), is further amended by inserting after the item relating to section 218 the following:

''Sec. 219. Use of recruiting materials for public relations.''.

SEC. 1717. TECHNICAL CORRECTION.

Section 101(21)(C) of title 38, United States Code, is amended by inserting ''in the commissioned officer corps'' before ''of the National''.

Subtitle B—Parity and Recruitment

SEC. 1721. EDUCATION LOANS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by adding at the end the following:

''SEC. 267. EDUCATION LOAN REPAYMENT PROGRAM.

''(a) AUTHORITY TO REPAY EDUCATION LOANS.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty who have skills required by the commissioned officer corps, the Secretary may repay, in the case of a person described in subsection (b), a loan that—

''(1) was used by the person to finance education; and

''(2) was obtained from a governmental entity, private financial institution, educational institution, or other authorized entity.

''(b) ELIGIBLE PERSONS.—To be eligible to obtain a loan repayment under this section, a person must—

''(1) satisfy one of the requirements specified in subsection (c);

''(2) be fully qualified for, or hold, an appointment as a commissioned officer in the commissioned officer corps of the Administration; and

''(3) sign a written agreement to serve on active duty, or, if on active duty, to remain on active duty for a period in addition to any other incurred active duty obligation.

''(c) ACADEMIC AND PROFESSIONAL REQUIREMENTS.—One of the following academic requirements must be satisfied for purposes of determining the eligibility of an individual for a loan repayment under this section:

''(1) The person is fully qualified in a profession that the Secretary has determined to be necessary to meet identified skill shortages in the commissioned officer corps.

''(2) The person is enrolled as a full-time student in the final year of a course of study at an accredited educational institution (as

determined by the Secretary of Education) leading to a degree in a profession that will meet identified skill shortages in the commissioned officer corps.

''(d) LOAN REPAYMENTS.—

''(1) IN GENERAL.—Subject to the limits established under paragraph (2), a loan repayment under this section may consist of the payment of the principal, interest, and related expenses of a loan obtained by a person described in subsection (b).

''(2) LIMITATION ON AMOUNT.—For each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(3), the Secretary may pay not more than the amount specified in section 2173(e)(2) of title 10, United States Code.

''(e) ACTIVE DUTY SERVICE OBLIGATION.—

''(1) IN GENERAL.—A person entering into an agreement described in subsection (b)(3) incurs an active duty service obligation.

''(2) LENGTH OF OBLIGATION DETERMINED UNDER REGULATIONS.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the length of the obligation under paragraph (1) shall be determined under regulations prescribed by the Secretary.

''(B) MINIMUM OBLIGATION.—The regulations prescribed under subparagraph (A) may not provide for a period of obligation of less than one year for each maximum annual amount, or portion thereof, paid on behalf of the person for qualified loans.

''(3) PERSONS ON ACTIVE DUTY BEFORE ENTERING INTO AGREEMENT.—The active duty service obligation of persons on active duty before entering into the agreement shall be served after the conclusion of any other obligation incurred under the agreement.

''(4) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.

''(f) EFFECT OF FAILURE TO COMPLETE OBLIGATION.—

''(1) ALTERNATIVE OBLIGATIONS.—An officer who is relieved of the officer's active duty obligation under this section before the completion of that obligation may be given any alternative obligation, at the discretion of the Secretary.

''(2) REPAYMENT.—An officer who does not complete the period of active duty specified in the agreement entered into under subsection (b)(3), or the alternative obligation imposed under paragraph (1), shall be subject to the repayment provisions under section 216.

''(g) RULEMAKING.—The Secretary shall prescribe regulations to carry out this section, including—

''(1) standards for qualified loans and authorized payees; and

''(2) other terms and conditions for the making of loan repayments.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 266 the following:

''Sec. 267. Education loan repayment program.''.

SEC. 1722. INTEREST PAYMENTS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1721(a), is further amended by adding at the end the following:

''SEC. 268. INTEREST PAYMENT PROGRAM.

''(a) AUTHORITY.—The Secretary may pay the interest and any special allowances that accrue on one or more student loans of an eligible officer, in accordance with this section.

''(b) ELIGIBLE OFFICERS.—An officer is eligible for the benefit described in subsection (a) while the officer—

''(1) is serving on active duty;

''(2) has not completed more than three years of service on active duty;

''(3) is the debtor on one or more unpaid loans described in subsection (c); and

''(4) is not in default on any such loan.

''(c) STUDENT LOANS.—The authority to make payments under subsection (a) may be exercised with respect to the following loans:

''(1) A loan made, insured, or guaranteed under part B of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq.).

''(2) A loan made under part D of such title (20 U.S.C. 1087a et seq.).

''(3) A loan made under part E of such title (20 U.S.C. 1087aa et seq.).

''(d) MAXIMUM BENEFIT.—Interest and any special allowance may be paid on behalf of an officer under this section for any of the 36 consecutive months during which the officer is eligible under subsection (b).

''(e) FUNDS FOR PAYMENTS.—The Secretary may use amounts appropriated for the pay and allowances of personnel of the commissioned officer corps of the Administration for payments under this section.

''(f) COORDINATION WITH SECRETARY OF EDUCATION.—

''(1) IN GENERAL.—The Secretary shall consult with the Secretary of Education regarding the administration of this section.

''(2) TRANSFER OF FUNDS.—The Secretary shall transfer to the Secretary of Education the funds necessary—

''(A) to pay interest and special allowances on student loans under this section (in accordance with sections 428(o), 455(l), and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1078(o), 1087e(l), and 1087dd(j)); and

''(B) to reimburse the Secretary of Education for any reasonable administrative costs incurred by the Secretary in coordinating the program under this section with the administration of the student loan programs under parts B, D, and E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1071 et seq., 1087a et seq., 1087aa et seq.).

''(g) SPECIAL ALLOWANCE DEFINED.—In this section, the term 'special allowance' means a special allowance that is payable under section 438 of the Higher Education Act of 1965 (20 U.S.C. 1087–1).''.

(b) CONFORMING AMENDMENTS.—

(1) Section 428(o) of the Higher Education Act of 1965 (20 U.S.C. 1078(o)) is amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively,'' after ''Armed Forces''.

(2) Sections 455(l) and 464(j) of the Higher Education Act of 1965 (20 U.S.C. 1087e(l) and 1087dd(j)) are each amended—

(A) by striking the subsection heading and inserting ''ARMED FORCES AND NOAA COMMISSIONED OFFICER CORPS STUDENT LOAN INTEREST PAYMENT PROGRAMS''; and

(B) in paragraph (1)—

(i) by inserting ''or section 268 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002'' after ''Code,''; and

(ii) by inserting ''or an officer in the commissioned officer corps of the National Oceanic and Atmospheric Administration, respectively'' after ''Armed Forces''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1721(b), is further amended by inserting after the item relating to section 267 the following:

''Sec. 268. Interest payment program.''.

SEC. 1723. STUDENT PRE-COMMISSIONING PROGRAM.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by section 1722(a), is further amended by adding at the end the following:

''SEC. 269. STUDENT PRE-COMMISSIONING EDUCATION ASSISTANCE PROGRAM.

''(a) AUTHORITY TO PROVIDE FINANCIAL ASSISTANCE.—For the purpose of maintaining adequate numbers of officers of the commissioned officer corps of the Administration on active duty, the Secretary may provide financial assistance to a person described in subsection (b) for expenses of the person while the person is pursuing on a full-time basis at an accredited educational institution (as determined by the Secretary of Education) a program of education approved by the Secretary that leads to—

''(1) a baccalaureate degree in not more than five academic years; or

''(2) a postbaccalaureate degree.

''(b) ELIGIBLE PERSONS.—

''(1) IN GENERAL.—A person is eligible to obtain financial assistance under subsection (a) if the person—

''(A) is enrolled on a full-time basis in a program of education referred to in subsection (a) at any educational institution described in such subsection;

''(B) meets all of the requirements for acceptance into the commissioned officer corps of the Administration except for the completion of a baccalaureate degree; and

''(C) enters into a written agreement with the Secretary described in paragraph (2).

''(2) AGREEMENT.—A written agreement referred to in paragraph (1)(C) is an agreement between the person and the Secretary in which the person—

''(A) agrees to accept an appointment as an officer, if tendered; and

''(B) upon completion of the person's educational program, agrees to serve on active duty, immediately after appointment, for—

''(i) up to three years if the person received less than three years of assistance; and

''(ii) up to five years if the person received at least three years of assistance.

''(c) QUALIFYING EXPENSES.—Expenses for which financial assistance may be provided under subsection (a) are the following:

''(1) Tuition and fees charged by the educational institution involved.

''(2) The cost of educational materials.

''(3) In the case of a program of education leading to a baccalaureate degree, laboratory expenses.

''(4) Such other expenses as the Secretary considers appropriate.

''(d) LIMITATION ON AMOUNT.—The Secretary shall prescribe the amount of financial assistance provided to a person under subsection (a), which may not exceed the amount specified in section 2173(e)(2) of title 10, United States Code, for each year of obligated service that a person agrees to serve in an agreement described in subsection (b)(2).

''(e) DURATION OF ASSISTANCE.—Financial assistance may be provided to a person under subsection (a) for not more than five consecutive academic years.

''(f) SUBSISTENCE ALLOWANCE.—

''(1) IN GENERAL.—A person who receives financial assistance under subsection (a) shall be entitled to a monthly subsistence allowance at a rate prescribed under paragraph (2) for the duration of the period for which the person receives such financial assistance.

''(2) DETERMINATION OF AMOUNT.—The Secretary shall prescribe monthly rates for subsistence allowance provided under paragraph (1), which shall be equal to the amount specified in section 2144(a) of title 10, United States Code.

''(g) INITIAL CLOTHING ALLOWANCE.—

''(1) TRAINING.—The Secretary may prescribe a sum which shall be credited to each person who receives financial assistance under subsection (a) to cover the cost of the person's initial clothing and equipment issue.

''(2) APPOINTMENT.—Upon completion of the program of education for which a person receives financial assistance under subsection (a) and acceptance of appointment in the commissioned officer corps of the Administration, the person may be issued a subsequent clothing allowance equivalent to that normally provided to a newly appointed officer.

''(h) TERMINATION OF FINANCIAL ASSISTANCE.—

''(1) IN GENERAL.—The Secretary shall terminate the assistance provided to a person under this section if—

''(A) the Secretary accepts a request by the person to be released from an agreement described in subsection (b)(2);

''(B) the misconduct of the person results in a failure to complete the period of active duty required under the agreement; or

''(C) the person fails to fulfill any term or condition of the agreement.

''(2) REIMBURSEMENT.—The Secretary may require a person who receives assistance described in subsection (c), (f), or (g) under an agreement entered into under subsection (b)(1)(C) to reimburse the Secretary in an amount that bears the same ratio to the total costs of the assistance provided to that person as the unserved portion of active duty bears to the total period of active duty the officer agreed to serve under the agreement.

''(3) WAIVER.—The Secretary may waive the service obligation of a person through an agreement entered into under subsection (b)(1)(C) if the person—

''(A) becomes unqualified to serve on active duty in the commissioned officer corps of the Administration because of a circumstance not within the control of that person; or

''(B) is—

''(i) not physically qualified for appointment; and

''(ii) determined to be unqualified for service in the commissioned officer corps of the Administration because of a physical or medical condition that was not the result of the person's own misconduct or grossly negligent conduct.

''(4) OBLIGATION AS DEBT TO UNITED STATES.—An obligation to reimburse the Secretary imposed under paragraph (2) is, for all purposes, a debt owed to the United States.

''(5) DISCHARGE IN BANKRUPTCY.—A discharge in bankruptcy under title 11, United States Code, that is entered less than five years after the termination of a written agreement entered into under subsection (b)(1)(C) does not discharge the person signing the agreement from a debt arising under such agreement or under paragraph (2).

''(i) REGULATIONS.—The Secretary may prescribe such regulations and orders as the Secretary considers appropriate to carry out this section.

''(j) CONCURRENT COMPLETION OF SERVICE OBLIGATIONS.—A service obligation under this section may be completed concurrently with a service obligation under section 216.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1722(c), is further amended by inserting after the item relating to section 268 the following:

''Sec. 269. Student pre-commissioning education assistance program.''.

SEC. 1724. LIMITATION ON EDUCATIONAL ASSISTANCE.

(a) IN GENERAL.—Each fiscal year, beginning with the fiscal year in which this title is enacted, the Secretary of Commerce shall ensure that the total amount expended by the Secretary under section 267 of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (as added by section 1721(a)), section 268 of such Act (as added by section 1722(a)), and section 269 of such Act (as added by section 1723(a)) does not exceed the amount by which—

(1) the total amount the Secretary would pay in that fiscal year to officer candidates under section 203(f)(1) of title 37, United States Code (as added by section 1735(d)), if such section entitled officer candidates to pay at monthly rates equal to the basic pay of a commissioned officer in the pay grade O–1 with less than 2 years of service, exceeds

(2) the total amount the Secretary actually pays in that fiscal year to officer candidates under section 203(f)(1) of such title (as so added).

(b) OFFICER CANDIDATE DEFINED.—In this section, the term ''officer candidate'' has the meaning given the term in paragraph (4) of section 212(b) of the National Oceanic and Atmospheric Administration Commissioned Officer Corps Act of 2002 (33 U.S.C. 3002), as added by section 1735(c).

SEC. 1725. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10, UNITED STATES CODE, AND EXTENSION OF CERTAIN AUTHORITIES APPLICABLE TO MEMBERS OF THE ARMED FORCES TO COMMISSIONED OFFICER CORPS.

(a) APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 10.—Section 261(a) (33 U.S.C. 3071(a)) is amended—

(1) by redesignating paragraphs (13) through (16) as paragraphs (22) through (25), respectively;

(2) by redesignating paragraphs (7) through (12) as paragraphs (14) through (19), respectively;

(3) by redesignating paragraphs (4) through (6) as paragraphs (8) through (10), respectively;

(4) by inserting after paragraph (3) the following:

''(4) Section 771, relating to unauthorized wearing of uniforms.

''(5) Section 774, relating to wearing religious apparel while in uniform.

''(6) Section 982, relating to service on State and local juries.

''(7) Section 1031, relating to administration of oaths.'';

(5) by inserting after paragraph (10), as redesignated, the following:

''(11) Section 1074n, relating to annual mental health assessments.

''(12) Section 1090a, relating to referrals for mental health evaluations.

''(13) Chapter 58, relating to the Benefits and Services for members being separated or recently separated.''; and

(6) by inserting after paragraph (19), as redesignated, the following:

''(20) Subchapter I of chapter 88, relating to Military Family Programs.

''(21) Section 2005, relating to advanced education assistance, active duty agreements, and reimbursement requirements.''.

(b) EXTENSION OF CERTAIN AUTHORITIES.—

(1) NOTARIAL SERVICES.—Section 1044a of title 10, United States Code, is amended—

(A) in subsection (a)(1), by striking ''armed forces'' and inserting ''uniformed services''; and

(B) in subsection (b)(4), by striking ''armed forces'' both places it appears and inserting ''uniformed services''.

(2) ACCEPTANCE OF VOLUNTARY SERVICES FOR PROGRAMS SERVING MEMBERS AND THEIR FAMILIES.—Section 1588 of such title is amended—

(A) in subsection (a)(3), in the matter before subparagraph (A), by striking ''armed forces'' and inserting ''uniformed services''; and

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

''(g) SECRETARY CONCERNED FOR ACCEPTANCE OF SERVICES FOR PROGRAMS SERVING MEMBERS OF NOAA CORPS AND THEIR FAMILIES.—For purposes of the acceptance of services described in subsection (a)(3), the term 'Secretary concerned' in subsection (a) shall include the Secretary of Commerce with respect to members of the commissioned officer corps of the National Oceanic and Atmospheric Administration.''.

(3) CAPSTONE COURSE FOR NEWLY SELECTED FLAG OFFICERS.—Section 2153 of such title is amended—

(A) in subsection (a)—

(i) by inserting ''or the commissioned officer corps of the National Oceanic and Atmospheric Administration'' after ''in the case of the Navy''; and

(ii) by striking ''other armed forces'' and inserting ''other uniformed services''; and

(B) in subsection (b)(1), in the matter before subparagraph (A), by inserting ''or the Secretary of Commerce, as applicable,'' after ''the Secretary of Defense''.

SEC. 1726. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.) is amended by inserting after section 261 the following:

''SEC. 261A. APPLICABILITY OF CERTAIN PROVISIONS OF TITLE 37, UNITED STATES CODE.

''(a) PROVISIONS MADE APPLICABLE TO COMMISSIONED OFFICER CORPS.—The provisions of law applicable to the Armed Forces under the following provisions of title 37, United States Code, shall apply to the commissioned officer corps of the Administration:

''(1) Section 324, relating to accession bonuses for new officers in critical skills.

''(2) Section 403(f)(3), relating to prescribing regulations defining the terms 'field duty' and 'sea duty'.

''(3) Section 403(l), relating to temporary continuation of housing allowance for dependents of members dying on active duty.

''(4) Section 415, relating to initial uniform allowances.

''(5) Section 488, relating to allowances for recruiting expenses.

''(6) Section 495, relating to allowances for funeral honors duty.

''(b) REFERENCES.—The authority vested by title 37, United States Code, in the 'military departments', 'the Secretary concerned', or 'the Secretary of Defense' with respect to the provisions of law referred to in subsection (a) shall be exercised, with respect to the commissioned officer corps of the Administration, by the Secretary of Commerce or the Secretary's designee.''.

(b) PERSONAL MONEY ALLOWANCE.—Section 414(a)(2) of title 37, United States Code, is amended by inserting ''or the director of the commissioned officer corps of the National Oceanic and Atmospheric Administration'' after ''Health Service''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 261 the following:

''Sec. 261A. Applicability of certain provisions of title 37, United States Code.''.

SEC. 1727. PROHIBITION ON RETALIATORY PERSONNEL ACTIONS.

(a) IN GENERAL.—Subsection (a) of section 261 (33 U.S.C. 3071), as amended by section 1725(a), is further amended—

(1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and

(2) by inserting after paragraph (7) the following:

''(8) Section 1034, relating to protected communications and prohibition of retaliatory personnel actions.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of such section is amended by adding at the end the following: ''For purposes of paragraph (8) of subsection (a), the term 'Inspector General' in section 1034 of such title 10 shall mean the Inspector General of the Department of Commerce.''.

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

''(c) REGULATIONS REGARDING PROTECTED COMMUNICATIONS AND PROHIBITION OF RETALIATORY PERSONNEL ACTIONS.—The Secretary may prescribe regulations to carry out the application of section 1034 of title 10, United States Code, to the commissioned officer corps of the Administration, including by prescribing such administrative procedures for investigation and appeal within the commissioned officer corps as the Secretary considers appropriate.''.

SEC. 1728. APPLICATION OF CERTAIN PROVISIONS OF COMPETITIVE SERVICE LAW.

Section 3304(f) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces'';

(2) in paragraph (2), by striking ''or veteran'' and inserting '', veteran, or member''; and

(3) in paragraph (4), by inserting ''and members of the commissioned officer corps of the National Oceanic and Atmospheric Administration (or its predecessor organization the Coast and Geodetic Survey) separated from such uniformed service'' after ''separated from the armed forces''.

SEC. 1729. EMPLOYMENT AND REEMPLOYMENT RIGHTS.

Section 4303(16) of title 38, United States Code, is amended by inserting ''the commissioned officer corps of the National Oceanic and Atmospheric Administration,'' after ''Public Health Service,''.

SEC. 1730. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS FOR PURPOSES OF CERTAIN HIRING DECISIONS.

(a) IN GENERAL.—Subtitle E (33 U.S.C. 3071 et seq.), as amended by this title, is further amended by adding at the end the following:

''SEC. 269A. TREATMENT OF COMMISSION IN COMMISSIONED OFFICER CORPS AS EMPLOYMENT IN ADMINISTRATION FOR PURPOSES OF CERTAIN HIRING DECISIONS.

''(a) IN GENERAL.—In any case in which the Secretary accepts an application for a position of employment with the Administration and limits consideration of applications for such position to applications submitted by individuals serving in a career or career-conditional position in the competitive service within the Administration, the Secretary shall deem an officer who has served as an officer in the commissioned officer corps for at least three years to be serving in a career or career-conditional position in the competitive service within the Administration for purposes of such limitation.

''(b) CAREER APPOINTMENTS.—If the Secretary selects an application submitted by an officer described in subsection (a) for a position described in such subsection, the Secretary shall give such officer a career or career-conditional appointment in the competitive service, as appropriate.

''(c) COMPETITIVE SERVICE DEFINED.—In this section, the term 'competitive service' has the meaning given the term in section 2102 of title 5, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 269, as added by section 1723(b), the following new item:

''Sec. 269A. Treatment of commission in commissioned officer corps as employment in Administration for purposes of certain hiring decisions.''.

Subtitle C—Appointments and Promotion of Officers

SEC. 1731. APPOINTMENTS.

(a) ORIGINAL APPOINTMENTS.—Section 221 (33 U.S.C. 3021) is amended to read as follows:

''SEC. 221. ORIGINAL APPOINTMENTS AND REAPPOINTMENTS.

''(a) ORIGINAL APPOINTMENTS.—

''(1) GRADES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an original appointment of an officer may be made in such grades as may be appropriate for—

''(i) the qualification, experience, and length of service of the appointee; and

''(ii) the commissioned officer corps of the Administration.

''(B) APPOINTMENT OF OFFICER CANDIDATES.—

''(i) LIMITATION ON GRADE.—An original appointment of an officer candidate, upon graduation from the basic officer training program of the commissioned officer corps of the Administration, may not be made in any other grade than ensign.

''(ii) RANK.—Officer candidates receiving appointments as ensigns upon graduation from the basic officer training program shall take rank according to their proficiency as shown by the order of their merit at date of graduation.

''(2) SOURCE OF APPOINTMENTS.—An original appointment may be made from among the following:

''(A) Graduates of the basic officer training program of the commissioned officer corps of the Administration.

''(B) Graduates of the military service academies of the United States who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(C) Graduates of the maritime academies of the States who—

''(i) otherwise meet the academic standards for enrollment in the training program described in subparagraph (A);

''(ii) completed at least three years of regimented training while at a maritime academy of a State; and

''(iii) obtained an unlimited tonnage or unlimited horsepower Merchant Mariner Credential from the United States Coast Guard.

''(D) Licensed officers of the United States merchant marine who have served two or more years aboard a vessel of the United States in the capacity of a licensed officer, who otherwise meet the academic standards for enrollment in the training program described in subparagraph (A).

''(3) DEFINITIONS.—In this subsection:

''(A) MARITIME ACADEMIES OF THE STATES.—The term 'maritime academies of the States' means the following:

''(i) California Maritime Academy, Vallejo, California.

''(ii) Great Lakes Maritime Academy, Traverse City, Michigan.

''(iii) Maine Maritime Academy, Castine, Maine.

''(iv) Massachusetts Maritime Academy, Buzzards Bay, Massachusetts.

''(v) State University of New York Maritime College, Fort Schuyler, New York.

''(vi) Texas A&M Maritime Academy, Galveston, Texas.

''(B) MILITARY SERVICE ACADEMIES OF THE UNITED STATES.—The term 'military service academies of the United States' means the following:

''(i) The United States Military Academy, West Point, New York.

''(ii) The United States Naval Academy, Annapolis, Maryland.

''(iii) The United States Air Force Academy, Colorado Springs, Colorado.

''(iv) The United States Coast Guard Academy, New London, Connecticut.

''(v) The United States Merchant Marine Academy, Kings Point, New York.

''(b) REAPPOINTMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), an individual who previously served in the commissioned officer corps of the Administration may be appointed by the Secretary to the grade the individual held prior to separation.

''(2) REAPPOINTMENTS TO HIGHER GRADES.—An appointment under paragraph (1) to a position of importance and responsibility designated under section 228 may only be made by the President.

''(c) QUALIFICATIONS.—An appointment under subsection (a) or (b) may not be given to an individual until the individual's mental, moral, physical, and professional fitness to perform the duties of an officer has been established under such regulations as the Secretary shall prescribe.

''(d) ORDER OF PRECEDENCE.—Appointees under this section shall take precedence in the grade to which appointed in accordance with the dates of their commissions as commissioned officers in such grade. The order of precedence of appointees whose dates of commission are the same shall be determined by the Secretary.

''(e) INTER-SERVICE TRANSFERS.—For inter-service transfers (as described in Department of Defense Directive 1300.4 (dated December 27, 2006)) the Secretary shall—

''(1) coordinate with the Secretary of Defense and the Secretary of the Department in which the Coast Guard is operating to promote and streamline inter-service transfers;

''(2) give preference to such inter-service transfers for recruitment purposes as determined appropriate by the Secretary; and

''(3) reappoint such inter-service transfers to the equivalent grade in the commissioned officer corps.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 221 and inserting the following:

''Sec. 221. Original appointments and reappointments.''.

SEC. 1732. PERSONNEL BOARDS.

Section 222 (33 U.S.C. 3022) is amended to read as follows:

''SEC. 222. PERSONNEL BOARDS.

''(a) CONVENING.—Not less frequently than once each year and at such other times as the Secretary determines necessary, the Secretary shall convene a personnel board.

''(b) MEMBERSHIP.—

''(1) IN GENERAL.—A board convened under subsection (a) shall consist of five or more officers who are serving in or above the permanent grade of the officers under consideration by the board.

''(2) RETIRED OFFICERS.—Officers on the retired list may be recalled to serve on such personnel boards as the Secretary considers necessary.

''(3) NO MEMBERSHIP ON 2 SUCCESSIVE BOARDS.—No officer may be a member of two successive personnel boards convened to consider officers of the same grade for promotion or separation.

''(c) DUTIES.—Each personnel board shall—

''(1) recommend to the Secretary such changes as may be necessary to correct any erroneous position on the lineal list that was caused by administrative error; and

''(2) make selections and recommendations to the Secretary and the President for the appointment, promotion, involuntary separation, continuation, and involuntary retirement of officers in the commissioned officer corps of the Administration as prescribed in this title.

''(d) ACTION ON RECOMMENDATIONS NOT ACCEPTABLE.—If any recommendation by a board convened under subsection (a) is not accepted by the Secretary or the President, the board shall make such further recommendations as the Secretary or the President considers appropriate.

''(e) AUTHORITY FOR OFFICERS TO OPT OUT OF PROMOTION CONSIDERATION.—

''(1) IN GENERAL.—The Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps may provide that an officer, upon the officer's request and with the approval of the Director, be excluded from consideration for promotion by a personnel board convened under this section.

''(2) APPROVAL.—The Director shall approve a request made by an officer under paragraph (1) only if—

''(A) the basis for the request is to allow the officer to complete a broadening assignment, advanced education, another assignment of significant value to the Administration, a career progression requirement delayed by the assignment or education, or a qualifying personal or professional circumstance, as determined by the Director;

''(B) the Director determines the exclusion from consideration is in the best interest of the Administration; and

''(C) the officer has not previously failed selection for promotion to the grade for which the officer requests the exclusion from consideration.''.

SEC. 1733. POSITIONS OF IMPORTANCE AND RESPONSIBILITY.

Section 228 (33 U.S.C. 3028) is amended—

(1) in subsection (c)—

(A) in the first sentence, by striking ''The Secretary shall designate one position under this section'' and inserting ''The President shall designate one position''; and

(B) in the second sentence, by striking ''That position shall be filled by'' and inserting ''The President shall fill that position by appointing, by and with the advice and consent of the Senate,'';

(2) in subsection (d)(2), by inserting ''or immediately beginning a period of terminal leave'' after ''for which a higher grade is designated'';

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

''(e) LIMIT ON NUMBER OF OFFICERS APPOINTED.—The total number of officers serving on active duty at any one time in the grade of rear admiral (lower half) or above may not exceed five, with only one serving in the grade of vice admiral.''; and

(4) in subsection (f), by inserting ''or in a period of annual leave used at the end of the appointment'' after ''serving in that grade''.

SEC. 1734. TEMPORARY APPOINTMENTS.

(a) IN GENERAL.—Section 229 (33 U.S.C. 3029) is amended to read as follows:

''SEC. 229. TEMPORARY APPOINTMENTS.

''(a) APPOINTMENTS BY PRESIDENT.—Temporary appointments in the grade of ensign, lieutenant junior grade, or lieutenant may be made by the President.

''(b) TERMINATION.—A temporary appointment to a position under subsection (a) shall terminate upon approval of a permanent appointment for such position made by the President.

''(c) ORDER OF PRECEDENCE.—Appointees under subsection (a) shall take precedence in the grade to which appointed in accordance with the dates of their appointments as officers in such grade. The order of precedence of appointees who are appointed on the same date shall be determined by the Secretary.

''(d) ANY ONE GRADE.—When determined by the Secretary to be in the best interest of the commissioned officer corps, officers in any permanent grade may be temporarily promoted one grade by the President. Any such temporary promotion terminates upon the transfer of the officer to a new assignment.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by striking the item relating to section 229 and inserting the following:

''Sec. 229. Temporary appointments.''.

SEC. 1735. OFFICER CANDIDATES.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.) is amended by adding at the end the following:

''SEC. 234. OFFICER CANDIDATES.

''(a) DETERMINATION OF NUMBER.—The Secretary shall determine the number of appointments of officer candidates.

''(b) APPOINTMENT.—Appointment of officer candidates shall be made under regulations, which the Secretary shall prescribe, including regulations with respect to determining age limits, methods of selection of officer candidates, term of service as an officer candidate before graduation from the basic officer training program of the Administration, and all other matters affecting such appointment.

''(c) DISMISSAL.—The Secretary may dismiss from the basic officer training program of the Administration any officer candidate who, during the officer candidate's term as an officer candidate, the Secretary considers unsatisfactory in either academics or conduct, or not adapted for a career in the commissioned officer corps of the Administration. Officer candidates shall be subject to rules governing discipline prescribed by the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

''(d) AGREEMENT.—

''(1) IN GENERAL.—Each officer candidate shall sign an agreement with the Secretary in accordance with section 216(a)(2) regarding the officer candidate's term of service in the commissioned officer corps of the Administration.

''(2) ELEMENTS.—An agreement signed by an officer candidate under paragraph (1) shall provide that the officer candidate agrees to the following:

''(A) That the officer candidate will complete the course of instruction at the basic officer training program of the Administration.

''(B) That upon graduation from such program, the officer candidate—

''(i) will accept an appointment, if tendered, as an officer; and

''(ii) will serve on active duty for at least four years immediately after such appointment.

''(e) REGULATIONS.—The Secretary shall prescribe regulations to carry out this section. Such regulations shall include—

''(1) standards for determining what constitutes a breach of an agreement signed under subsection (d)(1); and

''(2) procedures for determining whether such a breach has occurred.

''(f) REPAYMENT.—An officer candidate or former officer candidate who does not fulfill the terms of the obligation to serve as specified under subsection (d) shall be subject to the repayment provisions of section 216(b).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372) is amended by inserting after the item relating to section 233 the following:

''Sec. 234. Officer candidates.''.

(c) OFFICER CANDIDATE DEFINED.—Section 212(b) (33 U.S.C. 3002(b)) is amended—

(1) by redesignating paragraphs (4) through (6) as paragraphs (5) through (7), respectively; and

(2) by inserting after paragraph (3) the following:

''(4) OFFICER CANDIDATE.—The term 'officer candidate' means an individual who is enrolled in the basic officer training program of the Administration and is under consideration for appointment as an officer under section 221(a)(2)(A).''.

(d) PAY FOR OFFICER CANDIDATES.—Section 203 of title 37, United States Code, is amended by adding at the end the following:

''(f)(1) An officer candidate enrolled in the basic officer training program of the commissioned officer corps of the National Oceanic and Atmospheric Administration is entitled, while participating in such program, to monthly officer candidate pay at monthly rates equal to the basic pay of an enlisted member in the pay grade E–5 with less than two years of service.

''(2) An individual who graduates from such program shall receive credit for the time spent participating in such program as if such time were time served while on active duty as a commissioned officer. If the individual does not graduate from such program, such time shall not be considered creditable for active duty or pay.''.

SEC. 1736. PROCUREMENT OF PERSONNEL.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1735(a), is further amended by adding at the end the following:

''SEC. 235. PROCUREMENT OF PERSONNEL.

''The Secretary may make such expenditures as the Secretary considers necessary in order to obtain recruits for the commissioned officer corps of the Administration, including advertising.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1735(b), is further amended by inserting after the item relating to section 234 the following:

''235. Procurement of personnel.''.

SEC. 1737. CAREER INTERMISSION PROGRAM.

(a) IN GENERAL.—Subtitle B (33 U.S.C. 3021 et seq.), as amended by section 1736(a), is further amended by adding at the end the following:

''SEC. 236. CAREER FLEXIBILITY TO ENHANCE RETENTION OF OFFICERS.

''(a) PROGRAMS AUTHORIZED.—The Secretary may carry out a program under which

officers may be inactivated from active duty in order to meet personal or professional needs and returned to active duty at the end of such period of inactivation from active duty.

''(b) PERIOD OF INACTIVATION FROM ACTIVE DUTY; EFFECT OF INACTIVATION.—

''(1) IN GENERAL.—The period of inactivation from active duty under a program under this section of an officer participating in the program shall be such period as the Secretary shall specify in the agreement of the officer under subsection (c), except that such period may not exceed three years.

''(2) EXCLUSION FROM RETIREMENT.—Any period of participation of an officer in a program under this section shall not count toward eligibility for retirement or computation of retired pay under subtitle C.

''(c) AGREEMENT.—Each officer who participates in a program under this section shall enter into a written agreement with the Secretary under which that officer shall agree as follows:

''(1) To undergo during the period of the inactivation of the officer from active duty under the program such inactive duty training as the Director of the National Oceanic and Atmospheric Administration Commissioned Officer Corps shall require in order to ensure that the officer retains proficiency, at a level determined by the Director to be sufficient, in the technical skills, professional qualifications, and physical readiness of the officer during the inactivation of the officer from active duty.

''(2) Following completion of the period of the inactivation of the officer from active duty under the program, to serve two months on active duty for each month of the period of the inactivation of the officer from active duty under the program.

''(d) CONDITIONS OF RELEASE.—The Secretary shall—

''(1) prescribe regulations specifying the guidelines regarding the conditions of release that must be considered and addressed in the agreement required by subsection (c); and

''(2) at a minimum, prescribe the procedures and standards to be used to instruct an officer on the obligations to be assumed by the officer under paragraph (1) of such subsection while the officer is released from active duty.

''(e) ORDER TO ACTIVE DUTY.—Under regulations prescribed by the Secretary, an officer participating in a program under this section may, in the discretion of the Secretary, be required to terminate participation in the program and be ordered to active duty.

''(f) PAY AND ALLOWANCES.—

''(1) BASIC PAY.—During each month of participation in a program under this section, an officer who participates in the program shall be paid basic pay in an amount equal to two-thirtieths of the amount of monthly basic pay to which the officer would otherwise be entitled under section 204 of title 37, United States Code, as a member of the uniformed services on active duty in the grade and years of service of the officer when the officer commences participation in the program.

''(2) SPECIAL OR INCENTIVE PAY OR BONUS.—

''(A) PROHIBITION.—An officer who participates in a program under this section shall not, while participating in the program, be paid any special or incentive pay or bonus to which the officer is otherwise entitled under an agreement under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

''(B) NOT TREATED AS FAILURE TO PERFORM SERVICES.—The inactivation from active duty of an officer participating in a program under this section shall not be treated as a failure of the officer to perform any period of service required of the officer in connection with an agreement for a special or incentive pay or bonus under chapter 5 of title 37, United States Code, that is in force when the officer commences participation in the program.

''(3) RETURN TO ACTIVE DUTY.—

''(A) SPECIAL OR INCENTIVE PAY OR BONUS.—Subject to subparagraph (B), upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

''(i) any agreement entered into by the officer under chapter 5 of title 37, United States Code, for the payment of a special or incentive pay or bonus that was in force when the officer commenced participation in the program shall be revived, with the term of such agreement after revival being the period of the agreement remaining to run when the officer commenced participation in the program; and

''(ii) any special or incentive pay or bonus shall be payable to the officer in accordance with the terms of the agreement concerned for the term specified in clause (i).

''(B) LIMITATION.—

''(i) IN GENERAL.—Subparagraph (A) shall not apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, at the time of the return of the officer to active duty as described in that subparagraph—

''(I) such pay or bonus is no longer authorized by law; or

''(II) the officer does not satisfy eligibility criteria for such pay or bonus as in effect at the time of the return of the officer to active duty.

''(ii) PAY OR BONUS CEASES BEING AUTHORIZED.—Subparagraph (A) shall cease to apply to any special or incentive pay or bonus otherwise covered by that subparagraph with respect to an officer if, during the term of the revived agreement of the officer under subparagraph (A)(i), such pay or bonus ceases being authorized by law.

''(C) REPAYMENT.—An officer who is ineligible for payment of a special or incentive pay or bonus otherwise covered by this paragraph by reason of subparagraph (B)(i)(II) shall be subject to the requirements for repayment of such pay or bonus in accordance with the terms of the applicable agreement of the officer under chapter 5 of title 37, United States Code.

''(D) REQUIRED SERVICE IS ADDITIONAL.—Any service required of an officer under an agreement covered by this paragraph after the officer returns to active duty as described in subparagraph (A) shall be in addition to any service required of the officer under an agreement under subsection (c).

''(4) TRAVEL AND TRANSPORTATION ALLOWANCE.—

''(A) IN GENERAL.—Subject to subparagraph (B), an officer who participates in a program under this section is entitled, while participating in the program, to the travel and transportation allowances authorized by section 474 of title 37, United States Code, for—

''(i) travel performed from the residence of the officer, at the time of release from active duty to participate in the program, to the location in the United States designated by the officer as the officer's residence during the period of participation in the program; and

''(ii) travel performed to the residence of the officer upon return to active duty at the end of the participation of the officer in the program.

''(B) SINGLE RESIDENCE.—An allowance is payable under this paragraph only with respect to travel of an officer to and from a single residence.

''(5) LEAVE BALANCE.—An officer who participates in a program under this section is entitled to carry forward the leave balance existing as of the day on which the officer begins participation and accumulated in accordance with section 701 of title 10, but not to exceed 60 days.

''(g) PROMOTION.—

''(1) IN GENERAL.—An officer participating in a program under this section shall not, while participating in the program, be eligible for consideration for promotion under subtitle B.

''(2) RETURN TO SERVICE.—Upon the return of an officer to active duty after completion by the officer of participation in a program under this section—

''(A) the Secretary may adjust the date of rank of the officer in such manner as the Secretary shall prescribe in regulations for purposes of this section; and

''(B) the officer shall be eligible for consideration for promotion when officers of the same competitive category, grade, and seniority are eligible for consideration for promotion.

''(h) CONTINUED ENTITLEMENTS.—An officer participating in a program under this section shall, while participating in the program, be treated as a member of the uniformed services on active duty for a period of more than 30 days for purposes of—

''(1) the entitlement of the officer and of the dependents of the officer to medical and dental care under the provisions of chapter 55 of title 10; and

''(2) retirement or separation for physical disability under the provisions of subtitle C.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1 of the Act entitled ''An Act to authorize the Hydrographic Services Improvement Act of 1998, and for other purposes'' (Public Law 107–372), as amended by section 1736(b), is further amended by inserting after the item relating to section 235 the following:

''Sec. 236. Career flexibility to enhance retention of officers.''.

Subtitle D—Separation and Retirement of Officers

SEC. 1741. INVOLUNTARY RETIREMENT OR SEPARATION.

Section 241 (33 U.S.C. 3041) is amended by adding at the end the following:

''(d) DEFERMENT OF RETIREMENT OR SEPARATION FOR MEDICAL REASONS.—

''(1) IN GENERAL.—If the Secretary determines that the evaluation of the medical condition of an officer requires hospitalization or medical observation that cannot be completed with confidence in a manner consistent with the officer's well-being before the date on which the officer would otherwise be required to retire or be separated under this section, the Secretary may defer the retirement or separation of the officer.

''(2) CONSENT REQUIRED.—A deferment may only be made with the written consent of the officer involved. If the officer does not provide written consent to the deferment, the officer shall be retired or separated as scheduled.

''(3) LIMITATION.—A deferment of retirement or separation under this subsection may not extend for more than 30 days after completion of the evaluation requiring hospitalization or medical observation.''.

SEC. 1742. SEPARATION PAY.

Section 242 (33 U.S.C. 3042) is amended by adding at the end the following:

''(d) EXCEPTION.—An officer discharged for twice failing selection for promotion to the next higher grade is not entitled to separation pay under this section if the officer—

''(1) expresses a desire not to be selected for promotion; or

''(2) requests removal from the list of selectees.''.

SA 2229. Mr. CRAPO (for himself, Mrs. SHAHEEN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of division A, add the following:

TITLE XVII—BRING OUR HEROS HOME

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Bring Our Heroes Home Act''.

SEC. 1702. FINDINGS, DECLARATIONS, AND PURPOSES.

(a) FINDINGS AND DECLARATIONS.—Congress finds and declares the following:

(1) A vast number of records relating to Missing Armed Forces Personnel have not been identified, located, or transferred to the National Archives following review and declassification. Only in the rarest cases is there any legitimate need for continued protection of records pertaining to Missing Armed Forces Personnel who have been missing for decades.

(2) There has been insufficient priority placed on identifying, locating, reviewing, or declassifying records relating to Missing Armed Forces Personnel and then transferring the records to the National Archives for public access.

(3) Mandates for declassification set forth in multiple Executive orders have been broadly written, loosely interpreted, and often ignored by Federal agencies in possession and control of records related to Missing Armed Forces Personnel.

(4) No individual or entity has been tasked with oversight of the identification, collection, review, and declassification of records related to Missing Armed Forces Personnel.

(5) The interest, desire, workforce, and funding of Federal agencies to assemble, review, and declassify records relating to Missing Armed Forces Personnel have been lacking.

(6) All records of the Federal Government relating to Missing Armed Forces Personnel should be preserved for historical and governmental purposes and for public research.

(7) All records of the Federal Government relating to Missing Armed Forces Personnel should carry a presumption of declassification, and all such records should be disclosed under this title to enable the fullest possible accounting for Missing Armed Forces Personnel.

(8) Legislation is necessary to create an enforceable, independent, and accountable process for the public disclosure of records relating to Missing Armed Forces Personnel.

(9) Legislation is necessary because section 552 of title 5, United States Code (commonly known as the ''Freedom of Information Act''), as implemented by Federal agencies, has prevented the timely public disclosure of records relating to Missing Armed Forces Personnel.

(b) PURPOSES.—The purposes of this title are—

(1) to provide for the creation of the Missing Armed Forces Personnel Records Collection at the National Archives; and

(2) to require the expeditious public transmission to the Archivist and public disclosure of Missing Armed Forces Personnel records, subject to narrow exceptions, as set forth in this title.

SEC. 1703. DEFINITIONS.

In this title:

(1) ARCHIVIST.—The term ''Archivist'' means Archivist of the United States.

(2) COLLECTION.—The term ''Collection'' means the Missing Armed Forces Personnel Records Collection established under section 1704(a).

(3) EXECUTIVE AGENCY.—The term ''Executive agency''—

(A) means an agency, as defined in section 552(f) of title 5, United States Code; and

(B) includes any Executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Federal Government, including the Executive Office of the President, any branch of the Armed Forces, and any independent regulatory agency.

(4) EXECUTIVE BRANCH MISSING ARMED FORCES PERSONNEL RECORD.—The term ''executive branch Missing Armed Forces Personnel record'' means a Missing Armed Forces Personnel record of an Executive agency, or information contained in such a Missing Armed Forces Personnel record obtained by or developed within the executive branch of the Federal Government.

(5) GOVERNMENT OFFICE.—The term ''Government office'' means an Executive agency, the Library of Congress, or the National Archives.

(6) MISSING ARMED FORCES PERSONNEL.—

(A) DEFINITION.—The term ''Missing Armed Forces Personnel'' means 1 or more missing persons.

(B) INCLUSIONS.—The term ''Missing Armed Forces Personnel'' includes an individual who was a missing person and whose status was later changed to ''missing and presumed dead''.

(7) MISSING ARMED FORCES PERSONNEL RECORD.—The term ''Missing Armed Forces Personnel record'' means a record that relates, directly or indirectly, to the loss, fate, or status of Missing Armed Forces Personnel that—

(A) was created or made available for use by, obtained by, or otherwise came into the custody, possession, or control of—

(i) any Government office;

(ii) any Presidential library; or

(iii) any of the Armed Forces; and

(B) relates to 1 or more Missing Armed Forces Personnel who became missing persons during the period—

(i) beginning on December 7, 1941; and

(ii) ending on the date of enactment of this Act.

(8) MISSING PERSON.—The term ''missing person'' has the meaning given that term in section 1513 of title 10, United States Code.

(9) NATIONAL ARCHIVES.—The term ''National Archives''—

(A) means the National Archives and Records Administration; and

(B) includes any component of the National Archives and Records Administration (including Presidential archival depositories established under section 2112 of title 44, United States Code).

(10) OFFICIAL INVESTIGATION.—The term ''official investigation'' means a review, briefing, inquiry, or hearing relating to Missing Armed Forces Personnel conducted by a Presidential commission, committee of Congress, or agency, regardless of whether it is conducted independently, at the request of any Presidential commission or committee of Congress, or at the request of any official of the Federal Government.

(11) ORIGINATING BODY.—The term ''originating body'' means the Government office or other initial source that created a record or particular information within a record.

(12) PUBLIC INTEREST.—The term ''public interest'' means the compelling interest in the prompt public disclosure of Missing Armed Forces Personnel records for historical and governmental purposes, for public research, and for the purpose of fully informing the people of the United States, most importantly families of Missing Armed Forces Personnel, about the fate of the Missing Armed Forces Personnel and the process by which the Federal Government has sought to account for them.

(13) RECORD.—The term ''record'' has the meaning given the term ''records'' in section 3301 of title 44, United States Code.

(14) REVIEW BOARD.—The term ''Review Board'' means the Missing Armed Forces Personnel Records Review Board established under section 1707.

SEC. 1704. MISSING ARMED FORCES PERSONNEL RECORDS COLLECTION AT THE NATIONAL ARCHIVES.

(a) ESTABLISHMENT OF COLLECTION.—Not later than 90 days after the date of enactment of this Act, the Archivist shall—

(1) commence establishment of a collection of records to be known as the ''Missing Armed Forces Personnel Records Collection'';

(2) commence preparing the subject guidebook and index to the Collection; and

(3) establish criteria for Executive agencies to follow when transmitting copies of Missing Armed Forces Personnel Records to the Archivist, to include required metadata.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Review Board shall promulgate rules to establish guidelines and processes for the disclosure of records contained in the Collection.

SEC. 1705. REVIEW, IDENTIFICATION, TRANSMISSION TO THE NATIONAL ARCHIVES, AND PUBLIC DISCLOSURE OF MISSING ARMED FORCES PERSONNEL RECORDS BY GOVERNMENT OFFICES.

(a) IN GENERAL.—

(1) PREPARATION.—As soon as practicable after the date of enactment of this Act, and sufficiently in advance of the deadlines established under this title, each Government office shall—

(A) identify and locate any Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(B) prepare for transmission to the Archivist in accordance with the criteria established by the Archivist a copy of any Missing Armed Forces Personnel records that have not previously been transmitted to the Archivist by the Government office.

(2) CERTIFICATION.—Each Government office shall submit to the Archivist, under penalty of perjury, a certification indicating—

(A) whether the Government office has conducted a thorough search for all Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(B) whether a copy of any Missing Armed Forces Personnel record has not been transmitted to the Archivist.

(3) PRESERVATION.—No Missing Armed Forces Personnel record shall be destroyed, altered, or mutilated in any way.

(4) EFFECT OF PREVIOUS DISCLOSURE.—Information that was made available or disclosed to the public before the date of enactment of this Act in a Missing Armed Forces Personnel record may not be withheld, redacted, postponed for public disclosure, or reclassified.

(5) WITHHELD AND SUBSTANTIALLY REDACTED RECORDS.—For any Missing Armed Forces Personnel record that is transmitted to the Archivist which a Government office proposes to substantially redact or withhold in

full from public access, the head of the Government office shall submit an unclassified and publicly releasable report to the Archivist, the Review Board, and each appropriate committee of the Senate and the House of Representatives justifying the decision of the Government office to substantially redact or withhold the record by demonstrating that the release of information would clearly and demonstrably be expected to cause an articulated harm, and that the harm would be of such gravity as to outweigh the public interest in access to the information.

(b) REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, each Government office shall, in accordance with the criteria established by the Archivist and the rules promulgated under paragraph (2)—

(A) identify, locate, copy, and review each Missing Armed Forces Personnel record in the custody, possession, or control of the Government office for transmission to the Archivist and disclosure to the public or, if needed, review by the Review Board; and

(B) cooperate fully, in consultation with the Archivist, in carrying out paragraph (3).

(2) REQUIREMENT.—The Review Board shall promulgate rules for the disclosure of relevant records by Government offices under paragraph (1).

(3) NATIONAL ARCHIVES RECORDS.—Not later than 180 days after the date of enactment of this Act, the Archivist shall—

(A) locate and identify all Missing Armed Forces Personnel records in the custody of the National Archives as of the date of enactment of this Act that remain classified, in whole or in part;

(B) notify a Government office if the Archivist locates and identifies a record of the Government office under subparagraph (A); and

(C) make each classified Missing Armed Forces Personnel record located and identified under subparagraph (A) available for review by Executive agencies through the National Declassification Center established under Executive Order 13526.

(4) RECORDS ALREADY PUBLIC.—A Missing Armed Forces Personnel record that is in the custody of the National Archives on the date of enactment of this Act and that has been publicly available in its entirety without redaction shall be made available in the Collection without any additional review by the Archivist, the Review Board, or any other Government office under this title.

(c) TRANSMISSION TO THE NATIONAL ARCHIVES.—Each Government office shall—

(1) not later than 180 days after the date of enactment of this Act, commence transmission to the Archivist of copies of the Missing Armed Forces Personnel records in the custody, possession, or control of the Government office; and

(2) not later than 1 year after the date of enactment of this Act, complete transmission to the Archivist of copies of all Missing Armed Forces Personnel records in the possession or control of the Government office.

(d) PERIODIC REVIEW OF POSTPONED MISSING ARMED SERVICES PERSONNEL RECORDS.—

(1) IN GENERAL.—All Missing Armed Forces Personnel records, or information within a Missing Armed Forces Personnel record, the public disclosure of which has been postponed under the standards under this title shall be reviewed by the originating body—

(A)(i) periodically, but not less than every 5 years, after the date on which the Review Board terminates under section 1707(o); and

(ii) at the direction of the Archivist; and

(B) consistent with the recommendations of the Review Board under section 1709(b)(3)(B).

(2) CONTENTS.—

(A) IN GENERAL.—A periodic review of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, by the originating body shall address the public disclosure of the Missing Armed Forces Personnel record under the standards under this title.

(B) CONTINUED POSTPONEMENT.—If an originating body conducting a periodic review of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the public disclosure of which has been postponed under the standards under this title, determines that continued postponement is required, the originating body shall provide to the Archivist an unclassified written description of the reason for the continued postponement that the Archivist shall highlight and make accessible on a publicly accessible website administered by the National Archives.

(C) SCOPE.—The periodic review of postponed Missing Armed Forces Personnel records, or information within a Missing Armed Forces Personnel record, shall serve the purpose stated in section 1702(b)(2), to provide expeditious public disclosure of Missing Armed Forces Personnel records, to the fullest extent possible, subject only to the grounds for postponement of disclosure under section 1706.

(D) DISCLOSURE ABSENT CERTIFICATION BY PRESIDENT.—Not later than 10 years after the date of enactment of this Act, all Missing Armed Forces Personnel records, and information within a Missing Armed Forces Personnel record, shall be publicly disclosed in full, and available in the Collection, unless—

(i) the head of the originating body, Executive agency, or other Government office recommends in writing that continued postponement is necessary;

(ii) the written recommendation described in clause (i)—

(I) is provided to the Archivist in unclassified and publicly releasable form not later than 180 days before the date that is 10 years after the date of enactment of this Act; and

(II) includes—

(aa) a justification of the recommendation to postpone disclosure with clear and convincing evidence that the identifiable harm is of such gravity that it outweighs the public interest in disclosure; and

(bb) a recommended specified time at which or a specified occurrence following which the material may be appropriately disclosed to the public under this title;

(iii) the Archivist transmits all recommended postponements and the recommendation of the Archivist to the President not later than 90 days before the date that is 10 years after the date of enactment of this Act; and

(iv) the President transmits to the Archivist a certification indicating that continued postponement is necessary and the identifiable harm, as demonstrated by clear and convincing evidence, is of such gravity that it outweighs the public interest in disclosure not later than the date that is 10 years after the date of enactment of this Act.

SEC. 1706. GROUNDS FOR POSTPONEMENT OF PUBLIC DISCLOSURE OF RECORDS.

(a) IN GENERAL.—Disclosure to the public of a Missing Armed Forces Personnel record or particular information in a Missing Armed Forces Personnel record created after the date that is 25 years before the date of the review of the Missing Armed Forces Personnel record by the Archivist may be postponed subject to the limitations under this title only—

(1) if it pertains to—

(A) military plans, weapons systems, or operations;

(B) foreign government information;

(C) intelligence activities (including covert action), intelligence sources or methods, or cryptology;

(D) foreign relations or foreign activities of the United States, including confidential sources;

(E) scientific, technological, or economic matters relating to the national security;

(F) United States Government programs for safeguarding nuclear materials or facilities;

(G) vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to the national security; or

(H) the development, production, or use of weapons of mass destruction; and

(2) the threat posed by the public disclosure of the Missing Armed Forces Personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(b) OLDER RECORDS.—Disclosure to the public of a Missing Armed Forces Personnel record or particular information in a Missing Armed Forces Personnel record created on or before the date that is 25 years before the date of the review of the Missing Armed Forces Personnel record by the Archivist may be postponed subject to the limitations under this title only if, as demonstrated by clear and convincing evidence—

(1) the release of the information would be expected to—

(A) reveal the identity of a confidential human source, a human intelligence source, a relationship with an intelligence or security service of a foreign government or international organization, or a nonhuman intelligence source, or impair the effectiveness of an intelligence method currently in use, available for use, or under development;

(B) reveal information that would impair United States cryptologic systems or activities;

(C) reveal formally named or numbered United States military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans; or

(D) reveal information, including foreign government information, that would cause serious harm to relations between the United States and a foreign government, or to ongoing diplomatic activities of the United States; and

(2) the threat posed by the public disclosure of the Missing Armed Forces Personnel record or information is of such gravity that it outweighs the public interest in disclosure.

(c) EXCEPTION.—Regardless of the age of a Missing Armed Forces Personnel record, disclosure to the public of information in the Missing Armed Forces Personnel record may be postponed if—

(1) the public disclosure of the information would reveal the name or identity of a living person who provided confidential information to the United States and would pose a substantial risk of harm to that person;

(2) the public disclosure of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy, and that invasion of privacy is so substantial that it outweighs the public interest;

(3) the public disclosure of the information could reasonably be expected to cause harm to the methods currently in use or available for use by members of the Armed Forces to survive, evade, resist, or escape; or

(4) the President determines that the record is subject to a valid claim of executive privilege.

SEC. 1707. ESTABLISHMENT AND POWERS OF THE MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD.

(a) ESTABLISHMENT.—There is established as an independent establishment in the executive branch a board to be known as the ''Missing Armed Forces Personnel Records Review Board''.

(b) MEMBERSHIP.—

(1) APPOINTMENTS.—The President shall appoint, by and with the advice and consent of the Senate, 5 individuals to serve as a member of the Review Board to ensure and facilitate the review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records.

(2) QUALIFICATIONS.—The President should appoint individuals to serve as members of the Review Board—

(A) without regard to political affiliation;

(B) who are citizens of the United States of integrity and impartiality;

(C) who are not an employee of an Executive agency on the date of the appointment;

(D) who have high national professional reputation in their fields who are capable of exercising the independent and objective judgment necessary to the fulfillment of their role in ensuring and facilitating the identification, location, review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records;

(E) who possess an appreciation of the value of Missing Armed Forces Personnel records to scholars, the Federal Government, and the public, particularly families of Missing Armed Forces Personnel;

(F) not less than 1 of whom is a professional historian; and

(G) not less than 1 of whom is an attorney.

(3) DEADLINES.—

(A) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the President should submit nominations for all members of the Review Board.

(B) CONFIRMATION REJECTED.—If the Senate votes not to confirm a nomination to serve as a member of the Review Board, not later than 90 days after the date of the vote the President should submit the nomination of an additional individual to serve as a member of the Review Board.

(4) CONSULTATION.—The President should make nominations to the Review Board after considering individuals recommended by the American Historical Association, the Organization of American Historians, the Society of American Archivists, the American Bar Association, veterans' organizations, and organizations representing families of Missing Armed Forces Personnel.

(c) SECURITY CLEARANCES.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be a member of the Review Board, seeking security clearances necessary to carry out the duties of the Review Board, is expeditiously reviewed and granted or denied.

(d) CONFIRMATION.—

(1) HEARINGS.—Not later than 30 days on which the Senate is in session after the date on which not less than 3 individuals have been nominated to serve as members of the Review Board, the Committee on Homeland Security and Governmental Affairs of the Senate shall hold confirmation hearings on the nominations.

(2) COMMITTEE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs holds a confirmation hearing on the nomination of an individual to serve as a member of the Review Board, the committee shall vote on the nomination and report the results to the full Senate immediately.

(3) SENATE VOTE.—Not later than 14 days on which the Senate is in session after the date on which the Committee on Homeland Security and Governmental Affairs reports the results of a vote on a nomination of an individual to serve as a member of the Review Board, the Senate shall vote on the confirmation of the nominee.

(e) VACANCY.—Not later than 60 days after the date on which a vacancy on the Review Board occurs, the vacancy shall be filled in the same manner as specified for original appointment.

(f) CHAIRPERSON.—The members of the Review Board shall elect a member as Chairperson at the initial meeting of the Review Board.

(g) REMOVAL OF REVIEW BOARD MEMBER.—

(1) IN GENERAL.—A member of the Review Board shall not be removed from office, other than—

(A) by impeachment by Congress; or

(B) by the action of the President.

(2) JUDICIAL REVIEW.—

(A) IN GENERAL.—A member of the Review Board removed from office may obtain judicial review of the removal in a civil action commenced in the United States District Court for the District of Columbia.

(B) RELIEF.—The member may be reinstated or granted other appropriate relief by order of the court.

(h) COMPENSATION OF MEMBERS.—

(1) BASIC PAY.—A member of the Review Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Review Board.

(2) TRAVEL EXPENSES.—A member of the Review Board shall be allowed reasonable travel expenses, including per diem in lieu of subsistence, at rates for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from the member's home or regular place of business in the performance of services for the Review Board.

(i) DUTIES OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall consider and render a decision on a determination by a Government office to seek to postpone the disclosure of a Missing Armed Forces Personnel record, in whole or in part.

(2) RECORDS.—In carrying out paragraph (1), the Review Board shall consider and render a decision regarding—

(A) whether a record constitutes a Missing Armed Forces Personnel record; and

(B) whether a Missing Armed Forces Personnel record, or particular information in a Missing Armed Forces Personnel record, qualifies for postponement of disclosure under this title.

(j) POWERS.—The Review Board shall have the authority to act in a manner prescribed under this title, including authority to—

(1) direct Government offices to transmit to the Archivist Missing Armed Forces Personnel records as required under this title;

(2) direct Government offices to transmit to the Archivist substitutes and summaries of Missing Armed Forces Personnel records that can be publicly disclosed to the fullest extent for any Missing Armed Forces Personnel record that is proposed for postponement;

(3) obtain access to Missing Armed Forces Personnel records that have been identified by a Government office;

(4) direct a Government office to make available to the Review Board, and if necessary investigate the facts surrounding, additional information, records, or testimony from individuals, which the Review Board has reason to believe is required to fulfill its functions and responsibilities under this title;

(5) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Review Board considers advisable to carry out its responsibilities under this title;

(6) hold individuals in contempt for failure to comply with directives and mandates issued by the Review Board under this title, which shall not include the authority to imprison or fine any individual;

(7) require any Government office to account in writing for the destruction of any records relating to the loss, fate, or status of Missing Armed Forces Personnel;

(8) receive information from the public regarding the identification and public disclosure of Missing Armed Forces Personnel records; and

(9) make a final determination regarding whether a Missing Armed Forces Personnel record will be disclosed to the public or disclosure of the Missing Armed Forces Personnel record to the public will be postponed, notwithstanding the determination of an Executive agency.

(k) WITNESS IMMUNITY.—The Review Board shall be considered to be an agency of the United States for purposes of section 6001 of title 18, United States Code.

(l) OVERSIGHT.—

(1) IN GENERAL.—The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives shall have—

(A) continuing oversight jurisdiction with respect to the official conduct of the Review Board and the disposition of postponed records after termination of the Review Board; and

(B) upon request, access to any records held or created by the Review Board.

(2) DUTY OF REVIEW BOARD.—The Review Board shall have the duty to cooperate with the exercise of oversight jurisdiction under paragraph (1).

(m) SUPPORT SERVICES.—The Administrator of the General Services Administration shall provide administrative services for the Review Board on a reimbursable basis.

(n) INTERPRETIVE REGULATIONS.—The Review Board may issue interpretive regulations.

(o) TERMINATION AND WINDING UP.—

(1) IN GENERAL.—Two years after the date of enactment of this Act, the Review Board shall, by majority vote, determine whether all Government offices have complied with the obligations, mandates, and directives under this title.

(2) TERMINATION DATE.—The Review Board shall terminate on the date that is 4 years after the date of enactment of this Act.

(3) REPORT.—Before the termination of the Review Board under paragraph (2), the Review Board shall submit to Congress reports, including a complete and accurate accounting of expenditures during its existence, and shall complete all other reporting requirements under this title.

(4) RECORDS.—Upon termination of the Review Board, the Review Board shall transfer records of the Review Board maintained consistent with chapter 31 of title 44, United States Code (commonly referred to as the ''Federal Records Act of 1950''), to the Archivist for inclusion in the Collection.

SEC. 1708. MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) IN GENERAL.—Not later than 45 days after the initial meeting of the Review

Board, the Review Board shall appoint an individual to the position of Executive Director.

(2) QUALIFICATIONS.—The individual appointed as Executive Director of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality;

(B) shall be appointed without regard to political affiliation; and

(C) shall not have any conflict of interest with the mission of the Review Board.

(3) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as Executive Director until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual nominated to be Executive Director, seeking security clearances necessary to carry out the duties of the Executive Director, is expeditiously reviewed and granted or denied.

(4) DUTIES.—The Executive Director shall—

(A) serve as principal liaison to Government offices;

(B) be responsible for the administration and coordination of the review of records by the Review Board;

(C) be responsible for the administration of all official activities conducted by the Review Board; and

(D) not have the authority to decide or determine whether any record should be disclosed to the public or postponed for disclosure.

(5) REMOVAL.—The Executive Director may be removed by a majority vote of the Review Board.

(b) STAFF.—

(1) IN GENERAL.—The Review Board may, in accordance with the civil service laws, but without regard to civil service law and regulation for competitive service as defined in subchapter I of chapter 33 of title 5, United States Code, appoint and terminate additional employees as are necessary to enable the Review Board and the Executive Director to perform their duties under this title.

(2) QUALIFICATIONS.—An individual appointed to a position as an employee of the Review Board—

(A) shall be a citizen of the United States of integrity and impartiality; and

(B) shall not have had any previous involvement with any official investigation or inquiry relating to the loss, fate, or status of Missing Armed Forces Personnel.

(3) SECURITY CLEARANCE.—

(A) LIMIT ON APPOINTMENT.—The Review Board shall not appoint an individual as an employee of the Review Board until after the date on which the individual qualifies for the necessary security clearance.

(B) EXPEDITED PROVISION.—The appropriate departments, agencies, and elements of the executive branch of the Federal Government shall cooperate to ensure that an application by an individual who is a candidate for a position with the Review Board, seeking security clearances necessary to carry out the duties of the position, is expeditiously reviewed and granted or denied.

(c) COMPENSATION.—The Review Board shall fix the compensation of the Executive Director and other employees of the Review Board without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the Executive Director and other employees may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(d) ADVISORY COMMITTEES.—

(1) IN GENERAL.—The Review Board may create 1 or more advisory committees to assist in fulfilling the responsibilities of the Review Board under this title.

(2) APPLICABILITY OF FACA.—Any advisory committee created by the Review Board shall be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1709. REVIEW OF RECORDS BY THE MISSING ARMED FORCES PERSONNEL RECORDS REVIEW BOARD.

(a) STARTUP REQUIREMENTS.—The Review Board shall—

(1) not later than 90 days after the date on which all members are appointed, publish an initial schedule for review of all Missing Armed Forces Personnel records, which the Archivist shall highlight and make available on a publicly accessible website administered by the National Archives; and

(2) not later than 180 days after the date of enactment of this Act, begin reviewing of Missing Armed Forces Personnel records under this title.

(b) DETERMINATION OF THE REVIEW BOARD.—

(1) IN GENERAL.—The Review Board shall direct that all records that relate, directly or indirectly, to the loss, fate, or status of Missing Armed Forces Personnel be transmitted to the Archivist and disclosed to the public in the Collection in the absence of clear and convincing evidence that—

(A) the record is not a Missing Armed Forces Personnel record; or

(B) the Missing Armed Forces Personnel record, or particular information within the Missing Armed Forces Personnel record, qualifies for postponement of public disclosure under this title.

(2) POSTPONEMENT.—In approving postponement of public disclosure of a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the Review Board shall seek to—

(A) provide for the disclosure of segregable parts, substitutes, or summaries of the Missing Armed Forces Personnel record; and

(B) determine, in consultation with the originating body and consistent with the standards for postponement under this title, which of the following alternative forms of disclosure shall be made by the originating body:

(i) Any reasonably segregable particular information in a Missing Armed Forces Personnel record.

(ii) A substitute record for that information which is postponed.

(iii) A summary of a Missing Armed Forces Personnel record.

(3) REPORTING.—With respect to a Missing Armed Forces Personnel record, or information within a Missing Armed Forces Personnel record, the public disclosure of which is postponed under this title, or for which only substitutions or summaries have been disclosed to the public, the Review Board shall create and transmit to the Archivist an unclassified and publicly releasable report containing—

(A) a description of actions by the Review Board, the originating body, or any Government office (including a justification of any such action to postpone disclosure of any record or part of any record) and of any official proceedings conducted by the Review Board; and

(B) a statement, based on a review of the proceedings and in conformity with the decisions reflected therein, designating a recommended specified time at which, or a specified occurrence following which, the material may be appropriately disclosed to the public under this title, which the Review Board shall disclose to the public with notice thereof, reasonably calculated to make interested members of the public aware of the existence of the statement.

(4) ACTIONS AFTER DETERMINATION.—

(A) IN GENERAL.—Not later than 14 days after the date of a determination by the Review Board that a Missing Armed Forces Personnel record shall be publicly disclosed in the Collection or postponed for disclosure and held in the protected Collection, the Review Board shall notify the head of the originating body of the determination and highlight and make available the determination on a publicly accessible website reasonably calculated to make interested members of the public aware of the existence of the determination.

(B) OVERSIGHT NOTICE.—Simultaneous with notice under subparagraph (A), the Review Board shall provide notice of a determination concerning the public disclosure or postponement of disclosure of a Missing Armed Forces Personnel record, or information contained within a Missing Armed Forces Personnel record, which shall include a written unclassified justification for public disclosure or postponement of disclosure, including an explanation of the application of any standards in section 1706 to the President, to the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Reform of the House of Representatives.

(5) REFERRAL AFTER TERMINATION.—A Missing Armed Forces Personnel record that is identified, located, or otherwise discovered after the date on which the Review Board terminates shall be transmitted to the Archivist for the Collection and referred to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives for review, ongoing oversight and, as warranted, referral for possible enforcement action relating to a violation of this title and determination as to whether declassification of the Missing Armed Forces Personnel is warranted under this title.

(c) NOTICE TO PUBLIC.—Every 30 days, beginning on the date that is 60 days after the date on which the Review Board first approves the postponement of disclosure of a Missing Armed Forces Personnel record, the Review Board shall highlight and make accessible on a publicly available website reasonably calculated to make interested members of the public aware of the existence of the postponement a notice that summarizes the postponements approved by the Review Board, including a description of the subject, originating body, length or other physical description, and each ground for postponement that is relied upon.

(d) REPORTS BY THE REVIEW BOARD.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the Review Board terminates, the Review Board shall submit a report regarding the activities of the Review Board to—

(A) the Committee on Oversight and Reform of the House of Representatives;

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

(C) the President;

(D) the Archivist; and

(E) the head of any Government office the records of which have been the subject of Review Board activity.

(2) CONTENTS.—Each report under paragraph (1) should include the following information:

(A) A financial report of the expenses for all official activities and requirements of the Review Board and its employees.

(B) The progress made on review, transmission to the Archivist, and public disclosure of Missing Armed Forces Personnel records.

(C) The estimated time and volume of Missing Armed Forces Personnel records involved in the completion of the duties of the Review Board under this title.

(D) Any special problems, including requests and the level of cooperation of Government offices, with regard to the ability of the Review Board to carry out its duties under this title.

(E) A record of review activities, including a record of postponement decisions by the Review Board or other related actions authorized under this title, and a record of the volume of records reviewed and postponed.

(F) Suggestions and requests to Congress for additional legislative authority needs.

(G) An appendix containing copies of reports relating to postponed records submitted to the Archivist under subsection (b)(3) since the end of the period covered by the most recent report under paragraph (1).

(3) TERMINATION NOTICE.—Not later than 90 days before the Review Board expects to complete the work of the Review Board under this title, the Review Board shall provide written notice to Congress of the intent of the Review Board to terminate operations at a specified date.

SEC. 1710. DISCLOSURE OF OTHER MATERIALS AND ADDITIONAL STUDY.

(a) MATERIALS UNDER SEAL OF COURT.—

(1) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States or of a foreign country to release any information relevant to the loss, fate, or status of Missing Armed Forces Personnel that is held under seal of the court.

(2) GRAND JURY INFORMATION.—

(A) IN GENERAL.—The Review Board may request the Attorney General to petition any court of the United States to release any information relevant to loss, fate, or status of Missing Armed Forces Personnel that is held under the injunction of secrecy of a grand jury.

(B) TREATMENT.—A request for disclosure of Missing Armed Forces Personnel materials under this title shall be deemed to constitute a showing of particularized need under rule 6 of the Federal Rules of Criminal Procedure.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Attorney General should assist the Review Board in good faith to unseal any records that the Review Board determines to be relevant and held under seal by a court or under the injunction of secrecy of a grand jury;

(2) the Secretary of State should—

(A) contact the Governments of the Russian Federation, the People's Republic of China, and the Democratic People's Republic of Korea to seek the disclosure of all records in their respective custody, possession, or control relevant to the loss, fate, or status of Missing Armed Forces Personnel; and

(B) contact any other foreign government that may hold information relevant to the loss, fate, or status of Missing Armed Forces Personnel, and seek disclosure of such information; and

(3) all agencies should cooperate in full with the Review Board to seek the disclosure of all information relevant to the loss, fate, or status of Missing Armed Forces Personnel consistent with the public interest.

SEC. 1711. RULES OF CONSTRUCTION.

(a) PRECEDENCE OVER OTHER LAW.—When this title requires transmission of a record to the Archivist or public disclosure, it shall take precedence over any other law (except section 6103 of the Internal Revenue Code of 1986), judicial decision construing such law, or common law doctrine that would otherwise prohibit such transmission or disclosure, with the exception of deeds governing access to or transfer or release of gifts and donations of records to the United States Government.

(b) FREEDOM OF INFORMATION ACT.—Nothing in this title shall be construed to eliminate or limit any right to file requests with any Executive agency or seek judicial review of the decisions under section 552 of title 5, United States Code.

(c) JUDICIAL REVIEW.—Nothing in this title shall be construed to preclude judicial review under chapter 7 of title 5, United States Code, of final actions taken or required to be taken under this title.

(d) EXISTING AUTHORITY.—Nothing in this title revokes or limits the existing authority of the President, any Executive agency, the Senate, or the House of Representatives, or any other entity of the Government to publicly disclose records in its custody, possession, or control.

(e) RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES.—To the extent that any provision of this title establishes a procedure to be followed in the Senate or the House of Representatives, such provision is adopted—

(1) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and is deemed to be part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as they relate to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1712. TERMINATION OF EFFECT OF TITLE.

(a) PROVISIONS PERTAINING TO THE REVIEW BOARD.—The provisions of this title that pertain to the appointment and operation of the Review Board shall cease to be effective when the Review Board and the terms of its members have terminated under section 1707(o).

(b) OTHER PROVISIONS.—The remaining provisions of this title shall continue in effect until such time as the Archivist certifies to the President and Congress that all Missing Armed Forces Personnel records have been made available to the public in accordance with this title.

SEC. 1713. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated such sums as are necessary to carry out this title, including such sums as are necessary for the Archivist to implement the requirements of this Act, to remain available until expended.

(b) INTERIM FUNDING.—Until such time as funds are appropriated pursuant to subsection (a), the President may use such sums as are available for discretionary use to carry out this title.

SEC. 1714. SEVERABILITY.

If any provision of this title, or the application thereof to any person or circumstance, is held invalid, the remainder of this title and the application of that provision to other persons not similarly situated or to other circumstances shall not be affected by the invalidation.

SA 2230. Mr. RISCH (for himself, Ms. CORTEZ MASTO, Mr. KENNEDY, Ms. ROSEN, and Mrs. CAPITO) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle E of title VIII, insert the following:

SEC. ___. FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

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

''(11) SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SOCIALLY ECONOMICALLY DISADVANTAGED INDIVIDUALS.—The term 'small business concern owned and controlled by socially and economically disadvantaged individuals' has the meaning given the term in section 8(d)(3)(C).

''(12) UNDERPERFORMING STATE.—The term 'underperforming State' means a State participating in the SBIR or STTR program that has been calculated by the Administrator to be one of 18 States receiving the fewest SBIR and STTR Phase I awards.'';

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) in clause (iii), by striking ''and'' at the end;

(II) in clause (iv), by striking the period at the end and inserting ''; and''; and

(III) by adding at the end the following:

''(v) to prioritize applicants located in an underperforming State.'';

(B) in paragraph (2)—

(i) in subparagraph (B)(vi)—

(I) in clause (II), by striking ''and'' at the end; and

(II) by adding at the end the following:

''(IV) located in an underperforming State; and'';

(ii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) shall give first priority and special consideration to an applicant that—

''(i) is located in an underperforming State; or

''(ii) serves small business concerns owned and controlled by—

''(I) women;

''(II) socially and economically disadvantaged individuals; or

''(III) veterans.'';

(C) in paragraph (3), by striking ''Not more than one proposal'' and inserting ''There is no limit on the number of proposals that''; and

(D) by adding at the end the following:

''(6) ADDITIONAL ASSISTANCE FOR UNDERPERFORMING STATES.—Upon application by a recipient that is located in an underperforming State, the Administrator may—

''(A) provide additional assistance to the recipient; and

''(B) waive the matching requirements under subsection (e)(2).'';

(3) in subsection (e)—

(A) in paragraph (2)—

(i) in subparagraph (A)—

(I) by inserting ''and STTR'' before ''first phase'' each place that term appears;

(II) in clause (i), by striking ''50'' and inserting ''25'';

(III) in clause (ii), by striking ''1 dollar'' and inserting ''75 cents''; and

(IV) in clause (iii), by striking ''75'' and inserting ''50'';

(ii) in subparagraph (D), by striking '', beginning with fiscal year 2001'' and inserting ''and make publicly available on the website

of the Administration, beginning with fiscal year 2021''; and

(iii) by adding at the end the following:

''(E) PAYMENT.—The non-Federal share of the cost of an activity carried out by a recipient may be paid by the recipient over the course of the period of the award or cooperative agreement.''; and

(B) by adding at the end the following:

''(4) AMOUNT OF AWARD.—In carrying out the FAST program under this section—

''(A) the Administrator shall make and enter into not less than 12 awards or cooperative agreements;

''(B) each award or cooperative agreement described in subparagraph (A) shall be for not more than $500,000, which shall be provided over 2 fiscal years; and

''(C) any amounts left unused in the third quarter of the second fiscal year may be retained by the Administrator for future FAST program awards.

''(5) REPORTING.—Not later than 6 months after receiving an award or entering into a cooperative agreement under this section, a recipient shall report to the Administrator—

''(A) the number of awards made under the SBIR or STTR program;

''(B) the number of applications submitted for the SBIR or STTR program;

''(C) the number of consulting hours spent;

''(D) the number of training events conducted; and

''(E) any issues encountered in the management and application of the FAST program.'';

(4) in subsection (f)—

(A) in paragraph (1)—

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

(I) by striking ''Not later than 120 days after the date of the enactment of the Small Business Innovation Research Program Reauthorization Act of 2000'' and inserting ''December 31, 2020''; and

(II) by inserting ''and Entrepreneurship'' before ''of the Senate'';

(ii) in subparagraph (B), by striking ''and'' at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following:

''(D) a description of the process used to ensure that underperforming States and applicants that serve small business concerns owned and controlled by women, socially and economically disadvantaged individuals, or veterans are given priority application status under the FAST program.''; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking ''ANNUAL'' and inserting ''BIENNIAL'';

(ii) in the matter preceding subparagraph (A), by striking ''annual'' and inserting ''biennial'';

(iii) in subparagraph (B), by striking ''and'' at the end;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

''(D) the proportion of awards provided to and cooperative agreements entered into with underperforming States; and

''(E) a list of the States that were determined by the Administrator to be underperforming States, and a description of any changes in the list compared to previously submitted reports.'';

(5) in subsection (g)(2)—

(A) by striking ''2004'' and inserting ''2021''; and

(B) by inserting ''and Entrepreneurship'' before ''of the Senate''; and

(6) in subsection (h)(1), by striking ''$10,000,000 for each of fiscal years 2001 through 2005'' and inserting ''$20,000,000 for every 2 fiscal years between fiscal years 2021 through 2025, to be obligated before the end of the second fiscal year''.

SA 2231. Mrs. FISCHER (for herself, Mr. SCHATZ, Mr. GARDNER, and Mr. BOOKER) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. INTERNET OF THINGS.

(a) DEFINITIONS.—In this section:

(1) COMMISSION.—The term ''Commission'' means the Federal Communications Commission.

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

(3) STEERING COMMITTEE.—The term ''steering committee'' means the steering committee established under subsection (b)(5)(A).

(4) WORKING GROUP.—The term ''working group'' means the working group convened under subsection (b)(1).

(b) FEDERAL WORKING GROUP.—

(1) IN GENERAL.—The Secretary shall convene a working group of Federal stakeholders for the purpose of providing recommendations and a report to Congress relating to the aspects of the Internet of Things described in paragraph (2).

(2) DUTIES.—The working group shall—

(A) identify any Federal regulations, statutes, grant practices, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development or deployment of the Internet of Things;

(B) consider policies or programs that encourage and improve coordination among Federal agencies that have responsibilities that are relevant to the objectives of this section;

(C) consider any findings or recommendations made by the steering committee and, where appropriate, act to implement those recommendations;

(D) examine—

(i) how Federal agencies can benefit from utilizing the Internet of Things;

(ii) the use of Internet of Things technology by Federal agencies as of the date on which the working group performs the examination;

(iii) the preparedness and ability of Federal agencies to adopt Internet of Things technology as of the date on which the working group performs the examination and in the future; and

(iv) any additional security measures that Federal agencies may need to take to—

(I) safely and securely use the Internet of Things, including measures that ensure the security of critical infrastructure; and

(II) enhance the resiliency of Federal systems against cyber threats to the Internet of Things; and

(E) in carrying out the examinations required under subclauses (I) and (II) of subparagraph (D)(iv), ensure to the maximum extent possible the coordination of the current and future activities of the Federal Government relating to security with respect to the Internet of Things.

(3) AGENCY REPRESENTATIVES.—In convening the working group under paragraph (1), the Secretary shall have discretion to appoint representatives from Federal agencies and departments as appropriate and shall specifically consider seeking representation from—

(A) the Department of Commerce, including—

(i) the National Telecommunications and Information Administration;

(ii) the National Institute of Standards and Technology; and

(iii) the National Oceanic and Atmospheric Administration;

(B) the Department of Transportation;

(C) the Department of Homeland Security;

(D) the Office of Management and Budget;

(E) the National Science Foundation;

(F) the Commission;

(G) the Federal Trade Commission;

(H) the Office of Science and Technology Policy;

(I) the Department of Energy; and

(J) the Federal Energy Regulatory Commission.

(4) NONGOVERNMENTAL STAKEHOLDERS.—The working group shall consult with nongovernmental stakeholders with expertise relating to the Internet of Things, including—

(A) the steering committee;

(B) information and communications technology manufacturers, suppliers, service providers, and vendors;

(C) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(D) small, medium, and large businesses;

(E) think tanks and academia;

(F) nonprofit organizations and consumer groups;

(G) security experts;

(H) rural stakeholders; and

(I) other stakeholders with relevant expertise, as determined by the Secretary.

(5) STEERING COMMITTEE.—

(A) ESTABLISHMENT.—There is established within the Department of Commerce a steering committee to advise the working group.

(B) DUTIES.—The steering committee shall advise the working group with respect to—

(i) the identification of any Federal regulations, statutes, grant practices, programs, budgetary or jurisdictional challenges, and other sector-specific policies that are inhibiting, or could inhibit, the development of the Internet of Things;

(ii) situations in which the use of the Internet of Things is likely to deliver significant and scalable economic and societal benefits to the United States, including benefits from or to—

(I) smart traffic and transit technologies;

(II) augmented logistics and supply chains;

(III) sustainable infrastructure;

(IV) precision agriculture;

(V) environmental monitoring;

(VI) public safety; and

(VII) health care;

(iii) whether adequate spectrum is available to support the growing Internet of Things and what legal or regulatory barriers may exist to providing any spectrum needed in the future;

(iv) policies, programs, or multi-stakeholder activities that—

(I) promote or are related to the privacy of individuals who use or are affected by the Internet of Things;

(II) may enhance the security of the Internet of Things, including the security of critical infrastructure;

(III) may protect users of the Internet of Things; and

(IV) may encourage coordination among Federal agencies with jurisdiction over the Internet of Things;

(v) the opportunities and challenges associated with the use of Internet of Things technology by small businesses; and

(vi) any international proceeding, international negotiation, or other international matter affecting the Internet of Things to which the United States is or should be a party.

(C) MEMBERSHIP.—The Secretary shall appoint to the steering committee members representing a wide range of stakeholders outside of the Federal Government with expertise relating to the Internet of Things, including—

(i) information and communications technology manufacturers, suppliers, service providers, and vendors;

(ii) subject matter experts representing industrial sectors other than the technology sector that can benefit from the Internet of Things, including the transportation, energy, agriculture, and health care sectors;

(iii) small, medium, and large businesses;

(iv) think tanks and academia;

(v) nonprofit organizations and consumer groups;

(vi) security experts;

(vii) rural stakeholders; and

(viii) other stakeholders with relevant expertise, as determined by the Secretary.

(D) REPORT.—Not later than 1 year after the date of enactment of this Act, the steering committee shall submit to the working group a report that includes any findings or recommendations of the steering committee.

(E) INDEPENDENT ADVICE.—

(i) IN GENERAL.—The steering committee shall set the agenda of the steering committee in carrying out the duties of the steering committee under subparagraph (B).

(ii) SUGGESTIONS.—The working group may suggest topics or items for the steering committee to study, and the steering committee shall take those suggestions into consideration in carrying out the duties of the steering committee.

(iii) REPORT.—The steering committee shall ensure that the report submitted under subparagraph (D) is the result of the independent judgment of the steering committee.

(F) NO COMPENSATION FOR MEMBERS.—A member of the steering committee shall serve without compensation.

(G) TERMINATION.—The steering committee shall terminate on the date on which the working group submits the report under paragraph (6).

(6) REPORT TO CONGRESS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the working group shall submit to Congress a report that includes—

(i) the findings and recommendations of the working group with respect to the duties of the working group under paragraph (2);

(ii) the report submitted by the steering committee under paragraph (5)(D), as the report was received by the working group;

(iii) recommendations for action or reasons for inaction, as applicable, with respect to each recommendation made by the steering committee in the report submitted under paragraph (5)(D); and

(iv) an accounting of any progress made by Federal agencies to implement recommendations made by the working group or the steering committee.

(B) COPY OF REPORT.—The working group shall submit a copy of the report described in subparagraph (A) to—

(i) the Committee on Commerce, Science, and Transportation and the Committee on Energy and Natural Resources of the Senate;

(ii) the Committee on Energy and Commerce of the House of Representatives; and

(iii) any other committee of Congress, upon request to the working group.

(c) ASSESSING SPECTRUM NEEDS.—

(1) IN GENERAL.—The Commission, in consultation with the National Telecommunications and Information Administration, shall issue a notice of inquiry seeking public comment on the current, as of the date of enactment of this Act, and future spectrum needs to enable better connectivity relating to the Internet of Things.

(2) REQUIREMENTS.—In issuing the notice of inquiry under paragraph (1), the Commission shall seek comments that consider and evaluate—

(A) whether adequate spectrum is available, or is planned for allocation, for commercial wireless services that could support the growing Internet of Things;

(B) if adequate spectrum is not available for the purposes described in subparagraph (A), how to ensure that adequate spectrum is available for increased demand with respect to the Internet of Things;

(C) what regulatory barriers may exist to providing any needed spectrum that would support uses relating to the Internet of Things; and

(D) what the role of unlicensed and licensed spectrum is and will be in the growth of the Internet of Things.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the comments submitted in response to the notice of inquiry issued under paragraph (1).

SA 2232. Ms. MCSALLY (for herself, Mr. CORNYN, and Mr. CASSIDY) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of title X of division A, add the following:

SEC. 1085. LIMITATION ON CERTAIN ROLLING STOCK PROCUREMENTS.

Section 5323(u)(5) of title 49, United States Code, is amended—

(1) by striking ''(A) PARTIES TO EXECUTED CONTRACTS.—''; and

(2) by striking subparagraphs (B) and (C).

SA 2233. Mr. LANKFORD (for himself, Mr. ENZI, Ms. HASSAN, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—TAXPAYERS RIGHT-TO-KNOW

SEC. ____01. SHORT TITLE.

This title may be cited as the ''Taxpayers Right-To-Know Act''.

SEC. ____02. INVENTORY OF GOVERNMENT PROGRAMS.

Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

''(1) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'Federal financial assistance' has the meaning given that term under section 7501;

''(B) the term 'open Government data asset' has the meaning given that term under section 3502 of title 44;

''(C) the term 'program' means a single program activity or an organized set of aggregated, disaggregated, or consolidated program activities by one or more agencies directed toward a common purpose or goal; and

''(D) the term 'program activity' has the meaning given that term in section 1115(h).'';

(3) in paragraph (2), as so redesignated—

(A) by striking ''IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall'' and inserting ''WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall'';

(B) in subparagraph (A), by inserting ''that includes the information required under subsections (b) and (c)'' after ''a single website''; and

(C) by striking subparagraphs (B) and (C) and inserting the following:

''(B) include on the website described in subparagraph (A), or another appropriate Federal Government website where related information is made available, as determined by the Director—

''(i) a program inventory that shall identify each program; and

''(ii) for each program identified in the program inventory, the information required under paragraph (3);

''(C) make the information in the program inventory required under subparagraph (B) available as an open Government data asset; and

''(D) at a minimum—

''(i) update the information required to be included on the single website under subparagraph (A) on a quarterly basis; and

''(ii) update the program inventory required under subparagraph (B) on an annual basis.'';

(4) in paragraph (3), as so redesignated—

(A) in the matter preceding subparagraph (A), by striking ''described under paragraph (1) shall include'' and inserting ''identified in the program inventory required under paragraph (2)(B) shall include'';

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

(C) in subparagraph (C), by striking the period at the end and inserting ''and,''; and

(D) by adding at the end the following:

''(D) for each program activity that is part of a program—

''(i) a description of the purposes of the program activity and the contribution of the program activity to the mission and goals of the agency;

''(ii) a consolidated view for the current fiscal year and each of the 2 fiscal years before the current fiscal year of—

''(I) the amount appropriated;

''(II) the amount obligated; and

''(III) the amount outlayed;

''(iii) to the extent practicable and permitted by law, links to any related evaluation, assessment, or program performance review by the agency, an inspector general, or the Government Accountability Office (including program performance reports required under section 1116), and other related evidence assembled in response to implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435; 132 Stat. 5529);

''(iv) an identification of the statutes that authorize the program activity or the authority under which the program activity was created or operates;

''(v) an identification of any major regulations specific to the program activity;

''(vi) any other information that the Director of the Office of Management and Budget determines relevant relating to program activity data in priority areas most relevant to Congress or the public to increase transparency and accountability; and

''(vii) for each assistance listing under which Federal financial assistance is provided, for the current fiscal year and each of the 2 fiscal years before the current fiscal year and consistent with existing law relating to the protection of personally identifiable information—

''(I) a linkage to the relevant program activities that fund Federal financial assistance by assistance listing;

''(II) information on the population intended to be served by the assistance listing based on the language of the solicitation, as required under section 6102;

''(III) to the extent practicable and based on data reported to the agency providing the Federal financial assistance, the results of the Federal financial assistance awards provided by the assistance listing;

''(IV) to the extent practicable, the percentage of the amount appropriated for the assistance listing that is used for management and administration;

''(V) the identification of each award of Federal financial assistance and, to the extent practicable, the name of each direct or indirect recipient of the award; and

''(VI) any information relating to the award of Federal financial assistance that is required to be included on the website established under section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).''; and

(5) by adding at the end the following:

''(4) ARCHIVING.—The Director of the Office of Management and Budget shall—

''(A) archive and preserve the information included in the program inventory required under paragraph (2)(B) after the end of the period during which such information is made available under paragraph (3); and

''(B) make information archived in accordance with subparagraph (A) publicly available as an open Government data asset.''.

SEC. ___03. GUIDANCE, IMPLEMENTATION, REPORTING, AND REVIEW.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate congressional committees'' means the Committee on Oversight and Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the term ''Director'' means the Director of the Office of Management and Budget;

(3) the term ''program'' has the meaning given that term in section 1122(a)(1) of title 31, United States Code, as amended by section ___02 of this title;

(4) the term ''program activity'' has the meaning given that term in section 1115(h) of title 31, United States Code; and

(5) the term ''Secretary'' means the Secretary of the Treasury.

(b) PLAN FOR IMPLEMENTATION AND RECONCILING PROGRAM DEFINITIONS.—Not later than 180 days after the date of enactment of this Act, the Director, in consultation with the Secretary, shall submit to the appropriate congressional committees a report that—

(1) includes a plan that—

(A) discusses how making available on a website the information required under subsection (a) of section 1122 of title 31, United States Code, as amended by section ___02, will leverage existing data sources while avoiding duplicative or overlapping information in presenting information relating to program activities and programs;

(B) indicates how any gaps in data will be assessed and addressed;

(C) indicates how the Director will display such data; and

(D) discusses how the Director will expand the information collected with respect to program activities to incorporate the information required under the amendments made by section ___02;

(2) sets forth details regarding a pilot program, developed in accordance with best practices for effective pilot programs—

(A) to develop and implement a functional program inventory that could be limited in scope; and

(B) under which the information required under the amendments made by section ___02 with respect to program activities shall be made available on the website required under section 1122(a) of title 31, United States Code;

(3) establishes an implementation timeline for—

(A) gathering and building program activity information;

(B) developing and implementing the pilot program;

(C) seeking and responding to stakeholder comments;

(D) developing and presenting findings from the pilot program to the appropriate congressional committees;

(E) notifying the appropriate congressional committees regarding how program activities will be aggregated, disaggregated, or consolidated as part of identifying programs; and

(F) implementing a Governmentwide program inventory through an iterative approach; and

(4) includes recommendations, if any, to reconcile the conflicting definitions of the term ''program'' in relevant Federal statutes, as it relates to the purpose of this title.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director shall make available online all information required under the amendments made by section ___02 with respect to all programs.

(2) EXTENSIONS.—The Director may, based on an analysis of the costs of implementation, and after submitting to the appropriate congressional committees a notification of the action by the Director, extend the deadline for implementation under paragraph (1) by not more than a total of 1 year.

(d) REPORTING.—Not later than 2 years after the date on which the Director makes available online all information required under the amendments made by section ___02 with respect to all programs, the Comptroller General of the United States shall submit to the appropriate congressional committees a report regarding the implementation of this title and the amendments made by this title, which shall—

(1) review how the Director and agencies determined how to aggregate, disaggregate, or consolidate program activities to provide the most useful information for an inventory of Government programs;

(2) evaluate the extent to which the program inventory required under section 1122 of title 31, United States Code, as amended by this title, provides useful information for transparency, decision-making, and oversight;

(3) evaluate the extent to which the program inventory provides a coherent picture of the scope of Federal investments in particular areas; and

(4) include the recommendations of the Comptroller General, if any, for improving implementation of this title and the amendments made by this title.

SEC. ___04. TECHNICAL AND CONFORMING AMENDMENTS.

(a) IN GENERAL.—Section 1122 of title 31, United States Code, is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by inserting ''described in subsection (a)(2)(A)'' after ''the website'' each place it appears;

(2) in subsection (c), in the matter preceding paragraph (1), by inserting ''described in subsection (a)(2)(A)'' after ''the website''; and

(3) in subsection (d)—

(A) in the subsection heading, by striking ''ON WEBSITE''; and

(B) in the first sentence, by striking ''on the website''.

(b) OTHER AMENDMENTS.—

(1) Section 1115(a) of title 31, United States Code, is amended in the matter preceding paragraph (1) by striking ''the website provided under'' and inserting ''a website described in''.

(2) Section 10 of the GPRA Modernization Act of 2010 (31 U.S.C. 1115 note) is amended—

(A) in subsection (a)(3), by striking ''the website described under'' and inserting ''a website described in''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''the website described under'' and inserting ''a website described in''; and

(ii) in paragraph (3), by striking ''the website as required under'' and inserting ''a website described in''.

(3) Section 1120(a)(5) of title 31, United States Code, is amended by striking ''the website described under'' and inserting ''a website described in''.

(4) Section 1126(b)(2)(E) of title 31, United States Code, is amended by striking ''the website of the Office of Management and Budget pursuant to'' and inserting ''a website described in''.

(5) Section 3512(a)(1) of title 31, United States Code, is amended by striking ''the website described under'' and inserting ''a website described in''.

SA 2234. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XII, add the following:

SEC. 1242. FEASIBILITY STUDY ON INCREASED ROTATIONAL DEPLOYMENTS TO GREECE.

(a) IN GENERAL.—The Secretary of Defense shall conduct a study on the feasibility of increased rotational deployments of members of the Armed Forces to Greece, including to Souda Bay, Alexandroupoli, Larissa, Volos, and Stefanovikeio.

(b) ELEMENT.—The study required by subsection (a) shall include an evaluation of any infrastructure investment necessary to support such increased rotational deployments.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report on the results of the study required by subsection (a).

SA 2235. Mr. ROUNDS submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle F of title VIII, add the following:

SEC. 884. PILOT PROGRAM EXPLORING THE USE OF CONSUMPTION-BASED SOLUTIONS TO ADDRESS SOFTWARE-INTENSIVE WARFIGHTING CAPABILITY.

(a) FINDING.—In its final report, the Section 809 Panel recommended the adoption of consumption-based approaches at the Department of Defense, stating, ''More things will be sold as a service in the future. XaaS could really mean everything in the context of the Internet of things (IoT). Consumption-based solutions are appearing in many industry sectors, from last mile transportation (e.g., bike shares and electric scooters) to agriculture (e.g., tractor-as-a-service for farmers in developing countries). Most smart phone users are familiar with software updates that provide bug fixes or new features. A more extreme example of technology innovation enabled by the IoT is the ability to deliver physical performance improvements to vehicles through over-the-air software updates. . . In the not-so-distant future, cloud computing and the IoT will enable consumption-based solution offerings and delivery models that are hard to imagine today.''

(b) SENSE OF CONGRESS.—It is the sense of Congress—

(1) that the Department of Defense should take advantage of ''as-a-service'' or ''aaS'' approaches in commercial capability development, particularly where the capability is software-defined, and cloud-enabled;

(2) to support the Department of Defense's commitment to new approaches to development and acquisition of software;

(3) that the Department should explore a variety of approaches, to include the use of consumption-based solutions for software-intensive warfighting capability; and

(4) that, in conducting activities under the pilot program established under this program, the Department should use the Software pathway under the new Adaptive Acquisition Framework.

(c) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Defense is authorized to establish a pilot program to explore the use of consumption-based solutions to address software-intensive warfighting capability.

(d) SELECTION OF INITIATIVES.—The Secretary of each military department and the commander of each combatant command with acquisition authority shall propose for selection by the Secretary of Defense for the pilot program at least one and not more than three initiatives that are well-suited to explore consumption-based solutions to address software-intensive warfighting capability. The initiatives may be new or existing programs of record and shall focus on software-defined or machine-enabled warfighting applications, and may include applications that—

(1) rapidly analyze sensor data;

(2) secure warfighter networks, including multi-level security;

(3) swiftly transport information across various networks and network modalities; or

(4) otherwise enable joint all-domain operational concepts, including in a contested environment.

(e) CONTRACT REQUIREMENTS.—Contracts for consumption-based solutions entered into pursuant to the pilot program shall provide for—

(1) the solution to be measurable on a frequent interval customary for the type of solution;

(2) the contractor to notify the government when consumption reaches 75 percent and 90 percent of the contract funded amount; and

(3) discretion for the contracting officer to add new features or capabilities without additional competition for the contract, provided that the amount of the new features or capabilities does not exceed 25 percent of the total contract value.

(f) DURATION OF INITIATIVES.—Each initiative carried out under the pilot program shall be carried out during the three-year period following selection of the initiative.

(g) MONITORING AND EVALUATION OF PILOT PROGRAM.—The Director of the Office of Cost Assessment and Program Evaluation shall establish continuous monitoring to evaluate the pilot program established under subsection (c), including collecting data on cost, schedule, and performance from the program office, the user community, and the contractors.

(h) REPORTS.—

(1) INITIAL REPORT.—Not later than January 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on initiatives selected for the pilot program, roles and responsibilities for implementing the pilot program, and the monitoring and evaluation approach for the pilot.

(2) PROGRESS REPORT.—Not later than April 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on the progress of the initiatives.

(3) FINAL REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the cost, schedule, and performance outcomes of the initiatives. The report shall also include lessons learned about the use of consumption-based solutions for software-intensive capabilities and any recommendations for statutory or regulatory changes to facilitate their use.

(i) CONSUMPTION-BASED SOLUTION DEFINED.—In this section, the term ''consumption-based solution'' means any combination of software, hardware or equipment, and labor or services that provides a seamless capability that is metered and billed based on actual usage and predetermined pricing per resource unit, and includes the ability to rapidly scale capacity up or down.

SA 2236. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. _____. AMENDMENTS TO TITLE 46.

(a) IN GENERAL.—Chapter 303 of title 46, United States Code, is amended—

(1) by redesignating section 30308 as section 30309; and

(2) by inserting after section 30307 the following:

''§ 30308. Death of a member of the Armed Forces from a collision on the high seas.

''(a) DEFINITION.—In this section, the term 'nonpecuniary damages' means damages for loss of care, comfort, or companionship.

''(b) MILITARY SERVICE MEMBERS.—In an action under this chapter, if the death of a member of the Armed Forces resulted from a collision occurring on the high seas beyond 12 nautical miles from the shore of the United States while the decedent was serving physically on board a United States military vessel, the personal representative of the decedent may bring a civil action in admiralty or at law against the person or vessel responsible. The action shall be for the exclusive benefit of the decedent's spouse, parent, child, dependent relative, or estate. Compensation is recoverable for nonpecuniary and pecuniary damages.

''(c) JURY TRIAL.—A claim under this section may be tried with a jury.

''(d) GOVERNING LAW.—In an action under this section, the maritime law of the United States shall apply.

''(e) EFFECTIVE DATE.—This section shall apply to any death occurring after January 1, 2017.

''(f) GOVERNMENT IMMUNITY.—Nothing in this Act shall be construed to affect any existing laws or doctrines establishing governmental immunity from tort-based claims.''.

(b) CLERICAL AMENDMENT.—The analysis at the beginning of such chapter is amended—

(1) by redesignating the item relating to section 30308 as the item relating to section 30309; and

(2) by inserting after the item relating to section 30307 the following:

''30308. Death of a member of the Armed Forces from a collision on the high seas.''.

SA 2237. Ms. MCSALLY submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. AMENDMENTS TO DEFENSE PRODUCTION ACT OF 1950 TO ENSURE SUPPLY OF CERTAIN MEDICAL ARTICLES ESSENTIAL TO NATIONAL DEFENSE.

(a) STATEMENT OF POLICY.—Section 2(b) of the Defense Production Act of 1950 (50 U.S.C. 4502(b)) is amended—

(1) by redesignating paragraphs (3) through (8) as paragraphs (4) through (9), respectively; and

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

''(3) authorities under this Act should be used when appropriate to ensure the availability of medical articles essential to national defense, including through measures designed to secure the drug supply chain, and taking into consideration the importance of United States competitiveness, scientific leadership and cooperation, and innovative capacity;''.

(b) STRENGTHENING DOMESTIC CAPABILITY.—Section 107 of the Defense Production Act of 1950 (50 U.S.C. 4517) is amended—

(1) in subsection (a), by striking ''and industrial resources'' and inserting ''industrial resources, and medical articles''; and

(2) in subsection (b)(1), by striking ''and industrial resources'' and inserting ''industrial

resources, and medical articles (including drugs to diagnose, cure, mitigate, treat, or prevent disease) essential to national defense''.

(c) STRATEGY ON SECURING SUPPLY CHAINS FOR MEDICAL ARTICLES.—Title I of the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.) is amended by adding at the end the following:

''SEC. 109. STRATEGY ON SECURING SUPPLY CHAINS FOR MEDICAL ARTICLES.

''(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this section, the President, in consultation with the Secretary of Health and Human Services, the Secretary of Commerce, the Secretary of Homeland Security, and the Secretary of Defense, shall transmit a strategy to the appropriate Members of Congress that includes the following:

''(1) A detailed plan to use the authorities under this title and title III, or any other provision of law, to ensure the supply of medical articles (including drugs to diagnose, cure, mitigate, treat, or prevent disease) essential to national defense, to the extent necessary for the purposes of this Act.

''(2) An analysis of vulnerabilities to existing supply chains for such medical articles, and recommendations to address the vulnerabilities.

''(3) Measures to be undertaken by the President to diversify such supply chains, as appropriate and as required for national defense.

''(4) A discussion of—

''(A) any significant effects resulting from the plan and measures described in this subsection on the production, cost, or distribution of vaccines or any other drugs (as defined under section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321));

''(B) a timeline to ensure that essential components of the supply chain for medical articles are not under the exclusive control of a foreign government in a manner that the President determines could threaten the national defense of the United States; and

''(C) efforts to mitigate any risks resulting from the plan and measures described in this subsection to United States competitiveness, scientific leadership, and innovative capacity, including efforts to cooperate and proactively engage with United States allies.

''(b) PROGRESS REPORT.—Following submission of the strategy under subsection (a), the President shall submit to the appropriate Members of Congress an annual progress report evaluating the implementation of the strategy, and may include updates to the strategy as appropriate. The strategy and progress reports shall be submitted in unclassified form but may contain a classified annex.

''(c) APPROPRIATE MEMBERS OF CONGRESS.—The term 'appropriate Members of Congress' means—

''(1) the Speaker, majority leader, and minority leader of the House of Representatives;

''(2) the majority leader and minority leader of the Senate;

''(3) the chairman and ranking member of the Committee on Financial Services of the House of Representatives; and

''(4) the chairman and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate.''.

SA 2238. Mr. RISCH (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. IMPROVED COORDINATION OF UNITED STATES SANCTIONS POLICY.

(a) OFFICE OF SANCTIONS COORDINATION OF THE DEPARTMENT OF STATE.—

(1) IN GENERAL.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by inserting after subsection (f) the following:

''(g) OFFICE OF SANCTIONS COORDINATION.—

''(1) IN GENERAL.—There is established, within the Department of State, an Office of Sanctions Coordination (in this subsection referred to as the 'Office').

''(2) HEAD.—The head of the Office shall—

''(A) have the rank and status of ambassador;

''(B) be appointed by the President, by and with the advice and consent of the Senate; and

''(C) report directly to the Secretary.

''(3) DUTIES.—The head of the Office shall—

''(A) exercise sanctions authorities delegated to the Secretary;

''(B) serve as the principal advisor to the senior management of the Department and the Secretary regarding the development and implementation of sanctions policy;

''(C) serve as the lead representative of the United States in diplomatic engagement on sanctions matters;

''(D) consult and closely coordinate with allies and partners of the United States, including the United Kingdom, the European Union and member countries of the European Union, Canada, Australia, New Zealand, Japan, and South Korea, to ensure the maximum effectiveness of sanctions imposed by the United States and such allies and partners;

''(E) serve as the coordinator for the development and implementation of sanctions policy with respect to all activities, policies, and programs of all bureaus and offices of the Department relating to the development and implementation of sanctions policy; and

''(F) serve as the lead representative of the Department in interagency discussions with respect to the development and implementation of sanctions policy.

''(4) DIRECT HIRE AUTHORITY.—The head of the Office may appoint, without regard to the provisions of sections 3309 through 3318 of title 5, United States Code, candidates directly to positions in the competitive service, as defined in section 2102 of that title, in the Office.''.

(2) BRIEFING REQUIRED.—Not later than 60 days after the date of the enactment of this Act, and every 90 days thereafter until the date that is 2 years after such date of enactment, the Secretary of State shall brief the appropriate congressional committees on the efforts of the Department of State to establish the Office of Sanctions Coordination pursuant to section 1(g) of the State Department Basic Authorities Act of 1956, as amended by paragraph (1), including a description of—

(A) measures taken to implement the requirements of that section and to establish the Office;

(B) actions taken by the Office to carry out the duties listed in paragraph (3) of that section;

(C) the resources devoted to the Office, including the number of employees working in the Office; and

(D) plans for the use of the direct hire authority provided under paragraph (4) of that section.

(b) COORDINATION WITH ALLIES AND PARTNERS OF THE UNITED STATES.—

(1) IN GENERAL.—The Secretary of State shall develop and implement mechanisms and programs, as appropriate, through the head of the Office of Sanctions Coordination established pursuant to section 1(g) of the State Department Basic Authorities Act of 1956, as amended by subsection (a)(1), to coordinate the development and implementation of United States sanctions policies with allies and partners of the United States, including the United Kingdom, the European Union and member countries of the European Union, Canada, Australia, New Zealand, Japan, and South Korea.

(2) INFORMATION SHARING.—The Secretary should pursue the development and implementation of mechanisms and programs under paragraph (1), as appropriate, that involve the sharing of information with respect to policy development and sanctions implementation.

(3) CAPACITY BUILDING.—The Secretary should pursue efforts, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, to assist allies and partners of the United States, including the countries specified in paragraph (1), as appropriate, in the development of their legal and technical capacities to develop and implement sanctions authorities.

(4) EXCHANGE PROGRAMS.—In furtherance of the efforts described in paragraph (3), the Secretary, in coordination with the Secretary of the Treasury and the head of any other agency the Secretary considers appropriate, may enter into agreements with counterpart agencies in foreign governments establishing exchange programs for the temporary detail of government employees to share information and expertise with respect to the development and implementation of sanctions authorities.

(5) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, and every 180 days thereafter until the date that is 5 years after such date of enactment, the Secretary of State shall brief the appropriate congressional committees on the efforts of the Department of State to implement this section, including a description of—

(A) measures taken to implement paragraph (1);

(B) actions taken pursuant to paragraphs (2) through (4);

(C) the extent of coordination between the United States and allies and partners of the United States, including the countries specified in paragraph (1), with respect to the development and implementation of sanctions policy; and

(D) obstacles preventing closer coordination between the United States and such allies and partners with respect to the development and implementation of sanctions policy.

(c) SENSE OF CONGRESS.—It is the sense of the Congress that the President should appoint a coordinator for sanctions and national economic security issues within the framework of the National Security Council.

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

(1) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Finance of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Financial Services, and the

Committee on Way and Means of the House of Representatives.

SA 2239. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of section 1083, add the following:

(d) DISTRIBUTION OF ESTIMATE.—As soon as practicable after submitting an estimate as described in paragraph (1) of subsection (a) and making the certification described in paragraph (2) of such subsection, the Secretary shall make such estimate available to any licensee operating under the order and authorization described in such subsection.

(e) AUTHORITY OF SECRETARY OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary of Defense may work directly with any licensee (or any future assignee, successor, or purchaser) affected by the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48) to seek recovery of costs incurred by the Department of Defense as a result of the effect of such order and authorization.

(f) REIMBURSEMENT.—

(1) IN GENERAL.—The Secretary shall establish and facilitate a process for any licensee (or any future assignee, successor, or purchaser) subject to the authorization and order described in subsection (a) to provide reimbursement to the Department of Defense, only to the extent provided in appropriations Acts, for the covered costs and eligible reimbursable costs submitted and certified to the congressional defense committees under such subsection.

(2) USE OF FUNDS.—The Secretary shall use any funds received under this subsection, to the extent and in such amounts as are provided in advance in appropriations Acts, for covered costs described in subsection (b) and the range of eligible reimbursable costs identified under subsection (a)(1).

(3) REPORT.—Not later than 90 days after the date on which the Secretary establishes the process required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on such process.

(g) GOOD FAITH.—The execution of the responsibilities of this section by the Department of Defense shall be considered to be good faith actions pursuant to paragraph 104 of the Order and Authorization (FCC 20–48) described in subsection (a).

SA 2240. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. APPLICATION OF DISTANCE REQUIREMENTS FOR CRITICAL ACCESS HOSPITALS.

Section 1820(h) of the Social Security Act (42 U.S.C. 1395i–4(h)) is amended by adding at the end the following new paragraph:

''(4) APPLICATION OF DISTANCE CRITERION.—In the case of a facility that was designated as a critical access hospital during 2016, and for which there was a change of ownership during 2018, if the designation relied on incorrect information received from a State about a road as being secondary in order to meet the distance criterion described in subsection (c)(2)(B)(i)(I), the facility shall be deemed to meet such distance criterion during the period beginning on the date of such 2016 designation and ending on September 30, 2026.''.

SA 2241. Mr. GARDNER submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. IMPLEMENTATION OF THE ASIA REASSURANCE INITIATIVE ACT WITH REGARD TO TAIWAN ARMS SALES.

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

(1) The Department of Defense Indo-Pacific Strategy Report, released on June 1, 2019, states: ''[T]he Asia Reassurance Initiative Act, a major bipartisan legislation, was signed into law by President Trump on December 31, 2018. This legislation enshrines a generational whole-of-government policy framework that demonstrates U.S. commitment to a free and open Indo-Pacific region and includes initiatives that promote sovereignty, rule of law, democracy, economic engagement, and regional security.''.

(2) The Indo-Pacific Strategy Report further states: ''The United States has a vital interest in upholding the rules-based international order, which includes a strong, prosperous, and democratic Taiwan. . .The Department [of Defense] is committed to providing Taiwan with defense articles and services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability.''.

(3) Section 209(b) of the Asia Reassurance Initiative Act of 2018 (22 U.S.C. 3301 note), signed into law on December 31, 2018—

(A) builds on longstanding commitments enshrined in the Taiwan Relations Act (22 U.S.C. 3301 et seq.) to provide Taiwan with defense articles; and

(B) states: ''The President should conduct regular transfers of defense articles to Taiwan that are tailored to meet the existing and likely future threats from the People's Republic of China, including supporting the efforts of Taiwan to develop and integrate asymmetric capabilities, as appropriate, including mobile, survivable, and cost-effective capabilities, into its military forces.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Asia Reassurance Initiative Act of 2018 (Public Law 115–409; 132 Stat. 5387) has recommitted the United States to support the close, economic, political, and security relationship between the United States and Taiwan; and

(2) the United States should fully implement the provisions of that Act with regard to regular defensive arms sales to Taiwan.

(c) BRIEFING.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense, or their designees, shall brief the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives on the efforts to implement section 209(b) of the Asia Reassurance Initiative Act of 2018 (22 U.S.C. 3301 note).

SA 2242. Mr. GARDNER (for himself and Mr. PETERS) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

Subtitle ____—Artificial Intelligence

SEC. ____1. STANDARD DEVELOPMENT FOR ARTIFICIAL INTELLIGENCE AT THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by inserting after section 22 the following:

''SEC. 22A. STANDARDS FOR ARTIFICIAL INTELLIGENCE.

''(a) MISSION.—The Institute shall—

''(1) have the mission of advancing frameworks, standards, guidelines, and associated methods and techniques for artificial intelligence;

''(2) support the development of a risk-mitigation framework for deploying artificial intelligence;

''(3) support the development of technical standards and guidelines that promote reliable, robust, and trustworthy artificial intelligence; and

''(4) support the development of technical standards and guidelines by which to test for bias in artificial intelligence training data and applications.

''(b) PARTICIPATION IN STANDARD SETTING ORGANIZATIONS.—

''(1) REQUIREMENT.—The Institute shall participate in the development of standards and specifications for artificial intelligence.

''(2) PURPOSE.—The purpose of participation of the Institute under paragraph (1) shall be to ensure—

''(A) that standards promote artificial intelligence that is reliable, robust, and trustworthy;

''(B) that standards relating to artificial intelligence reflect the state of technology and are fit-for-purpose and developed in the transparent and consensus-based processes that are open to all stakeholders.''.

SEC. ____2. ESTABLISHMENT OF NATIONAL PROGRAM TO ADVANCE ARTIFICIAL INTELLIGENCE RESEARCH.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.), as amended by section ____1, is further amended by inserting after section 22A the following:

''SEC. 22B. NATIONAL PROGRAM TO ADVANCE ARTIFICIAL INTELLIGENCE RESEARCH.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Director shall establish a research program with a national scope to advance use-inspired artificial intelligence research and its use in a manner that serves the needs of the United States, the Institute, industry, the academic community, and such other entities as the Director considers appropriate.

''(2) DESIGNATION.—The research program established under paragraph (1) shall be known as the 'National Program to Advance Artificial Intelligence Research' (in this section referred to as the 'Program').

''(b) ACTIVITIES.—The activities of the Program shall include the following:

''(1) Supporting research necessary to operationalize the goals of reliable, robust, and trustworthy artificial intelligence.

''(2) Supporting research necessary to develop and operationalize technical standards and guidelines that promote reliable, robust, and trustworthy artificial intelligence.

''(3) Fostering development of artificial intelligence applications that would enhance the public good.

''(4) Supporting research necessary to advance human-centered artificial intelligence and examining societal, ethical, safety, security, and privacy effects of artificial intelligence development and deployment.

''(5) Creating and developing processes for the purpose of advancing use-inspired artificial intelligence research and its use.

''(6) Promoting exchange of personnel among industry, academic, and the government entities.

''(7) Establishing and operating at least one test bed to support the outside entities testing the degree to which artificial intelligence applications and training data are reliable, robust, and trustworthy.

''(c) GEOGRAPHIC DISTRIBUTION.—In establishing the Program, the Director may establish multiple physical campuses and a national network of participants to avoid undue geographic concentration of the activities of the Program.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $250,000,000 for each of fiscal years 2021 through 2025.''.

SEC. ___3. ESTABLISHMENT OF NATIONAL ARTIFICIAL INTELLIGENCE RESEARCH INSTITUTES.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Director of the National Science Foundation shall establish at least 6 research institutes to serve the needs of the United States, industry, the academic community, and such other entities as the Director considers appropriate by—

(A) conducting research on longer-time-horizon challenges in artificial intelligence research; and

(B) creating and developing processes for the purpose of advancing use-inspired artificial intelligence research and its deployment.

(2) DESIGNATION.—Each research institute established under paragraph (1) shall be known as a ''National Artificial Intelligence Research Institute''.

(b) GRANTS.—

(1) IN GENERAL.—The Director shall establish the research institutes under subsection (a) through the award of grants to eligible entities using a competitive, merit-reviewed process.

(2) ELIGIBLE ENTITIES.—For purposes of this section, an eligible entity is—

(A) an institution of higher education;

(B) a nonprofit research center;

(C) such other type of entity as the Director considers appropriate; or

(D) a collaboration of any combination of entities described in subparagraphs (A) through (C).

(3) DURATION.—

(A) IN GENERAL.—Each grant awarded under paragraph (1) shall be for a period of 5 years.

(B) REAPPLICATION.—The Director may approve or disapprove reapplications from grant recipients for additional grants.

(C) TERMINATION.—The Director may terminate a grant awarded under paragraph (1) for an underperforming research institute, for cause, during the performance period of the grant.

(c) APPLICATIONS.—An eligible entity seeking a grant under paragraph (1) to establish a research institute under this section shall submit to the Director an application therefor at such time, in such manner, and containing such information as the Director determines appropriate.

(d) COMMUNITY FACILITY.—The Director shall ensure that at least 1 research institute established under this section operates an artificial-intelligence community computing facility that is available for use by entities other than research institutes established under this section.

(e) FUNDING.—

(1) IN GENERAL.—Subject to the availability of appropriations, the Director may, in each of fiscal years 2021 through 2025, obligate to carry out this section an amount that is less than or equal to $50,000,000 multiplied by the number of research institutes established under this section.

(2) DERIVATION OF FUNDS.—Amounts obligated to carry out this section shall be derived from amounts appropriated to the Foundation.

SEC. ___4. NATIONAL SCIENCE FOUNDATION TRAINEESHIP PROGRAM GRANTS.

(a) PROGRAM REQUIRED.—

(1) IN GENERAL.—The Director of the National Science Foundation shall carry out a program to award grants to eligible entities to establish traineeship programs and support trainees in topics selected by the Director under subsection (c).

(2) PURPOSE.—The purpose of the program established by the Director under paragraph (1) shall be to increase the number of individuals with advanced degrees through both direct support and programmatic support.

(b) ELIGIBLE ENTITIES.—For purposes of this section, an eligible entity is—

(1) an institution of higher education; or

(2) a consortia of institutions of higher education or nonprofit organizations.

(c) TOPICS OF NATIONAL IMPORTANCE.—

(1) IN GENERAL.—Subject to paragraph (2), the Director shall select a topic for the award of grants under subsection (a) based on—

(A) the potential of a traineeship program in the topic or support of trainees in the topic to affect society positively;

(B) the importance of the topic to the economy and security of the United States;

(C) the career opportunities for the graduates; and

(D) the need for workers in the topic with advanced degrees.

(2) INITIAL TOPIC SELECTION.—The Director shall select artificial intelligence as the initial topic for the award of grants under subsection (a).

(d) COMPONENTS.—A grant awarded under this section may include support for—

(1) the recipient of the grant to develop and distribute model curriculum that may be used by other graduate programs to educate students in the topic selected under subsection (c);

(2) mentors to provide guidance for students within the topic area; and

(3) tuition and stipend for students pursuing a masters or doctoral degree.

SEC. ___5. NATIONAL SCIENCE FOUNDATION PILOT PROGRAM ON GRANTS FOR RESEARCH IN RAPIDLY EVOLVING, HIGH PRIORITY TOPICS.

(a) PILOT PROGRAM REQUIRED.—The Director of the National Science Foundation shall establish a pilot program to assess the feasibility and advisability of awarding grants for the conduct of research in rapidly evolving, high priority topics.

(b) DURATION.—

(1) IN GENERAL.—The Director shall carry out the pilot program required by subsection (a) during the 5-year period beginning on the date of the enactment of this Act.

(2) ASSESSMENT AND CONTINUATION AUTHORITY.—After the period set forth in paragraph (1)—

(A) the Director shall assess the pilot program; and

(B) if the Director determines that it is both feasible and advisable to do so, the Director may continue the pilot program.

(c) GRANTS.—In carrying out the pilot program, the Director shall award grants for the conduct of research in topics selected by the Director in accordance with subsection (d).

(d) TOPIC SELECTION.—The Director shall select topics for research under the pilot program in accordance with the following:

(1) The Director shall select artificial intelligence as the initial topic for the pilot program.

(2) The Director may select additional topics that the Director determines are—

(A) rapidly evolving; or

(B) of high importance to the economy and security of the United States.

(e) APPLICATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), a person seeking a grant under the pilot program shall submit to the Director an application therefor at such time, in such manner, and containing such information as the Director may specify.

(2) CONTENTS.—Each application submitted under paragraph (1) shall include the following:

(A) A brief description of the research the applicant proposes to carry out with a grant awarded under the pilot program.

(B) A brief description of how the research is of an urgent nature.

(C) The general goals of the research.

(D) Such other information as the Director may specify.

(f) USE OF FUNDS.—A recipient of a grant under the pilot program shall use the amount of the grant to conduct the research for which the grant was awarded.

(g) SUMMARIES OF RESEARCH FINDINGS.—A recipient of a grant under the pilot program shall submit to the Director, at such intervals as the Director determines appropriate, a summary of the findings of the recipient with respect to the research conducted with the grant amount.

SEC. ___6. FEDERAL ARTIFICIAL INTELLIGENCE SCHOLARSHIP-FOR-SERVICE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ARTIFICIAL INTELLIGENCE.—The term ''artificial intelligence'' or ''AI'' has the meaning given the term ''artificial intelligence'' in section 238(g) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note).

(2) EXECUTIVE AGENCY.—The term ''executive agency'' has the meaning given the term ''Executive agency'' in section 105 of title 5, United States Code.

(3) REGISTERED INTERNSHIP.—The term ''registered internship'' means a Federal Registered Internship Program coordinated through the Department of Labor.

(b) IN GENERAL.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, the Director of the National Institute of Standards and Technology, and the heads of other agencies with appropriate scientific knowledge, shall establish a Federal artificial intelligence scholarship-for-service program (referred to in this section as the ''Federal AI Scholarship-for-Service Program'') to recruit and train artificial intelligence professionals to lead and support the application of artificial intelligence to the missions of Federal, State, local, and Tribal governments.

(c) QUALIFIED INSTITUTION OF HIGHER EDUCATION.—The Director of the National Science Foundation, in coordination with the heads of other agencies with appropriate scientific knowledge, shall establish criteria to designate qualified institutions of higher

education that shall be eligible to participate in the Federal AI Scholarship-for-Service program. Such criteria shall include—

(1) measures of the institution's demonstrated excellence in the education of students in the field of artificial intelligence; and

(2) measures of the institution's ability to attract and retain a diverse and non-traditional student population in the fields of science, technology, engineering, and mathematics, which may include the ability to attract women, minorities, and individuals with disabilities.

(d) PROGRAM DESCRIPTION AND COMPONENTS.—The Federal AI Scholarship-for-Service Program shall—

(1) provide scholarships through qualified institutions of higher education to students who are enrolled in programs of study at institutions of higher education leading to degrees or concentrations in or related to the artificial intelligence field;

(2) provide the scholarship recipients with summer internship opportunities, registered internships, or other meaningful temporary appointments in the Federal information technology workforce focusing on artificial intelligence (referred to in this section as ''AI'') projects or research;

(3) prioritize the employment placement of scholarship recipients in executive agencies;

(4) identify opportunities to promote multi-disciplinary programs of study that integrate basic or advanced AI training with other fields of study, including those that address the social, economic, legal, and ethical implications of human interaction with AI systems; and

(5) support capacity-building education research programs that will enable postsecondary educational institutions to expand their ability to train the next-generation AI workforce, including AI researchers and practitioners.

(e) SCHOLARSHIP AMOUNTS.—Each scholarship under subsection (d) shall be in an amount that covers the student's tuition and fees at the institution for not more than 3 years and provides the student with an additional stipend.

(f) POST-AWARD EMPLOYMENT OBLIGATIONS.—Each scholarship recipient, as a condition of receiving a scholarship under the program, shall enter into an agreement under which the recipient agrees to work for a period equal to the length of the scholarship, following receipt of the student's degree, in the AI mission of—

(1) an executive agency;

(2) Congress, including any agency, entity, office, or commission established in the legislative branch;

(3) an interstate agency;

(4) a State, local, or Tribal government, which may include instruction in AI-related skill sets in a public school system; or

(5) a State, local, or Tribal government-affiliated nonprofit that is considered to be critical infrastructure (as defined in section 1016(e) of the USA Patriot Act (42 U.S.C. 5195c(e))).

(g) HIRING AUTHORITY.—

(1) APPOINTMENT IN EXCEPTED SERVICE.—Notwithstanding any provision of chapter 33 of title 5 governing appointments in the competitive service, an executive agency shall appoint in the excepted service an individual who has completed the eligible degree program for which a scholarship was awarded.

(2) NONCOMPETITIVE CONVERSION.—Except as provided in paragraph (4), upon fulfillment of the service term, an employee appointed under paragraph (1) may be converted noncompetitively to term, career-conditional or career appointment.

(3) TIMING OF CONVERSION.—An executive agency may noncompetitively convert a term employee appointed under paragraph (2) to a career-conditional or career appointment before the term appointment expires.

(4) AUTHORITY TO DECLINE CONVERSION.—An executive agency may decline to make the noncompetitive conversion or appointment under paragraph (2) for cause.

(h) ELIGIBILITY.—To be eligible to receive a scholarship under this section, an individual shall—

(1) be a citizen or lawful permanent resident of the United States;

(2) demonstrate a commitment to a career in advancing the field of AI;

(3) be—

(A) a full-time student in an eligible degree program at a qualified institution of higher education, as determined by the Director of the National Science Foundation;

(B) a student pursuing a degree on a less than full-time basis, but not less than half-time basis; or

(C) an AI faculty member on sabbatical to advance knowledge in the field; and

(4) accept the terms of a scholarship under this section.

(i) CONDITIONS OF SUPPORT.—

(1) IN GENERAL.—As a condition of receiving a scholarship under this section, a recipient shall agree to provide the qualified institution of higher education with annual verifiable documentation of post-award employment and up-to-date contact information.

(2) TERMS.—A scholarship recipient under this section shall be liable to the United States as provided in subsection (k) if the individual—

(A) fails to maintain an acceptable level of academic standing at the applicable institution of higher education, as determined by the Director of the National Science Foundation;

(B) is dismissed from the applicable institution of higher education for disciplinary reasons;

(C) withdraws from the eligible degree program before completing the program;

(D) declares that the individual does not intend to fulfill the post-award employment obligation under this section; or

(E) fails to fulfill the post-award employment obligation of the individual under this section.

(j) MONITORING COMPLIANCE.—As a condition of participating in the program, a qualified institution of higher education shall—

(1) enter into an agreement with the Director of the National Science Foundation, to monitor the compliance of scholarship recipients with respect to their post-award employment obligations; and

(2) provide to the Director of the National Science Foundation, on an annual basis, the post-award employment documentation required under subsection (i)(1) for scholarship recipients through the completion of their post-award employment obligations.

(k) AMOUNT OF REPAYMENT.—

(1) LESS THAN 1 YEAR OF SERVICE.—If a circumstance described in subsection (i)(2) occurs before the completion of 1 year of a post-award employment obligation under this section, the total amount of scholarship awards received by the individual under this section shall—

(A) be repaid; or

(B) be treated as a loan to be repaid in accordance with subsection (l).

(2) 1 OR MORE YEARS OF SERVICE.—If a circumstance described in subparagraph (D) or (E) of subsection (i)(2) occurs after the completion of 1 or more years of a post-award employment obligation under this section, the total amount of scholarship awards received by the individual under this section, reduced by the ratio of the number of years of service completed divided by the number of years of service required, shall—

(A) be repaid; or

(B) be treated as a loan to be repaid in accordance with subsection (l).

(l) REPAYMENTS.—A loan described in subsection (k) shall—

(1) be treated as a Federal Direct Unsubsidized Stafford Loan under part D of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087a et seq.); and

(2) be subject to repayment, together with interest thereon accruing from the date of the scholarship award, in accordance with terms and conditions specified by the Director of the National Science Foundation (in consultation with the Secretary of Education) in regulations promulgated to carry out this subsection.

(m) COLLECTION OF REPAYMENT.—

(1) IN GENERAL.—In the event that a scholarship recipient is required to repay the scholarship award under this section, the qualified institution of higher education providing the scholarship shall—

(A) determine the repayment amounts and notify the recipient and the Director of the National Science Foundation of the amounts owed; and

(B) collect the repayment amounts within a period of time as determined by the Director of the National Science Foundation, or the repayment amounts shall be treated as a loan in accordance with subsection (l).

(2) RETURNED TO TREASURY.—Except as provided in paragraph (3), any repayment under this subsection shall be returned to the Treasury of the United States.

(3) RETAIN PERCENTAGE.—A qualified institution of higher education may retain a percentage of any repayment the institution collects under this subsection to defray administrative costs associated with the collection. The Director of the National Science Foundation shall establish a single, fixed percentage that will apply to all eligible entities.

(n) EXCEPTIONS.—The Director of the National Science Foundation may provide for the partial or total waiver or suspension of any service or payment obligation by an individual under this section whenever compliance by the individual with the obligation is impossible or would involve extreme hardship to the individual, or if enforcement of such obligation with respect to the individual would be unconscionable.

(o) PUBLIC INFORMATION.—

(1) EVALUATION.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall annually evaluate and make public, in a manner that protects the personally identifiable information of scholarship recipients, information on the success of recruiting individuals for scholarships under this section and on hiring and retaining those individuals in the public sector AI workforce, including information on—

(A) placement rates;

(B) where students are placed, including job titles and descriptions;

(C) salary ranges for students not released from obligations under this section;

(D) how long after graduation students are placed;

(E) how long students stay in the positions they enter upon graduation;

(F) how many students are released from obligations; and

(G) what, if any, remedial training is required.

(2) REPORTS.—The Director of the National Science Foundation, in coordination with the Office of Personnel Management, shall submit, not less frequently than once every

3 years, to the Homeland Security and Governmental Affairs Committee of the Senate, the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Science, Space, and Technology of the House of Representatives, and the Committee on Oversight and Reform of the House of Representatives a report, including the results of the evaluation under paragraph (1) and any recent statistics regarding the size, composition, and educational requirements of the Federal AI workforce.

(3) RESOURCES.—The Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall provide consolidated and user-friendly online resources for prospective scholarship recipients, including, to the extent practicable—

(A) searchable, up-to-date, and accurate information about participating institutions of higher education and job opportunities related to the AI field; and

(B) a modernized description of AI careers.

(p) REFRESH.—Not less than once every 2 years, the Director of the National Science Foundation, in coordination with the Director of the Office of Personnel Management, shall review and update the Federal AI Scholarship-for-Service Program to reflect advances in technology.

(q) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.

SA 2243. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

In section 805(a)(3), insert ", including manufacturing surge capacity," after "evaluation of the competitive strengths and weaknesses of United States industry".

SA 2244. Mr. CORNYN (for himself, Mr. COTTON, Mr. SCHUMER, Mr. WARNER, Ms. COLLINS, Mr. TILLIS, Mrs. BLACKBURN, Mr. HAWLEY, Mr. DAINES, Mr. KING, Mrs. GILLIBRAND, Mr. RUBIO, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Semiconductor Manufacturing Incentives

SEC. 1091. SEMICONDUCTOR INCENTIVE GRANTS.

(a) DEFINITIONS.—In this section—

(1) the term "appropriate committees of Congress" means—

(A) the Select Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Appropriations, the Committee on Financial Services, and the Committee on Homeland Security of the House of Representatives;

(2) the term "covered entity" means a private entity, a consortium of private entities, or a consortium of public and private entities with a demonstrated ability to construct, expand, or modernize a facility relating to the fabrication, assembly, testing, advanced packaging, or advanced research and development of semiconductors;

(3) the term "covered incentive"—

(A) means an incentive offered by a governmental entity to a covered entity for the purposes of constructing within the jurisdiction of the governmental entity, or expanding or modernizing an existing facility within that jurisdiction, a facility described in paragraph (2); and

(B) includes any tax incentive (such as an incentive or reduction with respect to employment or payroll taxes or a tax abatement with respect to personal or real property), a workforce-related incentive (including a grant agreement relating to workforce training or vocational education), any concession with respect to real property, funding for research and development with respect to semiconductors, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State;

(4) the term "foreign adversary" means any foreign government or foreign nongovernment person that is engaged in a long-term pattern, or is involved in a serious instance, of conduct that is significantly adverse to—

(A) the national security of the United States or an ally of the United States; or

(B) the security and safety of United States persons;

(5) the term "governmental entity" means a State or local government;

(6) the term "Secretary" means the Secretary of Commerce; and

(7) the term "semiconductor" has the meaning given the term by the Secretary.

(b) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish in the Department of Commerce a program that, in accordance with the requirements of this section, provides grants to covered entities.

(2) PROCEDURE.—

(A) IN GENERAL.—A covered entity shall submit to the Secretary an application that describes the project for which the covered entity is seeking a grant under this section.

(B) ELIGIBILITY.—In order for a covered entity to qualify for a grant under this section, the covered entity shall demonstrate to the Secretary, in the application submitted by the covered entity under subparagraph (A), that—

(i) the covered entity has a documented interest in constructing, expanding, or modernizing a facility described in subsection (a)(2); and

(ii) with respect to the project described in clause (i), the covered entity has—

(I) been offered a covered incentive;

(II) made commitments to worker and community investment, including through—

(aa) training and education benefits paid by the covered entity; and

(bb) programs to expand employment opportunity for economically disadvantaged individuals; and

(III) secured commitments from regional educational and training entities and institutions of higher education to provide workforce training, including programming for training and job placement of economically disadvantaged individuals.

(C) CONSIDERATIONS FOR REVIEW.—With respect to the review by the Secretary of an application submitted by a covered entity under subparagraph (A)—

(i) the Secretary may not approve the application unless the Secretary—

(I) confirms that the covered entity has satisfied the eligibility criteria under subparagraph (B); and

(II) determines that the project to which the application relates is in the interest of the United States; and

(ii) the Secretary may consider whether—

(I) the covered entity has previously received a grant made under this subsection; and

(II) the governmental entity offering the applicable covered incentive has benefitted from a grant previously made under this subsection.

(3) AMOUNT.—The amount of a grant made by the Secretary to a covered entity under this subsection shall be in an amount that is not more than $3,000,000,000.

(4) USE OF FUNDS.—A covered entity that receives a grant under this subsection may only use the grant amounts to—

(A) finance the construction, expansion, or modernization of a facility described in subsection (a)(2), as documented in the application submitted by the covered entity under paragraph (2)(A), or for similar uses in state of practice and legacy facilities, as determined necessary by the Secretary for purposes relating to the national security and economic competitiveness of the United States;

(B) support workforce development for the facility described in subparagraph (A); or

(C) support site development for the facility described in subparagraph (A).

(5) CLAWBACK.—The Secretary shall recover the full amount of a grant provided to a covered entity under this subsection if—

(A) as of the date that is 5 years after the date on which the Secretary makes the grant, the project to which the grant relates has not been completed, except that the Secretary may issue a waiver with respect to the requirement under this subparagraph if the Secretary determines that issuing such a waiver is appropriate and in the interests of the United States; or

(B) during the applicable term with respect to the grant, the covered entity engages in any joint research or technology licensing effort—

(i) with the Government of the People's Republic of China, the Government of the Russian Federation, the Government of Iran, the Government of North Korea, or another foreign adversary; and

(ii) that relates to a sensitive technology or product, as determined by the Secretary.

(c) CONSULTATION AND COORDINATION REQUIRED.—In carrying out the program established under subsection (b), the Secretary shall consult and coordinate with the Secretary of State and the Secretary of Defense.

(d) GAO REVIEWS.—The Comptroller General of the United States shall—

(1) not later than 2 years after the date of enactment of this Act, and biennially thereafter until the date that is 10 years after that date of enactment, conduct a review of the program established under subsection (b), which shall include, at a minimum—

(A) a determination of the number of instances in which grants were provided under that subsection during the period covered by the review in violation of a requirement of this section;

(B) an evaluation of how—

(i) the program is being carried out, including how recipients of grants are being selected under the program; and

(ii) other Federal programs are leveraged for manufacturing, research, and training to complement the grants awarded under the program; and

(C) a description of the outcomes of projects supported by grants made under the program, including a description of—

(i) facilities described in subsection (a)(2) that were constructed, expanded, or modernized as a result of grants made under the program;

(ii) research and development carried out with grants made under the program; and

(iii) workforce training programs carried out with grants made under the program, including efforts to hire individuals from disadvantaged populations; and

(2) submit to the appropriate committees of Congress the results of each review conducted under paragraph (1).

SEC. 1092. DEPARTMENT OF DEFENSE.

(a) DEPARTMENT OF DEFENSE EFFORTS.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and the Director of National Intelligence, work with the private sector through a public-private partnership, including by incentivizing the formation of a consortium of United States companies, to ensure the development and production of advanced, measurably secure microelectronics for use by the Department of Defense, the intelligence community, critical infrastructure sectors, and other national security applications. Such work may include providing incentives for the creation, expansion, or modernization of one or more commercially competitive and sustainable microelectronics manufacturing or advanced research and development facilities.

(2) RISK MITIGATION REQUIREMENTS.—A participant in a consortium formed with incentives under paragraph (1) shall—

(A) have the potential to perform fabrication, assembly, package, or test functions for microelectronics deemed critical to national security as defined by export control regulatory agencies in consultation with the National Security Adviser and the Secretary of Defense;

(B) include management processes to identify and mitigate supply chain security risks; and

(C) be able to produce microelectronics consistent with applicable measurably secure supply chain and operational security standards established under section 224(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(3) NATIONAL SECURITY CONSIDERATIONS.—The Secretary of Defense and the Director of National Intelligence shall select participants for the consortium formed with incentives under paragraph (1). In selecting such participants, the Secretary and the Director may jointly consider whether the United States companies—

(A) have participated in previous programs and projects of the Department of Defense, Department of Energy, or the intelligence community, including—

(i) the Trusted Integrated Circuit program of the Intelligence Advanced Research Projects Activity;

(ii) trusted and assured microelectronics projects, as administered by the Department of Defense;

(iii) the Electronics Resurgence Initiative (ERI) program of the Defense Advanced Research Projects Agency; or

(iv) relevant semiconductor research programs of Advanced Research Projects Agency–Energy;

(B) have demonstrated an ongoing commitment to performing contracts for the Department of Defense and the intelligence community;

(C) are approved by the Defense Counterintelligence and Security Agency or the Office of the Director of National Intelligence as presenting an acceptable security risk, taking into account supply chain assurance vulnerabilities, counterintelligence risks, and any risks presented by companies whose owners are located outside the United States; and

(D) are evaluated periodically for foreign ownership, control, or influence by foreign adversaries.

(4) NONTRADITIONAL DEFENSE CONTRACTORS AND COMMERCIAL ENTITIES.—Arrangements entered into to carry out paragraph (1) shall be in such form as the Secretary of Defense determines appropriate to encourage industry participation of nontraditional defense contractors or commercial entities and may include a contract, a grant, a cooperative agreement, a commercial agreement, the use of other transaction authority under section 2371 of title 10, United States Code, or another such arrangement.

(5) DISCHARGE.—The Secretary of Defense shall carry out paragraph (1) jointly through the Office of the Under Secretary of Defense for Research and Engineering and the Office of the Under Secretary of Defense for Acquisition and Sustainment, or such other component of the Department of Defense as the Secretary considers appropriate.

(6) OTHER INITIATIVES.—The Secretary of Defense shall dedicate initiatives within the Department of Defense to advance radio frequency, mixed signal, radiation tolerant, and radiation hardened microelectronics that support national security and dual-use applications.

(7) REPORTS.—

(A) REPORT BY SECRETARY OF DEFENSE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the plans of the Secretary to carry out paragraph (1).

(B) BIENNIAL REPORTS BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 1 year after the date on which the Secretary submits the report required by subparagraph (A) and not less frequently than once every 2 years thereafter for a period of 10 years, the Comptroller General of the United States shall submit to Congress a report on the activities carried out under this subsection.

(b) DEFENSE PRODUCTION ACT OF 1950 EFFORTS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to Congress a report on a plan for use by the Department of Defense of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to establish and enhance a domestic production capability for microelectronics technologies and related technologies, subject to the availability of appropriations for that purpose.

(2) CONSULTATION.—The President shall develop the plan required by paragraph (1) in coordination with the Secretary of Defense, and in consultation with the Secretary of State, the Secretary of Commerce, and appropriate stakeholders in the private sector.

SEC. 1093. DEPARTMENT OF COMMERCE STUDY ON STATUS OF MICROELECTRONICS TECHNOLOGIES IN THE UNITED STATES INDUSTRIAL BASE.

(a) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce and the Secretary of Homeland Security, in consultation with the Secretary of Defense and the heads of other appropriate Federal departments and agencies, shall undertake a review, which shall include a survey, using authorities in section 705 of the Defense Production Act (50 U.S.C. 4555), to assess the capabilities of the United States industrial base to support the national defense in light of the global nature of the supply chain and significant interdependencies between the United States industrial base and the industrial base of foreign countries with respect to the manufacture, design, and end use of microelectronics.

(b) RESPONSE TO SURVEY.—The Secretary shall ensure compliance with the survey from among all relevant potential respondents, including the following:

(1) Corporations, partnerships, associations, or any other organized groups domiciled and with substantial operations in the United States.

(2) Corporations, partnerships, associations, or any other organized groups domiciled in the United States with operations outside the United States.

(3) Foreign domiciled corporations, partnerships, associations, or any other organized groups with substantial operations or business presence in, or substantial revenues derived from, the United States.

(4) Foreign domiciled corporations, partnerships, associations, or any other organized groups in defense treaty or assistance countries where the production of the entity concerned involves critical technologies covered by section 2.

(c) INFORMATION REQUESTED.—The information sought from a responding entity pursuant to the survey required by subsection (a) shall include, at minimum, information on the following with respect to the manufacture. design, or end use of microelectronics by such entity:

(1) An identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of microelectronics development, manufacture, assembly, test, and packaging equipment in operation at such entity.

(4) An identification of all relevant intellectual property, raw materials, and semi-finished goods and components sourced domestically and abroad by such entity.

(5) Specifications of the microelectronics manufactured or designed by such entity, descriptions of the end-uses of such microelectronics, and a description of any technical support provided to end-users of such microelectronics by such entity.

(6) Information on domestic and export market sales by such entity.

(7) Information on the financial performance, including income and expenditures, of such entity.

(8) A list of all foreign and domestic subsidies, and any other financial incentives, received by such entity in each market in which such entity operates.

(9) A list of information requests from the People's Republic of China to such entity, and a description of the nature of each request and the type of information provided.

(10) Information on any joint ventures, technology licensing agreements, and cooperative research or production arrangements of such entity.

(11) A description of efforts by such entity to evaluate and control supply chain risks it faces.

(12) A list and description of any sales, licensing agreements, or partnerships between such entity and the People's Liberation Army or People's Armed Police, including any business relationships with entities through which such sales, licensing agreements, or partnerships may occur.

(d) REPORT.—

(1) IN GENERAL.—The Secretary of Commerce shall, in consultation with the Secretary of Defense, the Secretary of Homeland Security, and the heads of other appropriate Federal departments and agencies, submit to Congress a report on the results of the review required by subsection (a). The report shall include the following:

(A) An assessment of the results of the survey.

(B) A list of critical technology areas impacted by potential disruptions in production of microelectronics, and a detailed description and assessment of the impact of such potential disruptions on such areas.

(C) A description and assessment of gaps and vulnerabilities in the microelectronics supply chain and the national industrial supply base.

(2) FORM.— The report required by paragraph (1) may be submitted in classified form.

SEC. 1094. FUNDING FOR DEVELOPMENT AND ADOPTION OF MEASURABLY SECURE MICROELECTRONICS AND MEASURABLY SECURE MICROELECTRONICS SUPPLY CHAINS.

(a) MULTILATERAL MICROELECTRONICS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a trust fund, to be known as the ''Multilateral Microelectronics Security Fund'' (in this section referred to as the ''Fund''), consisting of such amounts as may be appropriated to such Fund and any amounts that may be credited to the Fund under paragraph (2).

(2) INVESTMENT OF AMOUNTS.—

(A) INVESTMENT OF AMOUNTS.—The Secretary of the Treasury shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(3) USE OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), amounts in the Fund shall be available, as provided in advance in an appropriations Act, to the Secretary of State—

(i) to provide funding through the common funding mechanism described in subsection (b)(1) to support the development and adoption of measurably secure microelectronics and measurably secure microelectronics supply chains; and

(ii) to otherwise carry out this section.

(B) AVAILABILITY CONTINGENT ON INTERNATIONAL AGREEMENT.—Amounts in the Fund shall be available to the Secretary of State on and after the date on which the Secretary enters into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism under paragraph (1) of subsection (b) and the commitments described in paragraph (2) of that subsection.

(4) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—Amounts in the Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(B) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after the end of the fiscal year described in subparagraph (A) shall be deposited in the general fund of the Treasury.

(b) COMMON FUNDING MECHANISM FOR DEVELOPMENT AND ADOPTION OF MEASURABLY SECURE MICROELECTRONICS AND MEASURABLY SECURE MICROELECTRONICS SUPPLY CHAINS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of the Treasury, and the Director of National Intelligence, shall seek to establish a common funding mechanism, in coordination with the governments of countries that are partners of the United States, that uses amounts from the Fund, and amounts committed by such governments, to support the development and adoption of secure microelectronics and secure microelectronics supply chains, including for use in research and development collaborations among countries participating in the common funding mechanism.

(2) MUTUAL COMMITMENTS.—The Secretary of State, in consultation with the United States Trade Representative, the Secretary of the Treasury, and the Secretary of Commerce, shall seek to negotiate a set of mutual commitments with the governments of countries that are partners of the United States upon which to condition any expenditure of funds pursuant to the common funding mechanism described in paragraph (1). Such commitments shall, at a minimum—

(A) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to microelectronics firms located in or outside such countries;

(B) establish consistent policies with respect to countries that—

(i) are not participating in the common funding mechanism; and

(ii) do not meet transparency requirements established under subparagraph (A);

(C) promote harmonized treatment of microelectronics and verification processes for items being exported to a country considered a national security risk by a country participating in the common funding mechanism;

(D) establish consistent policies and common external policies to address nonmarket economies as the behavior of such countries pertains to microelectronics;

(E) align policies on supply chain integrity and microelectronics security, including with respect to protection and enforcement of intellectual property rights; and

(F) promote harmonized foreign direct investment screening measures with respect to microelectronics to align with national and multilateral security priorities.

(c) ANNUAL REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (a)(4), the Secretary of State shall submit to Congress a report on the status of the implementation of this section that includes a description of—

(1) any commitments made by the governments of countries that are partners of the United States to providing funding for the common funding mechanism described in subsection (b)(1) and the specific amount so committed;

(2) the criteria established for expenditure of funds through the common funding mechanism;

(3) how, and to whom, amounts have been expended from the Fund;

(4) amounts remaining in the Fund;

(5) the progress of the Secretary of State toward entering into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism and the commitments described in subsection (b)(2); and

(6) any additional authorities needed to enhance the effectiveness of the Fund in achieving the security goals of the United States.

SEC. 1095. ADVANCED SEMICONDUCTOR RESEARCH AND DESIGN.

(a) APPROPRIATE COMMITTEES OF CONGRESS.— In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Financial Services, and the Committee on Homeland Security of the House of Representatives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the leadership of the United States in semiconductor technology and innovation is critical to the economic growth and national security of the United States.

(c) SUBCOMMITTEE ON SEMICONDUCTOR LEADERSHIP.—

(1) ESTABLISHMENT REQUIRED.—The President shall establish in the National Science and Technology Council a subcommittee on matters relating to leadership of the United States in semiconductor technology and innovation.

(2) DUTIES.—The duties of the subcommittee established under paragraph (1) are as follows:

(A) NATIONAL STRATEGY ON SEMICONDUCTOR RESEARCH.—

(i) DEVELOPMENT.—In coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Secretary of Commerce, the Secretary of Homeland Security, the Director of the National Science Foundation, and the Director of the National Institute of Standards and Technology and in consultation with the semiconductor industry and academia, develop a national strategy on semiconductor research, development, manufacturing, and supply chain security, including guidance for the funding of research, and strengthening of the domestic microelectronics workforce.

(ii) REPORTING AND UPDATES.—Not less frequently than once every 5 years, to update the strategy developed under clause (i) and to submit the revised strategy to the appropriate committees of Congress.

(iii) IMPLEMENTATION.—In coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Secretary of Commerce, the Secretary of Homeland Security, the Director of the National Science Foundation, and the Director of the National Institute of Standards and Technology, on an annual basis coordinate and recommend each agency's semiconductor related research and development programs and budgets to ensure consistency with the National Semiconductor Strategy.

(B) FOSTERING COORDINATION OF RESEARCH AND DEVELOPMENT.—To foster the coordination of semiconductor research and development.

(3) SUNSET.—The subcommittee established under paragraph (1) shall terminate on the date that is 10 years after the date of enactment of this Act.

(d) INDUSTRIAL ADVISORY COMMITTEE.—The President shall establish a standing subcommittee of the President's Council of Advisors on Science and Technology to advise the United States Government on matters relating to microelectronics policy.

(e) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—

(1) ESTABLISHMENT.—The Secretary of Commerce shall establish a national semiconductor technology center to conduct research and prototyping of advanced semiconductor technology to strengthen the economic competitiveness and security of the domestic supply chain, which will be operated as a public private-sector consortium with participation from the private sector, the Department of Defense, the Department of Energy, the Department of Homeland Security, the National Science Foundation, and the National Institute of Standards and Technology

(2) FUNCTIONS.—The functions of the center established under paragraph (1) shall be as follows:

(A) To conduct advanced semiconductor manufacturing, design research and prototyping that strengthens the entire domestic ecosystem and is aligned with the National Strategy on Semiconductor Research.

(B) To establish a National Advanced Packaging Manufacturing Program led by the National Institute of Standards and Technology, in coordination with the Center, to strengthen semiconductor advanced test, assembly, and packaging capability in the domestic ecosystem, and which shall coordinate with the Manufacturing USA institute established under paragraph (4).

(C) To establish an investment fund, in partnership with the private sector, to support startups in the domestic semiconductor ecosystem.

(D) To establish a Semiconductor Manufacturing Program through the Director of the National Institute of Standards and Technology to enable advances and breakthroughs in measurement science, standards, material characterization, instrumentation, testing, and manufacturing capabilities that will accelerate the underlying research and development for metrology of next generation semiconductors and ensure the competitiveness and leadership of the United States within this sector.

(E) To work with the Secretary of Labor, the private sector, educational institutions, and workforce training entities to develop workforce training programs and apprenticeships in advanced microelectronic packaging capabilities.

(3) COMPONENTS.—The fund established under paragraph (2)(C) shall cover the following:

(A) Advanced metrology and characterization for manufacturing of microchips using 3 nanometer transistor processes or more advanced processes.

(B) Metrology for security and supply chain verification.

(4) CREATION OF A MANUFACTURING USA INSTITUTE.—The fund established under paragraph (2)(C) may also cover the creation of a Manufacturing USA institute described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d)) that is focused on semiconductor manufacturing. Such institute may emphasize the following:

(A) Research to support the virtualization and automation of maintenance of semiconductor machinery.

(B) Development of new advanced test, assembly and packaging capabilities.

(C) Developing and deploying educational and skills training curricula needed to support the industry sector and ensure the U.S. can build and maintain a trusted and predictable talent pipeline.

(f) DOMESTIC PRODUCTION REQUIREMENTS.—The head of any executive agency receiving funding under this section shall develop policies to require domestic production, to the extent possible, for any intellectual property resulting from microelectronics research and development conducted as a result of these funds and domestic control requirements to protect any such intellectual property from foreign adversaries.

SEC. 1096. PROHIBITION RELATING TO FOREIGN ADVERSARIES.

None of the funds appropriated pursuant to an authorization in this subtitle may be provided to an entity—

(1) under the foreign ownership, control, or influence of the Government of the People's Republic of China or the Chinese Communist Party, or other foreign adversary (as defined in section 1091(a)(4)); or

(2) determined to have beneficial ownership from foreign individuals subject to the jurisdiction, direction, or influence of foreign adversaries (as so defined).

SA 2245. Mr. CORNYN (for himself, Mr. COTTON, Mr. SCHUMER, Mr. WARNER, Ms. COLLINS, Mr. TILLIS, Mrs. BLACKBURN, Mr. HAWLEY, Mr. DAINES, Mrs. GILLIBRAND, Mr. KING, Mr. JONES, Ms. SINEMA, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle H—Semiconductor Manufacturing Incentives

SEC. 1091. SEMICONDUCTOR INCENTIVE GRANTS.

(a) DEFINITIONS.—In this section—

(1) the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Appropriations, the Committee on Financial Services, and the Committee on Homeland Security of the House of Representatives;

(2) the term ''covered entity'' means a private entity, a consortium of private entities, or a consortium of public and private entities with a demonstrated ability to construct, expand, or modernize a facility relating to the fabrication, assembly, testing, advanced packaging, or advanced research and development of semiconductors;

(3) the term ''covered incentive''—

(A) means an incentive offered by a governmental entity to a covered entity for the purposes of constructing within the jurisdiction of the governmental entity, or expanding or modernizing an existing facility within that jurisdiction, a facility described in paragraph (2); and

(B) includes any tax incentive (such as an incentive or reduction with respect to employment or payroll taxes or a tax abatement with respect to personal or real property), a workforce-related incentive (including a grant agreement relating to workforce training or vocational education), any concession with respect to real property, funding for research and development with respect to semiconductors, and any other incentive determined appropriate by the Secretary, in consultation with the Secretary of State;

(4) the term ''foreign adversary'' means any foreign government or foreign nongovernment person that is engaged in a long-term pattern, or is involved in a serious instance, of conduct that is significantly adverse to—

(A) the national security of the United States or an ally of the United States; or

(B) the security and safety of United States persons;

(5) the term ''governmental entity'' means a State or local government;

(6) the term ''Secretary'' means the Secretary of Commerce; and

(7) the term ''semiconductor'' has the meaning given the term by the Secretary.

(b) GRANT PROGRAM.—

(1) IN GENERAL.—The Secretary shall establish in the Department of Commerce a program that, in accordance with the requirements of this section, provides grants to covered entities.

(2) PROCEDURE.—

(A) IN GENERAL.—A covered entity shall submit to the Secretary an application that describes the project for which the covered entity is seeking a grant under this section.

(B) ELIGIBILITY.—In order for a covered entity to qualify for a grant under this section, the covered entity shall demonstrate to the Secretary, in the application submitted by the covered entity under subparagraph (A), that—

(i) the covered entity has a documented interest in constructing, expanding, or modernizing a facility described in subsection (a)(2); and

(ii) with respect to the project described in clause (i), the covered entity has—

(I) been offered a covered incentive;

(II) made commitments to worker and community investment, including through—

(aa) training and education benefits paid by the covered entity; and

(bb) programs to expand employment opportunity for economically disadvantaged individuals; and

(III) secured commitments from regional educational and training entities and institutions of higher education to provide workforce training, including programming for training and job placement of economically disadvantaged individuals.

(C) CONSIDERATIONS FOR REVIEW.—With respect to the review by the Secretary of an application submitted by a covered entity under subparagraph (A)—

(i) the Secretary may not approve the application unless the Secretary—

(I) confirms that the covered entity has satisfied the eligibility criteria under subparagraph (B); and

(II) determines that the project to which the application relates is in the interest of the United States; and

(ii) the Secretary may consider whether—

(I) the covered entity has previously received a grant made under this subsection; and

(II) the governmental entity offering the applicable covered incentive has benefitted from a grant previously made under this subsection.

(3) AMOUNT.—The amount of a grant made by the Secretary to a covered entity under this subsection shall be in an amount that is not more than $3,000,000,000.

(4) USE OF FUNDS.—A covered entity that receives a grant under this subsection may only use the grant amounts to—

(A) finance the construction, expansion, or modernization of a facility described in subsection (a)(2), as documented in the application submitted by the covered entity under paragraph (2)(A), or for similar uses in state

of practice and legacy facilities, as determined necessary by the Secretary for purposes relating to the national security and economic competitiveness of the United States;

(B) support workforce development for the facility described in subparagraph (A); or

(C) support site development for the facility described in subparagraph (A).

(5) CLAWBACK.—The Secretary shall recover the full amount of a grant provided to a covered entity under this subsection if—

(A) as of the date that is 5 years after the date on which the Secretary makes the grant, the project to which the grant relates has not been completed, except that the Secretary may issue a waiver with respect to the requirement under this subparagraph if the Secretary determines that issuing such a waiver is appropriate and in the interests of the United States; or

(B) during the applicable term with respect to the grant, the covered entity engages in any joint research or technology licensing effort—

(i) with the Government of the People's Republic of China, the Government of the Russian Federation, the Government of Iran, the Government of North Korea, or another foreign adversary; and

(ii) that relates to a sensitive technology or product, as determined by the Secretary.

(c) CONSULTATION AND COORDINATION REQUIRED.—In carrying out the program established under subsection (b), the Secretary shall consult and coordinate with the Secretary of State and the Secretary of Defense.

(d) GAO REVIEWS.—The Comptroller General of the United States shall—

(1) not later than 2 years after the date of enactment of this Act, and biennially thereafter until the date that is 10 years after that date of enactment, conduct a review of the program established under subsection (b), which shall include, at a minimum—

(A) a determination of the number of instances in which grants were provided under that subsection during the period covered by the review in violation of a requirement of this section;

(B) an evaluation of how—

(i) the program is being carried out, including how recipients of grants are being selected under the program; and

(ii) other Federal programs are leveraged for manufacturing, research, and training to complement the grants awarded under the program; and

(C) a description of the outcomes of projects supported by grants made under the program, including a description of—

(i) facilities described in subsection (a)(2) that were constructed, expanded, or modernized as a result of grants made under the program;

(ii) research and development carried out with grants made under the program; and

(iii) workforce training programs carried out with grants made under the program, including efforts to hire individuals from disadvantaged populations; and

(2) submit to the appropriate committees of Congress the results of each review conducted under paragraph (1).

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section $15,000,000,000 for fiscal year 2021, which shall remain available until September 30, 2031.

SEC. 1092. DEPARTMENT OF DEFENSE.

(a) DEPARTMENT OF DEFENSE EFFORTS.—

(1) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretary of Commerce, the Secretary of Homeland Security, and the Director of National Intelligence, work with the private sector through a public-private partnership, including by incentivizing the formation of a consortium of United States companies, to ensure the development and production of advanced, measurably secure microelectronics for use by the Department of Defense, the intelligence community, critical infrastructure sectors, and other national security applications. Such work may include providing incentives for the creation, expansion, or modernization of one or more commercially competitive and sustainable microelectronics manufacturing or advanced research and development facilities.

(2) RISK MITIGATION REQUIREMENTS.—A participant in a consortium formed with incentives under paragraph (1) shall—

(A) have the potential to perform fabrication, assembly, package, or test functions for microelectronics deemed critical to national security as defined by export control regulatory agencies in consultation with the National Security Adviser and the Secretary of Defense;

(B) include management processes to identify and mitigate supply chain security risks; and

(C) be able to produce microelectronics consistent with applicable measurably secure supply chain and operational security standards established under section 224(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(3) NATIONAL SECURITY CONSIDERATIONS.—The Secretary of Defense and the Director of National Intelligence shall select participants for the consortium formed with incentives under paragraph (1). In selecting such participants, the Secretary and the Director may jointly consider whether the United States companies—

(A) have participated in previous programs and projects of the Department of Defense, Department of Energy, or the intelligence community, including—

(i) the Trusted Integrated Circuit program of the Intelligence Advanced Research Projects Activity;

(ii) trusted and assured microelectronics projects, as administered by the Department of Defense;

(iii) the Electronics Resurgence Initiative (ERI) program of the Defense Advanced Research Projects Agency; or

(iv) relevant semiconductor research programs of Advanced Research Projects Agency–Energy;

(B) have demonstrated an ongoing commitment to performing contracts for the Department of Defense and the intelligence community;

(C) are approved by the Defense Counterintelligence and Security Agency or the Office of the Director of National Intelligence as presenting an acceptable security risk, taking into account supply chain assurance vulnerabilities, counterintelligence risks, and any risks presented by companies whose owners are located outside the United States; and

(D) are evaluated periodically for foreign ownership, control, or influence by foreign adversaries.

(4) NONTRADITIONAL DEFENSE CONTRACTORS AND COMMERCIAL ENTITIES.—Arrangements entered into to carry out paragraph (1) shall be in such form as the Secretary of Defense determines appropriate to encourage industry participation of nontraditional defense contractors or commercial entities and may include a contract, a grant, a cooperative agreement, a commercial agreement, the use of other transaction authority under section 2371 of title 10, United States Code, or another such arrangement.

(5) DISCHARGE.—The Secretary of Defense shall carry out paragraph (1) jointly through the Office of the Under Secretary of Defense for Research and Engineering and the Office of the Under Secretary of Defense for Acquisition and Sustainment, or such other component of the Department of Defense as the Secretary considers appropriate.

(6) OTHER INITIATIVES.—The Secretary of Defense shall dedicate initiatives within the Department of Defense to advance radio frequency, mixed signal, radiation tolerant, and radiation hardened microelectronics that support national security and dual-use applications.

(7) REPORTS.—

(A) REPORT BY SECRETARY OF DEFENSE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the plans of the Secretary to carry out paragraph (1).

(B) BIENNIAL REPORTS BY COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 1 year after the date on which the Secretary submits the report required by subparagraph (A) and not less frequently than once every 2 years thereafter for a period of 10 years, the Comptroller General of the United States shall submit to Congress a report on the activities carried out under this subsection.

(b) DEFENSE PRODUCTION ACT OF 1950 EFFORTS.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to Congress a report on a plan for use by the Department of Defense of authorities available in title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.) to establish and enhance a domestic production capability for microelectronics technologies and related technologies, subject to the availability of appropriations for that purpose.

(2) CONSULTATION.—The President shall develop the plan required by paragraph (1) in coordination with the Secretary of Defense, and in consultation with the Secretary of State, the Secretary of Commerce, and appropriate stakeholders in the private sector.

SEC. 1093. DEPARTMENT OF COMMERCE STUDY ON STATUS OF MICROELECTRONICS TECHNOLOGIES IN THE UNITED STATES INDUSTRIAL BASE.

(a) IN GENERAL.—Commencing not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce and the Secretary of Homeland Security, in consultation with the Secretary of Defense and the heads of other appropriate Federal departments and agencies, shall undertake a review, which shall include a survey, using authorities in section 705 of the Defense Production Act (50 U.S.C. 4555), to assess the capabilities of the United States industrial base to support the national defense in light of the global nature of the supply chain and significant interdependencies between the United States industrial base and the industrial base of foreign countries with respect to the manufacture, design, and end use of microelectronics.

(b) RESPONSE TO SURVEY.—The Secretary shall ensure compliance with the survey from among all relevant potential respondents, including the following:

(1) Corporations, partnerships, associations, or any other organized groups domiciled and with substantial operations in the United States.

(2) Corporations, partnerships, associations, or any other organized groups domiciled in the United States with operations outside the United States.

(3) Foreign domiciled corporations, partnerships, associations, or any other organized groups with substantial operations or business presence in, or substantial revenues derived from, the United States.

(4) Foreign domiciled corporations, partnerships, associations, or any other organized groups in defense treaty or assistance

countries where the production of the entity concerned involves critical technologies covered by section 2.

(c) INFORMATION REQUESTED.—The information sought from a responding entity pursuant to the survey required by subsection (a) shall include, at minimum, information on the following with respect to the manufacture. design, or end use of microelectronics by such entity:

(1) An identification of the geographic scope of operations.

(2) Information on relevant cost structures.

(3) An identification of types of microelectronics development, manufacture, assembly, test, and packaging equipment in operation at such entity.

(4) An identification of all relevant intellectual property, raw materials, and semi-finished goods and components sourced domestically and abroad by such entity.

(5) Specifications of the microelectronics manufactured or designed by such entity, descriptions of the end-uses of such microelectronics, and a description of any technical support provided to end-users of such microelectronics by such entity.

(6) Information on domestic and export market sales by such entity.

(7) Information on the financial performance, including income and expenditures, of such entity.

(8) A list of all foreign and domestic subsidies, and any other financial incentives, received by such entity in each market in which such entity operates.

(9) A list of information requests from the People's Republic of China to such entity, and a description of the nature of each request and the type of information provided.

(10) Information on any joint ventures, technology licensing agreements, and cooperative research or production arrangements of such entity.

(11) A description of efforts by such entity to evaluate and control supply chain risks it faces.

(12) A list and description of any sales, licensing agreements, or partnerships between such entity and the People's Liberation Army or People's Armed Police, including any business relationships with entities through which such sales, licensing agreements, or partnerships may occur.

(d) REPORT.—

(1) IN GENERAL.—The Secretary of Commerce shall, in consultation with the Secretary of Defense, the Secretary of Homeland Security, and the heads of other appropriate Federal departments and agencies, submit to Congress a report on the results of the review required by subsection (a). The report shall include the following:

(A) An assessment of the results of the survey.

(B) A list of critical technology areas impacted by potential disruptions in production of microelectronics, and a detailed description and assessment of the impact of such potential disruptions on such areas.

(C) A description and assessment of gaps and vulnerabilities in the microelectronics supply chain and the national industrial supply base.

(2) FORM.— The report required by paragraph (1) may be submitted in classified form.

SEC. 1094. FUNDING FOR DEVELOPMENT AND ADOPTION OF MEASURABLY SECURE MICROELECTRONICS AND MEASURABLY SECURE MICROELECTRONICS SUPPLY CHAINS.

(a) MULTILATERAL MICROELECTRONICS SECURITY FUND.—

(1) ESTABLISHMENT OF FUND.—There is established in the Treasury of the United States a trust fund, to be known as the ''Multilateral Microelectronics Security Fund'' (in this section referred to as the ''Fund''), consisting of amounts deposited into the Fund under paragraph (2) and any amounts that may be credited to the Fund under paragraph (3).

(2) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $750,000,000 to be deposited in the Fund.

(3) INVESTMENT OF AMOUNTS.—

(A) INVESTMENT OF AMOUNTS.—The Secretary of the Treasury shall invest such portion of the Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(B) INTEREST AND PROCEEDS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Fund shall be credited to and form a part of the Fund.

(4) USE OF FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), amounts in the Fund shall be available, as provided in advance in an appropriations Act, to the Secretary of State—

(i) to provide funding through the common funding mechanism described in subsection (b)(1) to support the development and adoption of measurably secure microelectronics and measurably secure microelectronics supply chains; and

(ii) to otherwise carry out this section.

(B) AVAILABILITY CONTINGENT ON INTERNATIONAL AGREEMENT.—Amounts in the Fund shall be available to the Secretary of State on and after the date on which the Secretary enters into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism under paragraph (1) of subsection (b) and the commitments described in paragraph (2) of that subsection.

(5) AVAILABILITY OF AMOUNTS.—

(A) IN GENERAL.—Amounts in the Fund shall remain available through the end of the tenth fiscal year beginning after the date of the enactment of this Act.

(B) REMAINDER TO TREASURY.—Any amounts remaining in the Fund after the end of the fiscal year described in subparagraph (A) shall be deposited in the general fund of the Treasury.

(b) COMMON FUNDING MECHANISM FOR DEVELOPMENT AND ADOPTION OF MEASURABLY SECURE MICROELECTRONICS AND MEASURABLY SECURE MICROELECTRONICS SUPPLY CHAINS.—

(1) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of the Treasury, and the Director of National Intelligence, shall seek to establish a common funding mechanism, in coordination with the governments of countries that are partners of the United States, that uses amounts from the Fund, and amounts committed by such governments, to support the development and adoption of secure microelectronics and secure microelectronics supply chains, including for use in research and development collaborations among countries participating in the common funding mechanism.

(2) MUTUAL COMMITMENTS.—The Secretary of State, in consultation with the United States Trade Representative, the Secretary of the Treasury, and the Secretary of Commerce, shall seek to negotiate a set of mutual commitments with the governments of countries that are partners of the United States upon which to condition any expenditure of funds pursuant to the common funding mechanism described in paragraph (1). Such commitments shall, at a minimum—

(A) establish transparency requirements for any subsidies or other financial benefits (including revenue foregone) provided to microelectronics firms located in or outside such countries;

(B) establish consistent policies with respect to countries that—

(i) are not participating in the common funding mechanism; and

(ii) do not meet transparency requirements established under subparagraph (A);

(C) promote harmonized treatment of microelectronics and verification processes for items being exported to a country considered a national security risk by a country participating in the common funding mechanism;

(D) establish consistent policies and common external policies to address nonmarket economies as the behavior of such countries pertains to microelectronics;

(E) align policies on supply chain integrity and microelectronics security, including with respect to protection and enforcement of intellectual property rights; and

(F) promote harmonized foreign direct investment screening measures with respect to microelectronics to align with national and multilateral security priorities.

(c) ANNUAL REPORT TO CONGRESS.—Not later than one year after the date of the enactment of this Act, and annually thereafter for each fiscal year during which amounts in the Fund are available under subsection (a)(5), the Secretary of State shall submit to Congress a report on the status of the implementation of this section that includes a description of—

(1) any commitments made by the governments of countries that are partners of the United States to providing funding for the common funding mechanism described in subsection (b)(1) and the specific amount so committed;

(2) the criteria established for expenditure of funds through the common funding mechanism;

(3) how, and to whom, amounts have been expended from the Fund;

(4) amounts remaining in the Fund;

(5) the progress of the Secretary of State toward entering into an agreement with the governments of countries that are partners of the United States to participate in the common funding mechanism and the commitments described in subsection (b)(2); and

(6) any additional authorities needed to enhance the effectiveness of the Fund in achieving the security goals of the United States.

SEC. 1095. ADVANCED SEMICONDUCTOR RESEARCH AND DESIGN.

(a) APPROPRIATE COMMITTEES OF CONGRESS.— In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Intelligence, the Committee on Commerce, Science, and Transportation, the Committee on Foreign Relations, the Committee on Armed Services, the Committee on Energy and Natural Resources, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Energy and Commerce, the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Science, Space, and Technology, the Committee on Financial Services, and the Committee on Homeland Security of the House of Representatives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the leadership of the United States in semiconductor technology and innovation is critical to the economic growth and national security of the United States.

(c) SUBCOMMITTEE ON SEMICONDUCTOR LEADERSHIP.—

(1) ESTABLISHMENT REQUIRED.—The President shall establish in the National Science and Technology Council a subcommittee on matters relating to leadership of the United States in semiconductor technology and innovation.

(2) DUTIES.—The duties of the subcommittee established under paragraph (1) are as follows:

(A) NATIONAL STRATEGY ON SEMICONDUCTOR RESEARCH.—

(i) DEVELOPMENT.—In coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Secretary of Commerce, the Secretary of Homeland Security, the Director of the National Science Foundation, and the Director of the National Institute of Standards and Technology and in consultation with the semiconductor industry and academia, develop a national strategy on semiconductor research, development, manufacturing, and supply chain security, including guidance for the funding of research, and strengthening of the domestic microelectronics workforce.

(ii) REPORTING AND UPDATES.—Not less frequently than once every 5 years, to update the strategy developed under clause (i) and to submit the revised strategy to the appropriate committees of Congress.

(iii) IMPLEMENTATION.—In coordination with the Secretary of Defense, the Secretary of Energy, the Secretary of State, the Secretary of Commerce, the Secretary of Homeland Security, the Director of the National Science Foundation, and the Director of the National Institute of Standards and Technology, on an annual basis coordinate and recommend each agency's semiconductor related research and development programs and budgets to ensure consistency with the National Semiconductor Strategy.

(B) FOSTERING COORDINATION OF RESEARCH AND DEVELOPMENT.—To foster the coordination of semiconductor research and development.

(3) SUNSET.—The subcommittee established under paragraph (1) shall terminate on the date that is 10 years after the date of enactment of this Act.

(d) INDUSTRIAL ADVISORY COMMITTEE.—The President shall establish a standing subcommittee of the President's Council of Advisors on Science and Technology to advise the United States Government on matters relating to microelectronics policy.

(e) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—

(1) ESTABLISHMENT.—The Secretary of Commerce shall establish a national semiconductor technology center to conduct research and prototyping of advanced semiconductor technology to strengthen the economic competitiveness and security of the domestic supply chain, which will be operated as a public private-sector consortium with participation from the private sector, the Department of Defense, the Department of Energy, the Department of Homeland Security, the National Science Foundation, and the National Institute of Standards and Technology

(2) FUNCTIONS.—The functions of the center established under paragraph (1) shall be as follows:

(A) To conduct advanced semiconductor manufacturing, design research and prototyping that strengthens the entire domestic ecosystem and is aligned with the National Strategy on Semiconductor Research.

(B) To establish a National Advanced Packaging Manufacturing Program led by the National Institute of Standards and Technology, in coordination with the Center, to strengthen semiconductor advanced test, assembly, and packaging capability in the domestic ecosystem, and which shall coordinate with the Manufacturing USA institute established under paragraph (4).

(C) To establish an investment fund, in partnership with the private sector, to support startups in the domestic semiconductor ecosystem.

(D) To establish a Semiconductor Manufacturing Program through the Director of the National Institute of Standards and Technology to enable advances and breakthroughs in measurement science, standards, material characterization, instrumentation, testing, and manufacturing capabilities that will accelerate the underlying research and development for metrology of next generation semiconductors and ensure the competitiveness and leadership of the United States within this sector.

(E) To work with the Secretary of Labor, the private sector, educational institutions, and workforce training entities to develop workforce training programs and apprenticeships in advanced microelectronic packaging capabilities.

(3) COMPONENTS.—The fund established under paragraph (2)(C) shall cover the following:

(A) Advanced metrology and characterization for manufacturing of microchips using 3 nanometer transistor processes or more advanced processes.

(B) Metrology for security and supply chain verification.

(4) CREATION OF A MANUFACTURING USA INSTITUTE.—The fund established under paragraph (2)(C) may also cover the creation of a Manufacturing USA institute described in section 34(d) of the National Institute of Standards and Technology Act (15 U.S.C. 278s(d)) that is focused on semiconductor manufacturing. Such institute may emphasize the following:

(A) Research to support the virtualization and automation of maintenance of semiconductor machinery.

(B) Development of new advanced test, assembly and packaging capabilities.

(C) Developing and deploying educational and skills training curricula needed to support the industry sector and ensure the U.S. can build and maintain a trusted and predictable talent pipeline.

(f) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) NATIONAL SEMICONDUCTOR TECHNOLOGY CENTER.—There is authorized to be appropriated to carry out subsection (d), $9,050,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2030—

(A) of which, $3,000,000,000 shall be available to carry out subsection (e)(2)(A);

(B) of which, $5,000,000,000 shall be available to carry out subsection (e)(2)(B)

(C) of which, $500,000,000 shall be available to carry out subsection (e)(2)(C)

(D) of which, $500,000,000 shall be available to carry out subsection (e)(2)(D)—

(i) of which, $20,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (e)(3)(A);

(ii) of which, $20,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (e)(3)(B); and

(iii) of which, $50,000,000 shall be available for each of fiscal years 2021 through 2025 to carry out subsection (e)(4); and

(E) of which, $50,000,000 shall be available to carry out subsection (e)(2)(E).

(2) SEMICONDUCTOR RESEARCH AT NATIONAL SCIENCE FOUNDATION.—There is authorized to be appropriated to carry out programs at the National Science Foundation on semiconductor research in alignment with the National Strategy on Semiconductor Research, $1,500,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025.

(3) SEMICONDUCTOR RESEARCH AT DEPARTMENT OF ENERGY.—There is authorized to be appropriated to carry out programs at the Department of Energy, including the National Laboratories, on semiconductor research, in alignment with the National Strategy on Semiconductor Research, $2,000,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025.

(4) MICROELECTRONICS RESEARCH AT THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.—There is authorized to be appropriated to carry out microelectronics research at the National Institute of Standards and Technology $250,000,000 for fiscal year 2021, with such amount to remain available for such purpose through fiscal year 2025.

(5) SUPPLEMENT NOT SUPPLANT.—The amounts authorized to be appropriated under paragraphs (1) through (5) shall supplement and not supplant amounts already appropriated to carry out the purposes described in such paragraphs.

(g) DOMESTIC PRODUCTION REQUIREMENTS.—The head of any executive agency receiving funding under this section shall develop policies to require domestic production, to the extent possible, for any intellectual property resulting from microelectronics research and development conducted as a result of these funds and domestic control requirements to protect any such intellectual property from foreign adversaries.

SEC. 1096. PROHIBITION RELATING TO FOREIGN ADVERSARIES.

None of the funds appropriated pursuant to an authorization in this subtitle may be provided to an entity—

(1) under the foreign ownership, control, or influence of the Government of the People's Republic of China or the Chinese Communist Party, or other foreign adversary (as defined in section 1091(a)(4)); or

(2) determined to have beneficial ownership from foreign individuals subject to the jurisdiction, direction, or influence of foreign adversaries (as so defined).

SA 2246. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

In section 883(a), strike ''October 1'' and insert ''September 30''.

SA 2247. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. SENSE OF SENATE ON DEFENSE SPENDING AND GLOBAL SECURITY CHALLENGES.

It is the sense of the Senate that—

(1) as recommended by the bipartisan National Defense Strategy Commission report issued in November 2018, ''Congress should increase the size of the base defense budget significantly through the Future Years Defense Program and perhaps beyond.'';

(2) as recommended by former Secretary of Defense Jim Mattis and former Chairman of the Joint Chiefs of Staff General Joseph Dunford, as well as the bipartisan National Defense Strategy Commission report issued in November 2018, real growth of at least three to five percent annual growth in the budget for the Department of Defense is required to achieve the objectives of the National Defense Strategy;

(3) the need for three to five percent real growth in the budget for the Department preceded the COVID–19 pandemic, which has already imposed significant costs on the Department, and is likely to do so in the future given the effects on the defense industrial base and the Department's role in supporting the whole-of-government response to COVID–19;

(4) increasingly aggressive behavior by the People's Republic of China during the COVID–19 pandemic, including coercive and violent actions against allies and partners of the United States, is indicative of intensifying strategic competition requiring robust and sustained investment in the United States Armed Forces; and

(5) Congress should support sufficient, timely, and sustained defense investment in order to—

(A) achieve the objectives of the National Defense Strategy; and

(B) confront a complex array of global security challenges, including those which have intensified in the aftermath of the COVID–19 pandemic.

SA 2248. Mr. INHOFE (for himself and Mr. REED) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

After section 931, insert the following:

SEC. 931A. OFFICE OF THE CHIEF OF SPACE OPERATIONS.

(a) IN GENERAL.—Chapter 908 of title 10, United States Code, as amended by section 931(e) of this Act, is further amended—

(1) by redesignating section 9083 as section 9085; and

(2) by inserting after section 9082 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) Such other offices and officials as may be established by law or as the Secretary of the Air Force may establish or designate.

''(3) Other members of the Space Force and Air Force assigned or detailed to the Office of the Chief of Space Operations.

''(4) 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 of the Air Force, the Chief of Space Operations, and other personnel of the Office of the Secretary of the Air Force or the Office of 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.—The table of sections at the beginning of chapter 908 of such title, as amended by section 931(f) of this Act, is further amended by striking the item related to section 9083 and inserting the following the following new items:

''9083. Office of the Chief of Space Operations: function; composition.

''9084. Office of the Chief of Space Operations: general duties.

''9085. Regular Space Force: composition.''.

At the end of part II of subtitle D of title IX, add the following:

SEC. 944. 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 Secretary of the Air Force shall be responsible for the procurement of commercial satellite communications services for the Department of Defense.''.

(b) TABLE OF SECTIONS.—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. 945. 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. 946. APPLICATION OF ACQUISITION DEMONSTRATION PROJECT TO DEPARTMENT OF THE AIR FORCE EMPLOYEES ASSIGNED TO ACQUISITION POSITIONS WITHIN THE SPACE FORCE.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 1599i. Application of acquisition demonstration project to Department of the Air Force employees assigned to acquisition positions within the Space Force

''For purposes of the demonstration project authorized by section 1762 of this title, the Secretary of Defense may apply the provisions of such section, including any regulations, procedures, waivers, or guidance implementing such section, to employees of the Department of the Air Force assigned to acquisition positions within the Space Force.''.

(b) TABLE OF SECTIONS.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''1599i. Application of acquisition demonstration project to Department of the Air Force employees assigned to acquisition positions within the Space Force.''.

SEC. 947. AIR AND SPACE FORCE MEDAL.

(a) SUPERSEDURE OF AIRMAN'S MEDAL WITH AIR AND SPACE FORCE MEDAL.—

(1) IN GENERAL.—Section 9280 of title 10, United States Code, is amended—

(A) by striking ''Airman's Medal'' each place it appears and inserting ''Air and Space Force Medal''; and

(B) in subsection (a)(1), by inserting ''or the Space Force'' after ''the Air Force''.

(2) SECTION HEADING.—The heading of such section is amended to read as follows:

"§ 9280. Air and Space Force Medal: award; limitations".

(3) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 937 of such title is amended by striking the item relating to section 9280 and inserting the following new item:

''9280. Air and Space Force Medal: award; limitations.''.

(b) DIFFERENTIATION IN DESIGN.—The President shall ensure that the design of the Air and Space Force Medal and accompanying ribbon (and any related bar or device) awarded under section 9280 of title 10, United States Code (as amended by subsection (a)), differs in an appropriate manner from the design of the Airman's Medal and accompanying ribbon, bar, or device awarded under section 9280 of title 10, United States Code, as such section was in effect on the date before the date of the enactment of this Act.

SA 2249. Mr. WARNER (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. BRIEFING ON UNITED STATES-INDIA JOINT DEFENSE AND RELATED INDUSTRIAL AND TECHNOLOGY RESEARCH AND DEVELOPMENT.

(a) IN GENERAL.—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 and the Committee on Foreign Relations of the Senate a briefing on joint defense and related industrial and technology research and development and personnel exchange opportunities between the United States and India.

(b) MATTERS TO BE INCLUDED.—The briefing under subsection (a) shall include the following:

(1) A status update on the Defense Technology and Trade Initiative and its efforts to increase private sector industrial cooperation.

(2) An assessment of whether additional funds are necessary for the Defense Technology and Trade Initiative for seed funding and personnel exchanges.

(3) An assessment of whether the Israel-U.S. Binational Industrial Research and Development Foundation and Fund provides a model for United States and India private sector collaboration on defense and critical technologies.

(4) A status update on the collaboration between the Department of Defense Innovation Unit and the Innovations for Defence Excellence program of the Ministry of Defence of India to enhance the capacity of the Department of Defense and Ministry of Defence of India to identify and source solutions to military requirements by accessing cutting-edge commercial technology through non-traditional processes.

SA 2250. Mr. SCHUMER (for Mr. MERKLEY) submitted an amendment intended to be proposed by Mr. Schumer to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 355. REPORT ON NON-PERMISSIVE, GLOBAL POSITIONING SYSTEM DENIED AIRFIELD CAPABILITIES.

(a) IN GENERAL.—Not later than February 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report assessing the ability of each combatant command to conduct all-weather, day-night operations at airfields of the Department of Defense in a non-permissive, global positioning system denied environment.

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

(1) An assessment of current air traffic control and landing systems at existing airfields and contingency airfields of the Department.

(2) An assessment of the ability of each combatant command to conduct all-weather, day-night airfield flight operations in a non-permissive, global positioning system denied environment at existing and contingency airfields of the Department, including aircraft tracking and precision landing.

(3) An assessment of the ability of each combatant command to rapidly set up and conduct operations at alternate airfields of the Department, including the ability to receive and deploy forces in a non-permissive, global positioning system denied environment.

(4) A list of backup systems in place or prepositioned to be able to reconstitute operations after an attack.

SA 2251. Mr. SCHUMER (for Mr. MERKLEY (for himself, Mr. CORNYN, Mr. CARDIN, Mr. GARDNER, Mr. LEAHY, Mr. WICKER, and Mr. SCOTT of Florida)) submitted an amendment intended to be proposed by Mr. Schumer to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII, add the following:

SEC. 1262. EXTENSION OF PROHIBITION ON COMMERCIAL EXPORT OF CERTAIN MUNITIONS TO THE HONG KONG POLICE FORCE.

Section 3 of the Act entitled ''An Act to prohibit the commercial export of covered munitions items to the Hong Kong Police Force'', approved November 27, 2019 (Public Law 116–77; 133 Stat. 1174), is amended by striking ''one year after the date of the enactment of this Act'' and inserting ''on November 27, 2021''.

SA 2252. Mr. SCHATZ (for himself, Ms. MURKOWSKI, Ms. HARRIS, and Mr. PAUL) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REFORM AND OVERSIGHT OF DEPARTMENT OF DEFENSE TRANSFER OF PERSONAL PROPERTY TO LAW ENFORCEMENT AGENCIES.

(a) IN GENERAL.—Section 2576a of title 10, United States Code, is amended—

(1) in subsection (a)(1), in the matter preceding subparagraph (A), by striking ''subsection (b)'' and inserting ''the provisions of this section'';

(2) in subsection (b)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period and inserting a semicolon; and

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

''(7) the recipient, on an annual basis, certifies that if the recipient determines that the property is surplus to the needs of the recipient, the recipient will return the property to the Department of Defense;

''(8) the recipient submits to the Department of Defense a description of how the recipient expects to use the property;

''(9) with respect to a recipient that is not a Federal agency, the recipient certifies to the Department of Defense that the recipient notified the local community of the request for property under this section by—

''(A) publishing a notice of such request on a publicly accessible internet website;

''(B) posting such notice at several prominent locations in the jurisdiction of the recipient; and

''(C) ensuring that such notices were available to the local community for a period of not less than 30 days;

''(10) with respect to a recipient that is not a Federal agency, the recipient submits to the Department of Defense a description of the training courses or certifications required for use of transferred property;

''(11) with respect to a recipient that is a local law enforcement agency, the recipient has received the approval of the city council or other local governing body to acquire the property sought under this section; and

''(12) with respect to a recipient that is a State law enforcement agency, the recipient has received the approval of the appropriate state governing body to acquire the property sought under this section.'';

(3) by striking subsections (e) and (f); and

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

''(e) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) For each fiscal year, the Secretary shall submit to Congress certification in writing that each Federal or State agency to which the Secretary has transferred personal property under this section—

''(A) has provided to the Secretary documentation accounting for all controlled property, including arms and ammunition, that the Secretary has transferred to the agency, including any item described in subsection (f)(1) so transferred before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021; and

''(B) with respect to a non-Federal agency, carried out each of paragraphs (5) through (9) of subsection (b).

''(2) If the Secretary cannot provide a certification under paragraph (1) for a Federal or State agency, the Secretary may not transfer additional property to that agency under this section.

''(f) ANNUAL REPORT ON EXCESS PROPERTY.—The Secretary shall submit to Congress each year, before making any personal property available for transfer under this section in that year, report setting forth a description of the property to be transferred, together with a certification that the transfer of the property would not violate this section or any other provision of law.

''(g) LIMITATIONS ON TRANSFERS.—(1) The Secretary may not transfer to a Federal, Tribal, State, or local law enforcement agency under this section the following:

''(A) Bayonets, grenade launchers, grenades (excluding stun and flash-bang), explosives, and firearms of .50 caliber or higher and ammunition of 0.5 caliber or higher.

''(B) Tracked combat vehicles.

''(C) Weaponized drones.

''(D) Asphyxiating gases, including those comprised of lachrymatory agents, and analogous liquids, materials or devices.

''(E) Items in the Federal Supply Class of banned items.

''(2) The limitations under this subsection shall also apply with respect to the transfer of previously transferred property of the Department of Defense from one Federal or State agency to another such agency.

''(3) The Secretary shall require that equipment transferred under this section shall be returned upon a finding that the equipment has been used to conduct actions against citizens of the United States that infringe upon the rights of the citizens under the First Amendment to the Constitution of the United States to assemble peaceably or to petition the Government for redress of grievances.

''(4) The Secretary shall prohibit the transfer of equipment to a Federal or State agency for a period of 5 years upon a finding that equipment transferred under this section to the Federal or State agency has been used to conduct actions against United States citizens that infringe upon the rights of the citizens under the First Amendment to the Constitution of the United States to assemble peaceably or to petition the Government for redress of grievances.

''(5) The Secretary shall require, as a condition of any transfer of property under this section, that—

''(A) if the Department of Justice opens an investigation into a Federal or State agency for violation of civil liberties, the Secretary shall pause all pending or future transfers to such agency; and

''(B) property shall be returned upon a finding of responsibility as a result of an investigation described in subparagraph (A) or otherwise for a finding of responsibility for widespread abuses of civil liberties.

''(h) CONDITIONS FOR EXTENSION OF PROGRAM.—Notwithstanding any other provision of law, amounts authorized to be appropriated or otherwise made available for any fiscal year may not be obligated or expended to carry out this section unless the Secretary submits to the appropriate committees of Congress a certification, for the preceding fiscal year, that—

''(1) each recipient agency that has received personal property under this section has—

''(A) demonstrated full and complete accountability for all such property, in accordance with paragraph (2) or (3), as applicable; or

''(B) been suspended or terminated from the program pursuant to paragraph (4);

''(2) with respect to each non-Federal agency that has received property under this section, the State Coordinator responsible for each such agency has verified that the State Coordinator or an agent of the State Coordinator has conducted an in-person inventory of the property transferred to the agency and that all such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(3) with respect to each Federal agency that has received property under this section, the Secretary or an agent of the Secretary has conducted an in-person inventory of the property transferred to the agency and that all such property was accounted for during the inventory or that the agency has been suspended or terminated from the program pursuant to paragraph (4);

''(4) the eligibility of any agency that has received property under this section for which all of such property was not accounted for during an inventory described in paragraph (2) or (3), as applicable, to receive property transferred under this section has been suspended or terminated;

''(5) each State Coordinator has certified, for each non-Federal agency located in the State for which the State Coordinator is responsible that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated; and

''(6) the Secretary has certified, for each Federal agency that has received property under this section that—

''(A) the agency has complied with all requirements under this section; or

''(B) the eligibility of the agency to receive property transferred under this section has been suspended or terminated.

''(i) APPROVAL BY LAW REQUIRED FOR TRANSFER OF PROPERTY NOT PREVIOUSLY TRANSFERRABLE.—(1) In the event the Secretary proposes to make available for transfer under this section any personal property of the Department of Defense not previously made available for transfer under this section, the Secretary shall submit to the appropriate committees of Congress a report setting forth the following:

''(A) A description of the property proposed to be made available for transfer.

''(B) A description of the conditions, if any, to be imposed on use of the property after transfer.

''(C) A certification that transfer of the property would not violate a provision of this section or any other provision of law.

''(2) The Secretary may not transfer any property covered by a report under this subsection unless authorized by a law enacted by Congress after the date of the receipt of the report by Congress.

''(j) ANNUAL CERTIFICATION ACCOUNTING FOR TRANSFERRED PROPERTY.—(1) The Secretary shall submit to the appropriate committees of Congress each year a certification in writing that each recipient to which the Secretary has transferred personal property under this section during the preceding fiscal year—

''(A) has provided to the Secretary documentation accounting for all property the Secretary has previously transferred to such recipient under this section; and

''(B) has complied with paragraphs (5) and (6) of subsection (b) with respect to the property so transferred during such fiscal year.

''(2) If the Secretary cannot provide a certification under paragraph (1) for a recipient, the Secretary may not transfer additional property to such recipient under this section, effective as of the date on which the Secretary would otherwise make the certification under this subsection, and such recipient shall be suspended or terminated from further receipt of property under this section.

''(k) QUARTERLY REPORTS ON USE OF CONTROLLED EQUIPMENT.—Not later than 30 days after the last day of a fiscal quarter, the Secretary shall submit to Congress a report on any uses of controlled property transferred under this section during that fiscal quarter.

''(l) REPORTS TO CONGRESS.—Not later than 30 days after the last day of a fiscal year, the Secretary shall submit to Congress a report on the following for the preceding fiscal year:

''(1) The percentage of equipment lost by recipients of property transferred under this section, including specific information about the type of property lost, the monetary value of such property, and the recipient that lost the property.

''(2) The transfer of any new (condition code A) property transferred under this section, including specific information about the type of property, the recipient of the property, the monetary value of each item of the property, and the total monetary value of all such property transferred during the fiscal year.

''(m) PUBLICLY ACCESSIBLE WEBSITE ON TRANSFERRED CONTROLLED PROPERTY.—(1) The Secretary shall create and maintain a publicly available internet website that provides information on the controlled property transferred under this section and the recipients of such property.

''(2) The contents of the internet website required under paragraph (1) shall include all publicly accessible unclassified information pertaining to the request, transfer, denial, and repossession of controlled property under this section, including—

''(A) a current inventory of all controlled property transferred to Federal and State agencies under this section, listed by—

''(i) the name of the Federal agency, or the State, county, and recipient agency;

''(ii) the item name, item type, and item model;

''(iii) the date on which such property was transferred; and

''(iv) the current status of such item;

''(B) all pending requests for transfers of controlled property under this section, including the information submitted by the Federal and State agencies requesting such transfers;

''(C) a list of each agency suspended or terminated from further receipt of property under this section, including any State, county, or local agency, and the reason for and duration of such suspension or termination; and

''(D) all reports required to be submitted to the Secretary under this section by Federal and State agencies that receive controlled property under this section.

''(3) The Secretary shall update on a quarterly basis the contents of the internet website required under paragraph (1), on which the contents of the Internet website described in paragraph (2) shall be made publicly available in a searchable format

''(n) DEFINITIONS.—In this section:

''(1) The term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

''(B) the Committee on Armed Services and the Committee on Oversight and Government Reform of the House of Representatives.

''(2) The term 'agent of a State Coordinator' means any individual to whom a State Coordinator formally delegates responsibilities for the duties of the State Coordinator to conduct inventories described in subsection (g)(2).

''(3) The term 'controlled property' means any item assigned a demilitarization code of B, C, D, E, G, or Q under Department of Defense Manual 4160.21–M, 'Defense Materiel Disposition Manual', or any successor document.

''(4) The term 'State Coordinator', with respect to a State, means the individual appointed by the governor of the State to maintain property accountability records and oversee property use by the State.''.

(b) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of the enactment of this Act.

(c) INTERAGENCY LAW ENFORCEMENT EQUIPMENT WORKING GROUP.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall establish an interagency Law Enforcement Equipment Working Group (referred to in this subsection as the ''Working Group'') to support oversight and policy development functions for controlled equipment programs.

(2) PURPOSE.—The Working Group shall—

(A) examine and evaluate the Controlled and Prohibited Equipment Lists for possible additions or deletions;

(B) track law enforcement agency controlled equipment inventory;

(C) ensure Government-wide criteria to evaluate requests for controlled equipment;

(D) ensure uniform standards for compliance reviews;

(E) harmonize Federal programs to ensure the programs have consistent and transparent policies with respect to the acquisition of controlled equipment by law enforcement agencies;

(F) require after-action analysis reports for significant incidents involving Federally provided or Federally funded controlled equipment;

(G) develop policies to ensure that law enforcement agencies abide by any limitations or affirmative obligations imposed on the acquisition of controlled equipment or receipt of funds to purchase controlled equipment from the Federal Government and the obligations resulting from receipt of Federal financial assistance;

(H) require State and local governing body to review and authorize a law enforcement agency's request for or acquisition of controlled equipment;

(I) require that law enforcement agencies participating in Federal controlled equipment programs receive necessary training regarding appropriate use of controlled equipment and the implementation of obligations resulting from receipt of Federal financial assistance, including training on the protection of civil rights and civil liberties;

(J) provide uniform standards for suspending law enforcement agencies from Federal controlled equipment programs for specified violations of law, including civil rights laws, and ensuring those standards are implemented consistently across agencies; and

(K) create a process to monitor the sale or transfer of controlled equipment from the Federal Government or controlled equipment purchased with funds from the Federal Government by law enforcement agencies to third parties.

(3) COMPOSITION.—

(A) IN GENERAL.—The Working Group shall be co-chaired by the Secretary of Defense, the Attorney General, and the Secretary of Homeland Security.

(B) MEMBERSHIP.—The Working Group shall be comprised of—

(i) representatives of interested parties, who are not Federal employees, including appropriate State, local, and Tribal officials, law enforcement organizations, civil rights and civil liberties organizations, and academics; and

(ii) the heads of such other agencies and offices as the Co-Chairs may, from time to time, designate.

(C) DESIGNATION.—A member of the Working Group described in subparagraph (A) or in subparagraph (B)(ii) may designate a senior-level official from the agency represented by the member to perform the day-to-day Working Group functions of the member, if the designated official is a full-time officer or employee of the Federal Government.

(D) SUBGROUPS.—At the direction of the Co-Chairs, the Working Group may establish subgroups consisting exclusively of Working Group members or their designees under this subsection, as appropriate.

(E) EXECUTIVE DIRECTOR.—

(i) IN GENERAL.—There shall be an Executive Director of the Working Group, to be appointed by the Attorney General.

(ii) RESPONSIBILITIES.—The Executive Director appointed under clause (i) shall determine the agenda of the Working Group, convene regular meetings, and supervise the work of the Working Group under the direction of the Co-Chairs.

(iii) FUNDING.—

(I) IN GENERAL.—To the extent permitted by law and using amounts already appropriated, the Secretary shall fund, and provide administrative support for, the Working Group

(II) REQUIREMENT.—Each agency shall bear its own expenses for participating in the Working Group.

(F) COORDINATION WITH THE DEPARTMENT OF HOMELAND SECURITY.—In general, the Working Group shall coordinate with the Homeland Security Advisory Council of the Department of Homeland Security to identify areas of overlap or potential national preparedness implications of further changes to Federal controlled equipment programs.

(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as creating any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

SA 2253. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. ESTABLISHMENT OF FEDERAL ADVISORY COMMITTEE ON THE DEVELOPMENT AND IMPLEMENTATION OF ARTIFICIAL INTELLIGENCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Commerce shall establish a Federal advisory committee to advise the Secretary on matters relating to the development of artificial intelligence.

(2) DESIGNATION.—The Federal advisory committee established under paragraph (1) shall be known as the ''Federal Advisory Committee on the Development and Implementation of Artificial Intelligence'' (in this section referred to as the ''Advisory Committee'').

(b) PURPOSES OF THE ADVISORY COMMITTEE.—

(1) ADVICE.—The Advisory Committee shall provide advice to the Secretary on matters relating to the development and use of artificial general intelligence and narrow artificial intelligence, including on the following as they relate to artificial intelligence:

(A) The competitiveness of the United States, including matters relating to the promotion of public and private sector investment and innovation into the development of artificial intelligence.

(B) Workforce, including matters relating to the potential for using artificial intelligence for rapid retraining of workers, due to the possible effect of technological displacement and to increase the labor force participation of traditionally underrepresented populations, including minorities, low-income populations, and persons with disabilities.

(C) Education, including matters relating to science, technology, engineering, and mathematics education to prepare the United States workforce as the needs of employers change.

(D) Ethics training and development for individuals, including both private and government technologists, working on and using artificial intelligence.

(E) Matters relating to open sharing of data and the open sharing of research on artificial intelligence.

(F) International cooperation and competitiveness, including matters relating to the competitive international landscape for artificial intelligence-related industries.

(G) Accountability and legal rights, including matters relating to the responsibility for any violations of laws by an artificial intelligence system and the compatibility of international regulations.

(H) Matters relating to machine learning bias through core cultural and societal norms.

(I) Matters relating to how artificial intelligence can serve or enhance opportunities in rural communities.

(J) Government efficiency, including matters relating to how to promote cost saving and streamline operations.

(K) Matters relating to individual civil rights, including an assessment regarding how rights are or will be affected by the use of artificial intelligence technology and whether such uses should be subject to additional controls, oversight, or limitations.

(L) Matters relating to urbanization and the development of smart cities.

(2) STUDY.—The Advisory Committee shall study and assess the following:

(A) How the term ''artificial intelligence'' should be defined for purposes of this section and how the relevant scope of the Advisory Committee should be defined, including how such definitions relate to artificial systems and both narrow and general forms of artificial intelligence. In carrying out this subparagraph, the Advisory Committee shall consider the following:

''(1) The term 'artificial intelligence' includes the following:

''(A) Any artificial systems that perform tasks under varying and unpredictable circumstances, without significant human oversight, or that can learn from their experience and improve their performance. Such systems may be developed in computer software, physical hardware, or other contexts not yet contemplated. They may solve tasks requiring human-like perception, cognition, planning, learning, communication, or physical action. In general, the more human-like the system within the context of its tasks, the more it can be said to use artificial intelligence.

''(B) Systems that think like humans, such as cognitive architectures and neural networks.

''(C) Systems that act like humans, such as systems that can pass the Turing test or other comparable test via natural language processing, knowledge representation, automated reasoning, and learning.

''(D) A set of techniques, including machine learning, that seek to approximate some cognitive task.

''(E) Systems that act rationally, such as intelligent software agents and embodied robots that achieve goals via perception, planning, reasoning, learning, communicating, decisionmaking, and acting.

''(2) The term 'artificial general intelligence' means a notional future artificial intelligence system that exhibits apparently intelligent behavior at least as advanced as a person across the range of cognitive, emotional, and social behaviors.

''(3) The term 'narrow artificial intelligence' means an artificial intelligence system that addresses specific application areas such as playing strategic games, language translation, self-driving vehicles, and facial or other image recognition.''.

(B) How to create a climate for public and private sector investment and innovation in artificial intelligence.

(C) The possible benefits and effects that the development of artificial intelligence may have on the economy, workforce, and competitiveness of the United States.

(D) Whether and how networked, automated, artificial intelligence applications and robotic devices will displace or create jobs and how any job-related gains relating to artificial intelligence can be maximized.

(E) How bias can be identified and eliminated in the development of artificial intelligence and in the algorithms that support them, including with respect to the following:

(i) The selection and processing of data used to train artificial intelligence.

(ii) Diversity in the development of artificial intelligence.

(iii) The ways and places the systems are deployed and the potential harmful outcomes.

(F) Whether and how to incorporate ethical standards in the development and implementation of artificial intelligence.

(G) How the Federal Government can encourage technological progress in implementation of artificial intelligence that benefits the full spectrum of social and economic classes.

(H) How the privacy rights of individuals are or will be affected by technological innovation relating to artificial intelligence.

(I) Whether technological advancements in artificial intelligence have or will outpace the legal and regulatory regimes implemented to protect consumers.

(J) How existing laws, including those concerning data access and privacy, should be

modernized to enable the potential of artificial intelligence.

(K) How the Federal Government utilizes artificial intelligence to handle large or complex data sets.

(L) How ongoing dialogues and consultations with multi-stakeholder groups can maximize the potential of artificial intelligence and further development of artificial intelligence technologies that can benefit everyone inclusively.

(M) How the development of artificial intelligence can affect cost savings and streamline operations in various areas of government operations, including health care, cybersecurity, infrastructure, and disaster recovery.

(N) Such other matters as the Advisory Committee considers appropriate.

(3) REPORTS AND RECOMMENDATIONS.—

(A) REPORT BY ADVISORY COMMITTEE.—Not later than 540 days after the date of the enactment of this Act, the Advisory Committee shall submit to the Secretary and to Congress a report on the findings of the Advisory Committee and such recommendations as the Advisory Committee may have for administrative or legislative action relating to artificial intelligence.

(B) RECOMMENDATIONS OF SECRETARY.—Not later than 90 days after receiving the report submitted under subparagraph (A), the Secretary shall review the report and submit to Congress such recommendations as the Secretary may have with respect to the matters contained in the report submitted under subparagraph (A).

(c) MEMBERSHIP.—

(1) VOTING MEMBERS.—

(A) IN GENERAL.—The Advisory Committee shall be composed of 19 voting members who shall be appointed by the Secretary, with advisement from the Chair and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives, for purposes of the Advisory Committee from among individuals with expertise in matters relating to workforce development, ethics, privacy, artificial intelligence, or computer science.

(B) REPRESENTATION.—In carrying out subparagraph (A), the Secretary shall ensure that voting members are appointed as follows:

(i) Five members from the academic or research community.

(ii) Six members from private industry, at least 1 of whom shall be from a small business concern.

(iii) Six members from civil society, at least 2 of whom shall be from groups that advocate for civil liberties or civil rights.

(iv) Two members from labor organizations or groups, including those that represent the unique interests of traditionally underrepresented populations.

(C) GEOGRAPHICAL DIVERSITY.—In carrying out subparagraph (A), the Secretary shall ensure that the voting members of the Advisory Committee come from diverse geographical locations within the United States.

(2) NONVOTING MEMBERS.—The Advisory Committee shall also be composed of such nonvoting members as the Secretary considers appropriate, except that the Secretary shall appoint at least 1 such member from each of the following:

(A) The Department of Education.

(B) The Department of Justice.

(C) The Department of Labor.

(D) The Department of Transportation.

(E) The Department of Homeland Security.

(F) The Federal Trade Commission.

(G) The National Institute of Standards and Technology.

(H) The National Science Foundation.

(I) The National Science and Technology Council.

(J) The intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(K) The Privacy and Civil Liberties Oversight Board.

(L) Such other nonvoting members as the voting members of the Advisory Committee consider appropriate.

(3) CHAIRPERSON.—The Secretary shall appoint a chairperson for the Advisory Committee from among the members appointed under paragraph (1).

(d) MEETINGS.—The Advisory Committee shall meet—

(1) in person no less frequently than twice each year; and

(2) via telepresence no less frequently than once every 2 months.

(e) POWERS.—In order to carry out its duties under subsection (b), the Advisory Committee may—

(1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Advisory Committee considers appropriate;

(2) submit to Congress such recommendations as the Advisory Committee considers appropriate;

(3) submit to Federal agencies such recommendations as the Advisory Committee considers appropriate;

(4) issue reports, guidelines, and memoranda;

(5) hold or host conferences and symposia;

(6) enter into cooperative agreements with third-party experts to obtain relevant advice or expertise, and oversee staff;

(7) establish subcommittees; and

(8) establish rules of procedure.

(f) TRAVEL EXPENSES.—The members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Committee.

(g) FUNDING.—

(1) IN GENERAL.—Except as provided in paragraph (2), amounts to carry out this section shall be derived from amounts appropriated or otherwise made available to the Secretary.

(2) DONATIONS.—

(A) AUTHORIZATION.—The Advisory Committee may solicit and accept donations from private persons and non-Federal entities to carry out this section.

(B) LIMITATION.—Of the amounts expended by the Advisory Committee in a fiscal year to carry out this section, not more than half may be derived from amounts received under subparagraph (A).

SA 2254. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. ESTABLISHMENT OF FEDERAL ADVISORY COMMITTEE ON THE DEVELOPMENT AND IMPLEMENTATION OF ARTIFICIAL INTELLIGENCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Commerce shall establish a Federal advisory committee to advise the Secretary on matters relating to the development of artificial intelligence.

(2) DESIGNATION.—The Federal advisory committee established under paragraph (1) shall be known as the ''Federal Advisory Committee on the Development and Implementation of Artificial Intelligence'' (in this section referred to as the ''Advisory Committee'').

(b) PURPOSES OF THE ADVISORY COMMITTEE.—

(1) ADVICE.—The Advisory Committee shall provide advice to the Secretary on matters relating to the development and use of artificial general intelligence and narrow artificial intelligence, including on the following as they relate to artificial intelligence:

(A) The competitiveness of the United States, including matters relating to the promotion of public and private sector investment and innovation into the development of artificial intelligence.

(B) Workforce, including matters relating to the potential for using artificial intelligence for rapid retraining of workers, due to the possible effect of technological displacement and to increase the labor force participation of traditionally underrepresented populations, including minorities, low-income populations, and persons with disabilities.

(C) Education, including matters relating to science, technology, engineering, and mathematics education to prepare the United States workforce as the needs of employers change.

(D) Ethics training and development for individuals, including both private and government technologists, working on and using artificial intelligence.

(E) Matters relating to open sharing of data and the open sharing of research on artificial intelligence.

(F) International cooperation and competitiveness, including matters relating to the competitive international landscape for artificial intelligence-related industries.

(G) Accountability and legal rights, including matters relating to the responsibility for any violations of laws by an artificial intelligence system and the compatibility of international regulations.

(H) Matters relating to machine learning bias through core cultural and societal norms.

(I) Matters relating to how artificial intelligence can serve or enhance opportunities in rural communities.

(J) Government efficiency, including matters relating to how to promote cost saving and streamline operations.

(K) Matters relating to individual civil rights, including an assessment regarding how rights are or will be affected by the use of artificial intelligence technology and whether such uses should be subject to additional controls, oversight, or limitations.

(L) Matters relating to urbanization and the development of smart cities.

(2) STUDY.—The Advisory Committee shall study and assess the following:

(A) How the term ''artificial intelligence'' should be defined for purposes of this section and how the relevant scope of the Advisory Committee should be defined, including how such definitions relate to artificial systems and both narrow and general forms of artificial intelligence. In carrying out this subparagraph, the Advisory Committee shall consider the following:

''(1) The term 'artificial intelligence' includes the following:

''(A) Any artificial systems that perform tasks under varying and unpredictable circumstances, without significant human oversight, or that can learn from their experience and improve their performance. Such

systems may be developed in computer software, physical hardware, or other contexts not yet contemplated. They may solve tasks requiring human-like perception, cognition, planning, learning, communication, or physical action. In general, the more human-like the system within the context of its tasks, the more it can be said to use artificial intelligence.

''(B) Systems that think like humans, such as cognitive architectures and neural networks.

''(C) Systems that act like humans, such as systems that can pass the Turing test or other comparable test via natural language processing, knowledge representation, automated reasoning, and learning.

''(D) A set of techniques, including machine learning, that seek to approximate some cognitive task.

''(E) Systems that act rationally, such as intelligent software agents and embodied robots that achieve goals via perception, planning, reasoning, learning, communicating, decisionmaking, and acting.

''(2) The term 'artificial general intelligence' means a notional future artificial intelligence system that exhibits apparently intelligent behavior at least as advanced as a person across the range of cognitive, emotional, and social behaviors.

''(3) The term 'narrow artificial intelligence' means an artificial intelligence system that addresses specific application areas such as playing strategic games, language translation, self-driving vehicles, and facial or other image recognition.''.

(B) How to create a climate for public and private sector investment and innovation in artificial intelligence.

(C) The possible benefits and effects that the development of artificial intelligence may have on the economy, workforce, and competitiveness of the United States.

(D) Whether and how networked, automated, artificial intelligence applications and robotic devices will displace or create jobs and how any job-related gains relating to artificial intelligence can be maximized.

(E) How bias can be identified and eliminated in the development of artificial intelligence and in the algorithms that support them, including with respect to the following:

(i) The selection and processing of data used to train artificial intelligence.

(ii) Diversity in the development of artificial intelligence.

(iii) The ways and places the systems are deployed and the potential harmful outcomes.

(F) Whether and how to incorporate ethical standards in the development and implementation of artificial intelligence.

(G) How the Federal Government can encourage technological progress in implementation of artificial intelligence that benefits the full spectrum of social and economic classes.

(H) How the privacy rights of individuals are or will be affected by technological innovation relating to artificial intelligence.

(I) Whether technological advancements in artificial intelligence have or will outpace the legal and regulatory regimes implemented to protect consumers.

(J) How existing laws, including those concerning data access and privacy, should be modernized to enable the potential of artificial intelligence.

(K) How the Federal Government utilizes artificial intelligence to handle large or complex data sets.

(L) How ongoing dialogues and consultations with multi-stakeholder groups can maximize the potential of artificial intelligence and further development of artificial intelligence technologies that can benefit everyone inclusively.

(M) How the development of artificial intelligence can affect cost savings and streamline operations in various areas of government operations, including health care, cybersecurity, infrastructure, and disaster recovery.

(N) Such other matters as the Advisory Committee considers appropriate.

(3) REPORTS AND RECOMMENDATIONS.—

(A) REPORT BY ADVISORY COMMITTEE.—Not later than 540 days after the date of the enactment of this Act, the Advisory Committee shall submit to the Secretary and to Congress a report on the findings of the Advisory Committee and such recommendations as the Advisory Committee may have for administrative or legislative action relating to artificial intelligence.

(B) RECOMMENDATIONS OF SECRETARY.—Not later than 90 days after receiving the report submitted under subparagraph (A), the Secretary shall review the report and submit to Congress such recommendations as the Secretary may have with respect to the matters contained in the report submitted under subparagraph (A).

(c) MEMBERSHIP.—

(1) VOTING MEMBERS.—

(A) IN GENERAL.—The Advisory Committee shall be composed of 19 voting members who shall be appointed by the Secretary, with advisement from the Chair and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives, for purposes of the Advisory Committee from among individuals with expertise in matters relating to workforce development, ethics, privacy, artificial intelligence, or computer science.

(B) REPRESENTATION.—In carrying out subparagraph (A), the Secretary shall ensure that voting members are appointed as follows:

(i) Five members from the academic or research community.

(ii) Six members from private industry, at least 1 of whom shall be from a small business concern.

(iii) Six members from civil society, at least 2 of whom shall be from groups that advocate for civil liberties or civil rights.

(iv) Two members from labor organizations or groups, including those that represent the unique interests of traditionally underrepresented populations.

(C) GEOGRAPHICAL DIVERSITY.—In carrying out subparagraph (A), the Secretary shall ensure that the voting members of the Advisory Committee come from diverse geographical locations within the United States.

(2) NONVOTING MEMBERS.—The Advisory Committee shall also be composed of such nonvoting members as the Secretary considers appropriate, except that the Secretary shall appoint at least 1 such member from each of the following:

(A) The Department of Education.

(B) The Department of Justice.

(C) The Department of Labor.

(D) The Department of Transportation.

(E) The Department of Homeland Security.

(F) The Federal Trade Commission.

(G) The National Institute of Standards and Technology.

(H) The National Science Foundation.

(I) The National Science and Technology Council.

(J) The intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(K) The Privacy and Civil Liberties Oversight Board.

(L) Such other nonvoting members as the voting members of the Advisory Committee consider appropriate.

(3) CHAIRPERSON.—The Secretary shall appoint a chairperson for the Advisory Committee from among the members appointed under paragraph (1).

(d) MEETINGS.—The Advisory Committee shall meet—

(1) in person no less frequently than twice each year; and

(2) via telepresence no less frequently than once every 2 months.

(e) POWERS.—In order to carry out its duties under subsection (b), the Advisory Committee may—

(1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Advisory Committee considers appropriate;

(2) submit to Congress such recommendations as the Advisory Committee considers appropriate;

(3) submit to Federal agencies such recommendations as the Advisory Committee considers appropriate;

(4) issue reports, guidelines, and memoranda;

(5) hold or host conferences and symposia;

(6) enter into cooperative agreements with third-party experts to obtain relevant advice or expertise, and oversee staff;

(7) establish subcommittees; and

(8) establish rules of procedure.

(f) TRAVEL EXPENSES.—The members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Committee.

(g) FUNDING.—

(1) IN GENERAL.—Except as provided in paragraph (2), amounts to carry out this section shall be derived from amounts appropriated or otherwise made available to the Secretary.

(2) DONATIONS.—

(A) AUTHORIZATION.—The Advisory Committee may solicit and accept donations from private persons and non-Federal entities to carry out this section.

(B) LIMITATION.—Of the amounts expended by the Advisory Committee in a fiscal year to carry out this section, not more than half may be derived from amounts received under subparagraph (A).

SA 2255. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 320. EXTENSION OF REAL-TIME SOUND MONITORING AT NAVY INSTALLATIONS WHERE TACTICAL FIGHTER AIRCRAFT OPERATE.

Section 325(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''a 12-month period'' and inserting ''two 12-month periods, including one such period that begins in fiscal year 2021''.

SA 2256. Ms. CANTWELL submitted an amendment intended to be proposed

by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of section 806(c), add the following:

(12) Aluminum.

SA 2257. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title II, add the following:

SEC. _____. REPORT ON USE OF TESTING FACILITIES TO RESEARCH AND DEVELOP HYPERSONIC TECHNOLOGY.

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 costs and benefits of the use and potential refurbishment of existing operating and mothballed Federal research and testing facilities to support hypersonics activities of the Department of Defense.

SA 2258. Mr. BROWN (for himself and Mr. PORTMAN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title III, add the following:

SEC. 355. REPORT ON COSTS AND BENEFITS OF MAINTAINING A SPECIFIED NUMBER OF PRIMARY AIRCRAFT AUTHORIZED FOR EACH TYPE OF AIR FORCE SQUADRON.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees a report on the costs and benefits of maintaining a specified number of primary aircraft authorized for each type of Air Force squadron.

(b) REQUIREMENTS FOR AIR FORCE RESERVE.—The report required under subsection (a) shall specifically detail the requirements for specialty mission units of the Air Force Reserve.

SA 2259. Mr. BROWN (for himself, Mr. DURBIN, Ms. HASSAN, and Ms. WARREN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title X, add the following:

SEC. 1052. PROHIBITION ON USE BY EDUCATIONAL INSTITUTIONS OF REVENUES DERIVED FROM EDUCATIONAL ASSISTANCE FURNISHED UNDER LAWS ADMINISTERED BY SECRETARY OF DEFENSE FOR ADVERTISING, MARKETING, OR RECRUITING.

(a) IN GENERAL.—As a condition on the receipt of Department of Defense educational assistance funds, an institution of higher education, or other postsecondary educational institution, may not use revenues derived from Department of Defense educational assistance funds for advertising, recruiting, or marketing activities described in subsection (b).

(b) COVERED ACTIVITIES.—Except as provided in subsection (c), the advertising, recruiting, and marketing activities subject to subsection (a) shall include the following:

(1) Advertising and promotion activities, including paid announcements in newspapers, magazines, radio, television, billboards, electronic media, naming rights, or any other public medium of communication, including paying for displays or promotions at job fairs, military installations, or college recruiting events.

(2) Efforts to identify and attract prospective students, either directly or through a contractor or other third party, including contact concerning a prospective student's potential enrollment or application for grant, loan, or work assistance under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) or participation in preadmission or advising activities, including—

(A) paying employees responsible for overseeing enrollment and for contacting potential students in-person, by phone, by email, or by other internet communications regarding enrollment; and

(B) soliciting an individual to provide contact information to an institution of higher education, including Internet websites established for such purpose and funds paid to third parties for such purpose.

(3) Such other activities as the Secretary of Defense may prescribe, including paying for promotion or sponsorship of education or military-related associations.

(c) EXCEPTIONS.—Any activity that is required as a condition of receipt of funds by an institution under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), is specifically authorized under such title, or is otherwise specified by the Secretary of Education, shall not be considered to be a covered activity under subsection (b).

(d) DEPARTMENT OF DEFENSE EDUCATIONAL ASSISTANCE FUNDS DEFINED.—In this section, the term ''Department of Defense educational assistance funds'' means funds provided directly to an institution or to a student attending such institution under any of the following provisions of law:

(1) Chapter 101, 105, 106A, 1606, 1607, or 1608 of title 10, United States Code.

(2) Section 1784a, 2005, or 2007 of such title.

(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a limitation on the use by an institution of revenues derived from sources other than Department of Defense educational assistance funds. As a condition on the receipt of Department of Defense educational assistance funds, each institution of higher education, or other postsecondary educational institution, that derives revenues from Department of Defense educational assistance funds shall submit to the Secretary of Defense and to Congress each year a report that includes the following:

(1) The institution's expenditures on advertising, marketing, and recruiting.

(2) A verification from an independent auditor that the institution is in compliance with the requirements of this subsection.

(3) A certification from the institution that the institution is in compliance with the requirements of this section.

SA 2260. Ms. ERNST submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert following:

SEC. _____. WIND TECHNICIAN TRAINING, CAREERS, AND STUDY.

(a) WIND TECHNICIAN TRAINING GRANT PROGRAM.—

(1) IN GENERAL.—Title XI of the Energy Policy Act of 2005 (42 U.S.C. 16411 et seq.) is amended by adding at the end the following:

''SEC. 1107. WIND TECHNICIAN TRAINING GRANT PROGRAM.

''(a) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a community college or technical school that offers a wind training program.

''(b) GRANT PROGRAM.—The Secretary shall establish a program under which the Secretary shall award grants, on a competitive basis, to eligible entities to purchase large pieces of wind component equipment (such as nacelles, towers, and blades) for use in training wind technician students.

''(c) FUNDING.—Of the amounts made available to the Secretary in an appropriations Act enacted after the date of enactment of this section for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this section $2,000,000 for each of fiscal years 2020 through 2025.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 601) is amended by inserting after the item relating to section 1106 the following:

''Sec. 1107. Wind technician training grant program.''.

(b) VETERANS IN WIND ENERGY.—

(1) IN GENERAL.—Title XI of the Energy Policy Act of 2005 (42 U.S.C. 16411 et seq.) (as amended by subsection (a)(1)) is amended by adding at the end the following:

''SEC. 1108. VETERANS IN WIND ENERGY.

''(a) IN GENERAL.—The Secretary shall establish a program to prepare veterans for careers in the wind energy industry that shall be modeled off of the Solar Ready Vets pilot program formerly administered by the Department of Energy and the Department of Defense.

''(b) FUNDING.—Of the amounts made available to the Secretary in an appropriations Act enacted after the date of enactment of this section for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this section $2,000,000 for each of fiscal years 2020 through 2025.''.

(2) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 601) (as amended by subsection (a)(2)) is amended by inserting after the item relating to section 1107 the following:

''Sec. 1108. Veterans in wind energy.''.

(c) STUDY AND REPORT ON WIND TECHNICIAN WORKFORCE.—

(1) IN GENERAL.—The Secretary of Energy (referred to in this subsection as the ''Secretary'') shall convene a task force comprised of 1 or more representatives of each of the stakeholders described in paragraph (2) that shall—

(A) conduct a study to assess the needs of wind technicians in the workforce;

(B) create a comprehensive list that—

(i) lists each type of wind technician position available in the United States; and

(ii) describes the skill sets required for each type of position listed under clause (i); and

(C) not later than 1 year after the date of enactment of this Act, make publicly available and submit to Congress a report that—

(i) describes the results of that study;

(ii) includes the comprehensive list described in subparagraph (B); and

(iii) provides recommendations—

(I) for creating a credentialing program that may be administered by community colleges, technical schools, and other training institutions; and

(II) that reflect best practices for wind technician training programs, as identified by representatives of the wind industry.

(2) STAKEHOLDERS DESCRIBED.—The stakeholders referred to in paragraph (1) are—

(A) the Department of Defense;

(B) the Department of Education;

(C) the Department of Energy;

(D) the Department of Labor;

(E) the Department of Veterans Affairs;

(F) technical schools and community colleges that have wind technician training programs; and

(G) the wind industry.

(3) FUNDING.—Of the amounts made available to the Secretary in an appropriations Act enacted after the date of enactment of this Act for administrative expenses to carry out other programs under the authority of the Secretary, the Secretary shall use to carry out this subsection $500,000.

SA 2261. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. ESTABLISHMENT OF FEDERAL ADVISORY COMMITTEE ON THE DEVELOPMENT AND IMPLEMENTATION OF ARTIFICIAL INTELLIGENCE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The Secretary of Commerce shall establish a Federal advisory committee to advise the Secretary on matters relating to the development of artificial intelligence.

(2) DESIGNATION.—The Federal advisory committee established under paragraph (1) shall be known as the ''Federal Advisory Committee on the Development and Implementation of Artificial Intelligence'' (in this section referred to as the ''Advisory Committee'').

(b) PURPOSES OF THE ADVISORY COMMITTEE.—

(1) ADVICE.—The Advisory Committee shall provide advice to the Secretary on matters relating to the development and use of artificial general intelligence and narrow artificial intelligence, including on the following as they relate to artificial intelligence:

(A) The competitiveness of the United States, including matters relating to the promotion of public and private sector investment and innovation into the development of artificial intelligence.

(B) Workforce, including matters relating to the potential for using artificial intelligence for rapid retraining of workers, due to the possible effect of technological displacement and to increase the labor force participation of traditionally underrepresented populations, including minorities, low-income populations, and persons with disabilities.

(C) Education, including matters relating to science, technology, engineering, and mathematics education to prepare the United States workforce as the needs of employers change.

(D) Ethics training and development for individuals, including both private and government technologists, working on and using artificial intelligence.

(E) Matters relating to open sharing of data and the open sharing of research on artificial intelligence.

(F) International cooperation and competitiveness, including matters relating to the competitive international landscape for artificial intelligence-related industries.

(G) Accountability and legal rights, including matters relating to the responsibility for any violations of laws by an artificial intelligence system and the compatibility of international regulations.

(H) Matters relating to machine learning bias through core cultural and societal norms.

(I) Matters relating to how artificial intelligence can serve or enhance opportunities in rural communities.

(J) Government efficiency, including matters relating to how to promote cost saving and streamline operations.

(K) Matters relating to individual civil rights, including an assessment regarding how rights are or will be affected by the use of artificial intelligence technology and whether such uses should be subject to additional controls, oversight, or limitations.

(L) Matters relating to urbanization and the development of smart cities.

(2) STUDY.—The Advisory Committee shall study and assess the following:

(A) How the term ''artificial intelligence'' should be defined for purposes of this section and how the relevant scope of the Advisory Committee should be defined, including how such definitions relate to artificial systems and both narrow and general forms of artificial intelligence. In carrying out this subparagraph, the Advisory Committee shall consider the following:

''(1) The term 'artificial intelligence' includes the following:

''(A) Any artificial systems that perform tasks under varying and unpredictable circumstances, without significant human oversight, or that can learn from their experience and improve their performance. Such systems may be developed in computer software, physical hardware, or other contexts not yet contemplated. They may solve tasks requiring human-like perception, cognition, planning, learning, communication, or physical action. In general, the more human-like the system within the context of its tasks, the more it can be said to use artificial intelligence.

''(B) Systems that think like humans, such as cognitive architectures and neural networks.

''(C) Systems that act like humans, such as systems that can pass the Turing test or other comparable test via natural language processing, knowledge representation, automated reasoning, and learning.

''(D) A set of techniques, including machine learning, that seek to approximate some cognitive task.

''(E) Systems that act rationally, such as intelligent software agents and embodied robots that achieve goals via perception, planning, reasoning, learning, communicating, decisionmaking, and acting.

''(2) The term 'artificial general intelligence' means a notional future artificial intelligence system that exhibits apparently intelligent behavior at least as advanced as a person across the range of cognitive, emotional, and social behaviors.

''(3) The term 'narrow artificial intelligence' means an artificial intelligence system that addresses specific application areas such as playing strategic games, language translation, self-driving vehicles, and facial or other image recognition.''.

(B) How to create a climate for public and private sector investment and innovation in artificial intelligence.

(C) The possible benefits and effects that the development of artificial intelligence may have on the economy, workforce, and competitiveness of the United States.

(D) Whether and how networked, automated, artificial intelligence applications and robotic devices will displace or create jobs and how any job-related gains relating to artificial intelligence can be maximized.

(E) How bias can be identified and eliminated in the development of artificial intelligence and in the algorithms that support them, including with respect to the following:

(i) The selection and processing of data used to train artificial intelligence.

(ii) Diversity in the development of artificial intelligence.

(iii) The ways and places the systems are deployed and the potential harmful outcomes.

(F) Whether and how to incorporate ethical standards in the development and implementation of artificial intelligence.

(G) How the Federal Government can encourage technological progress in implementation of artificial intelligence that benefits the full spectrum of social and economic classes.

(H) How the privacy rights of individuals are or will be affected by technological innovation relating to artificial intelligence.

(I) Whether technological advancements in artificial intelligence have or will outpace the legal and regulatory regimes implemented to protect consumers.

(J) How existing laws, including those concerning data access and privacy, should be modernized to enable the potential of artificial intelligence.

(K) How the Federal Government utilizes artificial intelligence to handle large or complex data sets.

(L) How ongoing dialogues and consultations with multi-stakeholder groups can maximize the potential of artificial intelligence and further development of artificial intelligence technologies that can benefit everyone inclusively.

(M) How the development of artificial intelligence can affect cost savings and streamline operations in various areas of government operations, including health care, cybersecurity, infrastructure, and disaster recovery.

(N) Such other matters as the Advisory Committee considers appropriate.

(3) REPORTS AND RECOMMENDATIONS.—

(A) REPORT BY ADVISORY COMMITTEE.—Not later than 540 days after the date of the enactment of this Act, the Advisory Committee shall submit to the Secretary and to Congress a report on the findings of the Advisory Committee and such recommendations as the Advisory Committee may have

for administrative or legislative action relating to artificial intelligence.

(B) RECOMMENDATIONS OF SECRETARY.—Not later than 90 days after receiving the report submitted under subparagraph (A), the Secretary shall review the report and submit to Congress such recommendations as the Secretary may have with respect to the matters contained in the report submitted under subparagraph (A).

(c) MEMBERSHIP.—

(1) VOTING MEMBERS.—

(A) IN GENERAL.—The Advisory Committee shall be composed of 19 voting members who shall be appointed by the Secretary, with advisement from the Chair and Ranking Member of the Committee on Commerce, Science, and Transportation of the Senate and the Chair and Ranking Member of the Committee on Energy and Commerce of the House of Representatives, for purposes of the Advisory Committee from among individuals with expertise in matters relating to workforce development, ethics, privacy, artificial intelligence, or computer science.

(B) REPRESENTATION.—In carrying out subparagraph (A), the Secretary shall ensure that voting members are appointed as follows:

(i) Five members from the academic or research community.

(ii) Six members from private industry, at least 1 of whom shall be from a small business concern.

(iii) Six members from civil society, at least 2 of whom shall be from groups that advocate for civil liberties or civil rights.

(iv) Two members from labor organizations or groups, including those that represent the unique interests of traditionally underrepresented populations.

(C) GEOGRAPHICAL DIVERSITY.—In carrying out subparagraph (A), the Secretary shall ensure that the voting members of the Advisory Committee come from diverse geographical locations within the United States.

(2) NONVOTING MEMBERS.—The Advisory Committee shall also be composed of such nonvoting members as the Secretary considers appropriate, except that the Secretary shall appoint at least 1 such member from each of the following:

(A) The Department of Education.

(B) The Department of Justice.

(C) The Department of Labor.

(D) The Department of Transportation.

(E) The Department of Homeland Security.

(F) The Federal Trade Commission.

(G) The National Institute of Standards and Technology.

(H) The National Science Foundation.

(I) The National Science and Technology Council.

(J) The intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)).

(K) The Privacy and Civil Liberties Oversight Board.

(L) Such other nonvoting members as the voting members of the Advisory Committee consider appropriate.

(3) CHAIRPERSON.—The Secretary shall appoint a chairperson for the Advisory Committee from among the members appointed under paragraph (1).

(d) MEETINGS.—The Advisory Committee shall meet—

(1) in person no less frequently than twice each year; and

(2) via telepresence no less frequently than once every 2 months.

(e) POWERS.—In order to carry out its duties under subsection (b), the Advisory Committee may—

(1) hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Advisory Committee considers appropriate;

(2) submit to Congress such recommendations as the Advisory Committee considers appropriate;

(3) submit to Federal agencies such recommendations as the Advisory Committee considers appropriate;

(4) issue reports, guidelines, and memoranda;

(5) hold or host conferences and symposia;

(6) enter into cooperative agreements with third-party experts to obtain relevant advice or expertise, and oversee staff;

(7) establish subcommittees; and

(8) establish rules of procedure.

(f) TRAVEL EXPENSES.—The members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Committee.

(g) FUNDING.—

(1) IN GENERAL.—Except as provided in paragraph (2), amounts to carry out this section shall be derived from amounts appropriated or otherwise made available to the Secretary.

(2) DONATIONS.—

(A) AUTHORIZATION.—The Advisory Committee may solicit and accept donations from private persons and non-Federal entities to carry out this section.

(B) LIMITATION.—Of the amounts expended by the Advisory Committee in a fiscal year to carry out this section, not more than half may be derived from amounts received under subparagraph (A).

SA 2262. Mr. CASSIDY (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 10___. OFFICE OF TECHNOLOGY TRANSITIONS.

Section 1001 of the Energy Policy Act of 2005 (42 U.S.C. 16391) is amended—

(1) by striking subsection (a) and all that follows through ''The Coordinator'' in subsection (b) and inserting the following:

''(a) OFFICE OF TECHNOLOGY TRANSITIONS.—

''(1) ESTABLISHMENT.—There is established within the Department an Office of Technology Transitions (referred to in this section as the 'Office').

''(2) MISSION.—The mission of the Office shall be—

''(A) to expand the commercial impact of the research investments of the Department; and

''(B) to focus on commercializing technologies that reduce greenhouse gas emissions and technologies that support other missions of the Department.

''(3) GOALS.—

''(A) IN GENERAL.—In carrying out the mission and activities of the Office, the Chief Commercialization Officer appointed under paragraph (4) shall, with respect to commercialization activities, meet not less than two of the goals described in subparagraph (B) and, to the maximum extent practicable, meet all of the goals described in that subparagraph.

''(B) GOALS DESCRIBED.—The goals referred to in subparagraph (A) are the following:

''(i) Reduction of greenhouse gas emissions.

''(ii) Ensuring economic competitiveness.

''(iii) Enhancement of domestic energy security and national security.

''(iv) Enhancement of domestic jobs.

''(v) Any other missions of the Department, as determined by the Secretary.

''(4) CHIEF COMMERCIALIZATION OFFICER.—

''(A) IN GENERAL.—The Office shall be headed by an officer, who shall be known as the 'Chief Commercialization Officer', and who shall report directly to, and be appointed by, the Secretary.

''(B) PRINCIPAL ADVISOR.—The Chief Commercialization Officer shall be the principal advisor to the Secretary on all matters relating to technology transfer and commercialization.

''(C) QUALIFICATIONS.—The Chief Commercialization Officer'';

(2) in subsection (c)—

(A) in paragraph (1), by striking ''subsection (d)'' and inserting ''subsection (b)'';

(B) by redesignating paragraphs (1) through (4) as clauses (i) through (iv), respectively, and indenting appropriately; and

(C) by striking the subsection designation and heading and all that follows through ''The Coordinator'' in the matter preceding clause (i) (as so redesignated) and inserting the following:

''(D) DUTIES.—The Chief Commercialization Officer'';

(3) by adding at the end of subsection (a) (as amended by paragraph (2)(C)) the following:

''(5) COORDINATION.—In carrying out the mission and activities of the Office, the Chief Commercialization Officer shall coordinate with the senior leadership of the Department, other relevant program offices of the Department, National Laboratories, the Technology Transfer Working Group established under subsection (b), the Technology Transfer Policy Board, and other stakeholders (including private industry).'';

(4) by redesignating subsections (d) through (h) as subsections (b) through (f), respectively; and

(5) in subsection (f) (as so redesignated), by striking ''subsection (e)'' and inserting ''subsection (c)''.

SEC. 10___. REVIEW OF APPLIED ENERGY PROGRAMS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy (referred to in this section as the ''Secretary'') shall conduct a review of all applied energy research and development programs under the Department of Energy (referred to in this section as the ''Department'') that focus on researching and developing technologies that reduce emissions.

(b) REQUIREMENTS.—In conducting the review under subsection (a), the Secretary shall—

(1) identify each program described in that subsection the mission of which is to research and develop technologies that reduce emissions;

(2) determine the type of services provided by each program identified under paragraph (1), such as grants and technical assistance;

(3) determine whether there are written program goals for each program identified under paragraph (1);

(4) examine the extent to which the programs identified under paragraph (1) overlap or are duplicative; and

(5) develop recommendations—

(A) as to how any overlapping or duplicative programs identified under paragraph (4) should be restructured or consolidated, including by any necessary legislation;

(B) as to how to identify technologies described in paragraph (1) that—

(i) are not served by a single program office at the Department; or

(ii) the research and development of which may require collaboration with other Federal agencies; and

(C) for methods to improve the programs identified under paragraph (1), including by establishing program goals, assessing workforce considerations and technical skills, or increasing collaboration with other Federal agencies and stakeholders (including private industry).

(c) REPORT.—Not later than 60 days after the Secretary completes the review under subsection (a), the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Science, Space, and Technology and Energy and Commerce of the House of Representatives a report describing the results of and the recommendations developed under the review.

SA 2263. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 10_____. SMALL SCALE LNG ACCESS.

Section 3 of the Natural Gas Act (15 U.S.C. 717b) is amended by striking subsection (c) and inserting the following:

''(c) EXPEDITED APPLICATION AND APPROVAL PROCESS.—

''(1) IN GENERAL.—For purposes of subsection (a), the following shall be deemed to be consistent with the public interest, and applications for such importation or exportation shall be granted without modification or delay:

''(A) The importation of the natural gas referred to in subsection (b).

''(B) Subject to the last sentence of subsection (a), the exportation of natural gas in a volume up to and including 51,750,000,000 cubic feet per year.

''(C) The exportation of natural gas to a nation with which there is in effect a free trade agreement requiring national treatment for trade in natural gas.

''(2) EXCLUSION.—Subparagraphs (B) and (C) of paragraph (1) shall not apply to any nation subject to sanctions imposed by the United States.''.

SA 2264. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 10____. NATURAL GAS CARBON CAPTURE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

(a) IN GENERAL.—Subtitle F of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16291 et seq.) is amended by adding at the end the following:

''SEC. 969. NATURAL GAS CARBON CAPTURE RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) COMMERCIALLY VIABLE TECHNOLOGY.—The term 'commercially viable technology' means technology that has the potential to be successfully deployed and compete effectively in the marketplace at an appropriate size or scale.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that documents to the satisfaction of the Secretary that—

''(A) the entity is financially responsible; and

''(B) the entity will provide sufficient information to the Secretary to enable the Secretary to ensure that any funds awarded to the entity are spent efficiently and effectively.

''(3) NATURAL GAS.—The term 'natural gas' means any fuel consisting in whole or in part of—

''(A) natural gas;

''(B) liquid petroleum gas;

''(C) synthetic gas derived from petroleum or natural gas liquids;

''(D) any mixture of natural gas and synthetic gas; or

''(E) biomethane.

''(4) NATURAL GAS-GENERATED POWER.—The term 'natural gas-generated power' means—

''(A) electric energy generated through the use of natural gas; and

''(B) the generation of hydrogen from natural gas.

''(5) PROGRAM.—The term 'program' means the program established under subsection (b)(1).

''(6) QUALIFYING ELECTRIC GENERATION FACILITY.—

''(A) IN GENERAL.—The term 'qualifying electric generation facility' means a facility that generates electric energy using natural gas as the fuel.

''(B) INCLUSIONS.—The term 'qualifying electric generation facility' includes a new or existing—

''(i) simple cycle plant;

''(ii) combined cycle plant;

''(iii) combined heat and power plant;

''(iv) steam methane reformer that produces hydrogen from natural gas for use in the production of electric energy; or

''(v) facility that uses natural gas as the fuel for generating electric energy.

''(7) QUALIFYING TECHNOLOGY.—The term 'qualifying technology' means any commercially viable technology, as determined by the Secretary, for the capture of carbon dioxide produced during the generation of natural gas-generated power.

''(b) ESTABLISHMENT OF RESEARCH, DEVELOPMENT, AND DEMONSTRATION PROGRAM.—

''(1) IN GENERAL.—The Secretary shall establish a program of research, development, and demonstration of qualifying technologies for use by qualifying electric generation facilities.

''(2) OBJECTIVES.—The objectives of the program shall be—

''(A) to identify opportunities to accelerate the development and commercial applications of qualifying technologies to reduce the quantity of carbon dioxide emissions released from qualifying electric generation facilities;

''(B) to enter into cooperative agreements with eligible entities to expedite and carry out demonstration projects (including pilot projects) for qualifying technologies for use by qualifying electric generation facilities to demonstrate the technical and commercial viability of those qualifying technologies for commercial deployment; and

''(C) to identify any barriers to the commercial deployment of any qualifying technologies under development.

''(3) PARTICIPATION OF NATIONAL LABORATORIES, UNIVERSITIES, AND RESEARCH FACILITIES.—The program may include the participation of—

''(A) National Laboratories;

''(B) institutions of higher education;

''(C) research facilities; or

''(D) other appropriate entities.

''(4) COOPERATIVE AGREEMENTS.—

''(A) IN GENERAL.—In carrying out the program, the Secretary may enter into cooperative agreements with eligible entities to carry out research, development, and demonstration projects for qualifying technologies.

''(B) APPLICATIONS; PROPOSALS.—An eligible entity desiring to enter into a cooperative agreement under this paragraph shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

''(c) CARBON CAPTURE FACILITIES DEMONSTRATION PROGRAM.—

''(1) ESTABLISHMENT.—As part of the program, the Secretary shall establish a demonstration program under which the Secretary shall enter into cooperative agreements with eligible entities for demonstration or pilot projects to license, permit, construct, and operate, by not later than September 30, 2025, 3 or more facilities to capture carbon dioxide from qualifying electric generation facilities.

''(2) GOALS.—Each demonstration or pilot project under the demonstration program shall—

''(A) be designed to further the development of qualifying technologies that may be used by a qualifying electric generation facility;

''(B) be financed in part by the private sector;

''(C) if necessary, secure agreements for the offtake of the majority of the carbon dioxide emissions captured by qualifying technologies during the project; and

''(D) support energy production in the United States.

''(3) REQUEST FOR APPLICATIONS.—Not later than 120 days after the date of enactment of this section, the Secretary shall solicit applications for cooperative agreements for projects—

''(A) to demonstrate qualifying technologies at 3 or more qualifying electric generation facilities;

''(B) to obtain any license or permit from a State or Federal agency that is necessary for the construction of 3 or more facilities to capture carbon dioxide from a qualifying electric generation facility; and

''(C) to construct and operate 3 or more facilities to capture carbon dioxide from a qualifying electric generation facility.

''(4) REVIEW OF APPLICATIONS.—In reviewing applications submitted under paragraph (3), the Secretary, to the maximum extent practicable, shall—

''(A) ensure a broad geographic distribution of project sites;

''(B) ensure that a broad selection of qualifying electric generation facilities are represented;

''(C) ensure that a broad selection of qualifying technologies are represented; and

''(D) leverage existing—

''(i) public-private partnerships; and

''(ii) Federal resources.

''(d) COST SHARING.—In carrying out this section, the Secretary shall require cost sharing in accordance with section 988.

''(e) FEE TITLE.—The Secretary may vest fee title or other property interests acquired under cooperative agreements entered into under subsection (b)(4) in any entity, including the United States.

''(f) REPORT.—Not later than 180 days after the date on which the Secretary solicits applications under subsection (c)(3), and annually thereafter, the Secretary shall submit to the appropriate committees of jurisdiction of the Senate and the House of Representatives a report that—

''(1) with respect to subsections (b) and (c), includes recommendations for any legislative changes needed to improve the implementation of those subsections;

''(2) with respect to subsection (b), includes—

''(A) a detailed description of how applications for cooperative agreements under paragraph (4) of that subsection will be solicited and evaluated, including—

''(i) a list of any activities carried out by the Secretary to solicit or evaluate applications; and

''(ii) a process for ensuring that any projects carried out under a cooperative agreement are designed to result in the development or demonstration of qualifying technologies;

''(B) a detailed list of technical milestones for each qualifying technology pursued under that subsection;

''(C) a detailed description of how each project carried out pursuant to a cooperative agreement under paragraph (4) of that subsection will meet the milestones for carbon capture described in the September 2017 report of the Office of Fossil Energy entitled 'Accelerating Breakthrough Innovation in Carbon Capture, Utilization, and Storage'; and

''(D) an affirmation from the Secretary that all recipients of funding under that subsection are eligible entities; and

''(3) with respect to the demonstration program established under subsection (c), includes—

''(A) an estimate of the cost of licensing, permitting, constructing, and operating each carbon capture facility expected to be constructed under that demonstration program;

''(B) a schedule for—

''(i) obtaining any license or permit necessary to construct and operate each carbon capture facility expected to be constructed; and

''(ii) constructing each facility; and

''(C) an estimate of any financial assistance, compensation, or incentives proposed to be paid by the host State, Indian Tribe, or local government with respect to each facility.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section $50,000,000 for each of fiscal years 2020 through 2025.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 600) is amended by inserting after the item relating to section 968 the following:

''Sec. 969. Natural gas carbon capture research, development, and demonstration program.''.

SA 2265. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. STUDIES ON USE OF EMERGING TECHNOLOGIES BY U.S. CUSTOMS AND BORDER PROTECTION AND DEPARTMENT OF ENERGY.

(a) STUDY.—The head of each covered agency shall carry out a study, in consultation with appropriate private sector stakeholders and the heads of other Federal agencies, with respect to—

(1) the status of implementation and internal use of emerging technologies, including blockchain technology and other innovative technologies, within the agency;

(2) how applications of blockchain technology, cloud and edge computing, and other innovative technologies can—

(A) make the data analysis of the agency more efficient and effective; and

(B) be used to support strategic initiatives of the agency; and

(3) in the case of U.S. Customs and Border Protection, how blockchain technology, cloud and edge computing, and other innovative technologies can be further leveraged to improve the informed compliance model of the agency and enhance the transparency of supply chains.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the head of each covered agency shall submit to the appropriate congressional committees a report to containing—

(1) all findings and determinations made in carrying out the study required under subsection (a); and

(2) any recommendations identified in carrying out the study for using blockchain technology and other innovative technologies with respect to United States efforts—

(A) to combat money laundering and other forms of illicit finance; and

(B) to detect and deter trade-based money laundering, the distribution of counterfeit goods, and goods made with convict labor, forced labor, or indentured labor.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) with respect to U.S. Customs and Border Protection, the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives; and

(B) with respect to the Department of Energy, the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives.

(2) COVERED AGENCY.—The term ''covered agency'' means U.S. Customs and Border Protection and the Department of Energy.

(3) INFORMED COMPLIANCE MODEL.—The term ''informed compliance model'' means a model based on shared responsibility between U.S. Customs and Border Protection and importers under which—

(A) U.S. Customs and Border Protection effectively communicates its requirements to importers; and

(B) importers conduct their activities in accordance with those requirements and the statutes and regulations of the United States.

SA 2266. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. 10___. ADDRESSING INSUFFICIENT COMPENSATION OF EMPLOYEES AND OTHER PERSONNEL OF THE FEDERAL ENERGY REGULATORY COMMISSION.

(a) IN GENERAL.—Section 401 of the Department of Energy Organization Act (42 U.S.C. 7171) is amended by adding at the end the following:

''(k) ADDRESSING INSUFFICIENT COMPENSATION OF EMPLOYEES AND OTHER PERSONNEL OF THE COMMISSION.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, if the Chairman publicly certifies that compensation for a category of employees or other personnel of the Commission is insufficient to retain or attract employees and other personnel to allow the Commission to carry out the functions of the Commission in a timely, efficient, and effective manner, the Chairman may fix the compensation for the category of employees or other personnel without regard to chapter 51 and subchapter III of chapter 53 of title 5, United States Code, or any other civil service law.

''(2) CERTIFICATION REQUIREMENTS.—A certification issued under paragraph (1) shall—

''(A) apply with respect to a category of employees or other personnel responsible for conducting work of a scientific, technological, engineering, or mathematical nature;

''(B) specify a maximum amount of reasonable compensation for the category of employees or other personnel;

''(C) be valid for a 5-year period beginning on the date on which the certification is issued;

''(D) be no broader than necessary to achieve the objective of retaining or attracting employees and other personnel to allow the Commission to carry out the functions of the Commission in a timely, efficient, and effective manner; and

''(E) include an explanation for why the other approaches available to the Chairman for retaining and attracting employees and other personnel are inadequate.

''(3) RENEWAL.—

''(A) IN GENERAL.—Not later than 90 days before the date of expiration of a certification issued under paragraph (1), the Chairman shall determine whether the certification should be renewed for a subsequent 5-year period.

''(B) REQUIREMENT.—If the Chairman determines that a certification should be renewed under subparagraph (A), the Chairman may renew the certification, subject to the certification requirements under paragraph (2) that were applicable to the initial certification.

''(4) NEW HIRES.—

''(A) IN GENERAL.—An employee or other personnel that is a member of a category of employees or other personnel that would have been covered by a certification issued under paragraph (1), but was hired during a period in which the certification has expired and has not been renewed under paragraph (3) shall not be eligible for compensation at the level that would have applied to the employee or other personnel if the certification had been in effect on the date on which the employee or other personnel was hired.

''(B) COMPENSATION OF NEW HIRES ON RENEWAL.—On renewal of a certification under paragraph (3), the Chairman may fix the compensation of the employees or other personnel described in subparagraph (A) at the level established for the category of employees or other personnel in the certification.

''(5) RETENTION OF LEVEL OF FIXED COMPENSATION.—A category of employees or other personnel, the compensation of which

was fixed by the Chairman in accordance with paragraph (1), may, at the discretion of the Chairman, have the level of fixed compensation for the category of employees or other personnel retained, regardless of whether a certification described under that paragraph is in effect with respect to the compensation of the category of employees or other personnel.

''(6) CONSULTATION REQUIRED.—The Chairman shall consult with the Director of the Office of Personnel Management in implementing this subsection, including in the determination of the amount of compensation with respect to each category of employees or other personnel.

''(7) EXPERTS AND CONSULTANTS.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Chairman may—

''(i) obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code;

''(ii) compensate those experts and consultants for each day (including travel time) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of that title; and

''(iii) pay to the experts and consultants serving away from the homes or regular places of business of the experts and consultants travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of that title for persons in Government service employed intermittently.

''(B) LIMITATIONS.—The Chairman shall—

''(i) to the maximum extent practicable, limit the use of experts and consultants pursuant to subparagraph (A); and

''(ii) ensure that the employment contract of each expert and consultant employed pursuant to subparagraph (A) is subject to renewal not less frequently than annually.''.

(b) REPORTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every 2 years thereafter for 10 years, the Chairman of the Federal Energy Regulatory Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report on information relating to hiring, vacancies, and compensation at the Federal Energy Regulatory Commission.

(2) INCLUSIONS.—Each report under paragraph (1) shall include—

(A) an analysis of any trends with respect to hiring, vacancies, and compensation at the Federal Energy Regulatory Commission; and

(B) a description of the efforts to retain and attract employees or other personnel responsible for conducting work of a scientific, technological, engineering, or mathematical nature at the Federal Energy Regulatory Commission.

(c) APPLICABILITY.—The amendment made by subsection (a) shall apply beginning on the date that is 30 days after the date of enactment of this Act.

SA 2267. Ms. ROSEN (for herself and Mr. DAINES) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. VETERAN SMALL BUSINESS START-UP CREDIT.

(a) IN GENERAL.—Subpart D of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:

''SEC. 45U. VETERAN SMALL BUSINESS START-UP CREDIT.

''(a) IN GENERAL.—For purposes of section 38, in the case of an applicable veteran-owned business which elects the application of this section, the veteran small business start-up credit determined under this section for any taxable year is an amount equal to 15 percent of so much of the qualified start-up expenditures of the taxpayer as does not exceed $50,000.

''(b) APPLICABLE VETERAN-OWNED SMALL BUSINESS.—For purposes of this section—

''(1) IN GENERAL.—The term 'applicable veteran-owned small business' means a small business owned and controlled by one or more veterans or spouses of veterans and the principal place of business of which is in an underserved community.

''(2) OWNERSHIP AND CONTROL.—The term 'owned and controlled' means—

''(A) management and operation of the daily business, and—

''(B)(i) in the case of a sole proprietorship, sole ownership,

''(ii) in the case of a corporation, ownership (by vote or value) of not less than 51 percent of the stock in such corporation, or

''(iii) in the case of a partnership or joint venture, ownership of not less than 51 percent of the profits interests or capital interests in such partnership or joint venture.

''(3) SMALL BUSINESS.—The term 'small business' means, with respect to any taxable year, any person engaged in a trade or business in the United States which is a small business concern (as defined under section 3 of the Small Business Act (15 U.S.C. 632)).

''(4) UNDERSERVED COMMUNITY.—The term 'underserved community' means any area located within—

''(A) a HUBZone (as defined in section 3(p) of the Small Business Act (15 U.S.C. 632(p))),

''(B) an empowerment zone, or enterprise community, designated under section 1391 (and without regard to whether or not such designation remains in effect),

''(C) an area of low income or moderate income (as recognized by the Federal Financial Institutions Examination Council), or

''(D) a county with persistent poverty (as classified by the Economic Research Service of the Department of Agriculture).

''(5) VETERAN OR SPOUSE OF VETERAN.—The term 'veteran or spouse of a veteran' has the meaning given such term by section 7(a)(31)(G)(iii) of the Small Business Act (15 U.S.C. 636(a)(31)(G)(iii)).

''(c) QUALIFIED START-UP EXPENDITURES.—For purposes of this section—

''(1) IN GENERAL.—The term 'qualified start-up expenditures' means—

''(A) any start-up expenditures (as defined in section 195(c)), or

''(B) any amounts paid or incurred during the taxable year for the purchase or lease of real property, or the purchase of personal property, placed in service during the taxable year and used in the active conduct of a trade or business.

''(d) SPECIAL RULES.—For purposes of this section—

''(1) YEAR OF ELECTION.—The taxpayer may elect the application of this section only for the first 2 taxable years for which ordinary and necessary expenses paid or incurred in carrying on such trade or business are allowable as a deduction by the taxpayer under section 162.

''(2) CONTROLLED GROUPS AND COMMON CONTROL.—All persons treated as a single employer under subsections (a) and (b) of section 52 shall be treated as 1 person.

''(3) NO DOUBLE BENEFIT.—If a credit is determined under this section with respect to any property, the basis of such property shall be reduced by the amount of the credit attributable to such property.''.

(b) CLERICAL AMENDMENT.—The table of sections for subpart D of part IV of subchapter A of chapter 1 of such Code is amended by adding at the end the following new item:

''Sec. 45U. Veteran small business start-up credit.''.

(c) MADE PART OF GENERAL BUSINESS CREDIT.—Section 38(b) of such Code is amended by striking ''plus'' at the end of paragraph (32), by striking the period at the end of paragraph (33) and inserting '', plus'', and by adding at the end the following new paragraph:

''(34) the veteran small business start-up credit determined under section 45U.''.

(d) REPORT BY TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Every fourth year after the date of the enactment of this Act, the Treasury Inspector General for Tax Administration shall include in one of the semiannual reports under section 5 of the Inspector General Act of 1978 with respect to such year, an evaluation of the program under section 45U of the Internal Revenue Code of 1986 (as added by this section), including an evaluation of the success of, and accountability with respect to, such program.

(e) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SA 2268. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. SENSE OF CONGRESS ON THE DEDICATED SERVICE OF FILIPINO WORLD WAR II VETERANS AND REUNIFICATION WITH THEIR CHILDREN.

It is the sense of Congress that—

(1) the dedicated service of Filipino World War II veterans should be recognized; and

(2) the Filipino World War II veterans who were naturalized under section 405 of the Immigration Act of 1990 (Public Law 101–649; 8 U.S.C. 1440 note) or title III of the Nationality Act of 1940 (54 Stat. 1137; chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182; chapter 199), should be reunited with their children.

SA 2269. Ms. HIRONO (for herself and Mr. SULLIVAN) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON IMPACT OF CHILDREN OF CERTAIN FILIPINO WORLD WAR II VETERANS ON NATIONAL SECURITY, FOREIGN POLICY, AND ECONOMIC AND HUMANITARIAN INTERESTS OF THE UNITED STATES.

(a) IN GENERAL.—Not later than December 31, 2020, the Secretary of Homeland Security, in consultation with the Secretary of Defense and the Secretary of State, shall submit to the congressional defense committees a report on the impact of the children of certain Filipino World War II veterans on the national security, foreign policy, and economic and humanitarian interests of the United States.

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

(1) The number of Filipino World War II veterans who fought under the United States flag during World War II to protect and defend the United States in the Pacific theater.

(2) The number of Filipino World War II veterans who died fighting under the United States flag during World War II to protect and defend the United States in the Pacific theater.

(3) An assessment of the economic and tax contributions that Filipino World War II veterans and their families have made to the United States.

(4) An assessment of the impact on the United States of exempting from the numerical limitations on immigrant visas the children of the Filipino World War II veterans who were naturalized under—

(A) section 405 of the Immigration Act of 1990 (Public Law 101–649; 8 U.S.C. 1440 note); or

(B) title III of the Nationality Act of 1940 (54 Stat. 1137; chapter 876), as added by section 1001 of the Second War Powers Act, 1942 (56 Stat. 182; chapter 199).

SA 2270. Mr. MENENDEZ (for himself, Mr. RUBIO, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of title XII, add the following:

Subtitle H—Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act

SEC. 1291. SHORT TITLE.

This subtitle may be cited as the ''Robert Levinson Hostage Recovery and Hostage-Taking Accountability Act''.

SEC. 1292. ASSISTANCE FOR UNITED STATES NATIONALS UNLAWFULLY OR WRONGFULLY DETAINED ABROAD.

(a) REVIEW.—The Secretary of State shall review the cases of United States nationals detained abroad to determine if there is credible information that they are being detained unlawfully or wrongfully, based on criteria which may include whether—

(1) United States officials receive or possess credible information indicating innocence of the detained individual;

(2) the individual is being detained solely or substantially because he or she is a United States national;

(3) the individual is being detained solely or substantially to influence United States Government policy or to secure economic or political concessions from the United States Government;

(4) the detention appears to be because the individual sought to obtain, exercise, defend, or promote freedom of the press, freedom of religion, or the right to peacefully assemble;

(5) the individual is being detained in violation of the laws of the detaining country;

(6) independent nongovernmental organizations or journalists have raised legitimate questions about the innocence of the detained individual;

(7) the United States mission in the country where the individual is being detained has received credible reports that the detention is a pretext for an illegitimate purpose;

(8) the individual is detained in a country where the Department of State has determined in its annual human rights reports that the judicial system is not independent or impartial, is susceptible to corruption, or is incapable of rendering just verdicts;

(9) the individual is being detained in inhumane conditions;

(10) due process of law has been sufficiently impaired so as to render the detention arbitrary; and

(11) United States diplomatic engagement is likely necessary to secure the release of the detained individual.

(b) REFERRALS TO THE SPECIAL ENVOY.—Upon a determination by the Secretary of State, based on the totality of the circumstances, that there is credible information that the detention of a United States national abroad is unlawful or wrongful, and regardless of whether the detention is by a foreign government or a nongovernmental actor, the Secretary shall transfer responsibility for such case from the Bureau of Consular Affairs of the Department of State to the Special Envoy for Hostage Affairs created pursuant to section 1293.

(c) REPORT.—

(1) ANNUAL REPORT.—

(A) IN GENERAL.—The Secretary of State shall submit to the appropriate congressional committees an annual report with respect to United States nationals for whom the Secretary determines there is credible information of unlawful or wrongful detention abroad.

(B) FORM.—The report required under this paragraph shall be submitted in unclassified form, but may include a classified annex if necessary.

(2) COMPOSITION.—The report required under paragraph (1) shall include current estimates of the number of individuals so detained, as well as relevant information about particular cases, such as—

(A) the name of the individual, unless the provision of such information is inconsistent with section 552a of title 5, United States Code (commonly known as the ''Privacy Act of 1974'');

(B) basic facts about the case;

(C) a summary of the information that such individual may be detained unlawfully or wrongfully;

(D) a description of specific efforts, legal and diplomatic, taken on behalf of the individual since the last reporting period, including a description of accomplishments and setbacks; and

(E) a description of intended next steps.

(d) RESOURCE GUIDANCE.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act and after consulting with relevant organizations that advocate on behalf of United States nationals detained abroad and the Family Engagement Coordinator established pursuant to section 1294(c)(2), the Secretary of State shall provide resource guidance in writing for government officials and families of unjustly or wrongfully detained individuals.

(2) CONTENT.—The resource guidance required under paragraph (1) should include—

(A) information to help families understand United States policy concerning the release of United States nationals unlawfully or wrongfully held abroad;

(B) contact information for officials in the Department of State or other government agencies suited to answer family questions;

(C) relevant information about options available to help families obtain the release of unjustly or wrongfully detained individuals, such as guidance on how families may engage with United States diplomatic and consular channels to ensure prompt and regular access for the detained individual to legal counsel, family members, humane treatment, and other services;

(D) guidance on submitting public or private letters from members of Congress or other individuals who may be influential in securing the release of an individual; and

(E) appropriate points of contacts, such as legal resources and counseling services, who have a record of assisting victims' families.

SEC. 1293. SPECIAL ENVOY FOR HOSTAGE AFFAIRS.

(a) ESTABLISHMENT.—There shall be a Special Presidential Envoy for Hostage Affairs, appointed by the President, who shall report to the Secretary of State.

(b) RANK.—The Special Envoy shall have the rank and status of ambassador.

(c) RESPONSIBILITIES.—The Special Presidential Envoy for Hostage Affairs shall—

(1) lead diplomatic engagement on United States hostage policy;

(2) coordinate all diplomatic engagements and strategy in support of hostage recovery efforts, in coordination with the Hostage Recovery Fusion Cell and consistent with policy guidance communicated through the Hostage Response Group;

(3) in coordination with the Hostage Recovery Fusion Cell as appropriate, coordinate diplomatic engagements regarding cases in which a foreign government has detained a United States national and the United States Government regards such detention as unlawful or wrongful;

(4) provide senior representation from the Special Envoy's office to the Hostage Recovery Fusion Cell established under section 1294 and the Hostage Response Group established under section 1295; and

(5) ensure that families of United States nationals unlawfully or wrongly detained abroad receive updated information about developments in cases and government policy.

SEC. 1294. HOSTAGE RECOVERY FUSION CELL.

(a) ESTABLISHMENT.—The President shall establish an interagency Hostage Recovery Fusion Cell.

(b) PARTICIPATION.—The President shall direct the heads of each of the following executive departments, agencies, and offices to make available personnel to participate in the Hostage Recovery Fusion Cell:

(1) The Department of State.

(2) The Department of the Treasury.

(3) The Department of Defense.

(4) The Department of Justice.

(5) The Office of the Director of National Intelligence.

(6) The Federal Bureau of Investigation.

(7) The Central Intelligence Agency.

(8) Other agencies as the President, from time to time, may designate.

(c) PERSONNEL.—The Hostage Recovery Fusion Cell shall include—

(1) a Director, who shall be a full-time senior officer or employee of the United States Government;

(2) a Family Engagement Coordinator who shall—

(A) work to ensure that all interactions by executive branch officials with a hostage's family occur in a coordinated fashion and that the family receives consistent and accurate information from the United States Government; and

(B) if directed, perform the same function as set out in subparagraph (A) with regard to the family of a United States national who is unlawfully or wrongfully detained abroad; and

(3) other officers and employees as deemed appropriate by the President.

(d) DUTIES.—The Hostage Recovery Fusion Cell shall—

(1) coordinate efforts by participating agencies to ensure that all relevant information, expertise, and resources are brought to bear to secure the safe recovery of United States nationals held hostage abroad;

(2) if directed, coordinate the United States Government's response to other hostage-takings occurring abroad in which the United States has a national interest;

(3) if directed, coordinate or assist the United States Government's response to help secure the release of United States nationals unlawfully or wrongfully detained abroad; and

(4) pursuant to policy guidance coordinated through the National Security Council—

(A) identify and recommend hostage recovery options and strategies to the President through the National Security Council or the Deputies Committee of the National Security Council;

(B) coordinate efforts by participating agencies to ensure that information regarding hostage events, including potential recovery options and engagements with families and external actors (including foreign governments), is appropriately shared within the United States Government to facilitate a coordinated response to a hostage-taking;

(C) assess and track all hostage-takings of United States nationals abroad and provide regular reports to the President and Congress on the status of such cases and any measures being taken toward the hostages' safe recovery;

(D) provide a forum for intelligence sharing and, with the support of the Director of National Intelligence, coordinate the declassification of relevant information;

(E) coordinate efforts by participating agencies to provide appropriate support and assistance to hostages and their families in a coordinated and consistent manner and to provide families with timely information regarding significant events in their cases;

(F) make recommendations to agencies in order to reduce the likelihood of United States nationals' being taken hostage abroad and enhance United States Government preparation to maximize the probability of a favorable outcome following a hostage-taking; and

(G) coordinate with agencies regarding congressional, media, and other public inquiries pertaining to hostage events.

(e) ADMINISTRATION.—The Hostage Recovery Fusion Cell shall be located within the Federal Bureau of Investigation for administrative purposes.

SEC. 1295. HOSTAGE RESPONSE GROUP.

(a) ESTABLISHMENT.—The President shall establish a Hostage Response Group, chaired by a designated member of the National Security Council or the Deputies Committee of the National Security Council, to be convened on a regular basis, to further the safe recovery of United States nationals held hostage abroad or unlawfully or wrongfully detained abroad, and to be tasked with coordinating the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest.

(b) MEMBERSHIP.—The regular members of the Hostage Response Group shall include the Director of the Hostage Recovery Fusion Cell, the Hostage Recovery Fusion Cell's Family Engagement Coordinator, the Special Envoy appointed pursuant to section 1293, and representatives from the Department of the Treasury, the Department of Defense, the Department of Justice, the Federal Bureau of Investigation, the Office of the Director of National Intelligence, the Central Intelligence Agency, and other agencies as the President, from time to time, may designate.

(c) DUTIES.—The Hostage Recovery Group shall—

(1) identify and recommend hostage recovery options and strategies to the President through the National Security Council;

(2) coordinate the development and implementation of United States hostage recovery policies, strategies, and procedures;

(3) receive regular updates from the Hostage Recovery Fusion Cell and the Special Envoy for Hostage Affairs on the status of United States nationals being held hostage or unlawfully or wrongfully detained abroad and measures being taken to effect safe recoveries;

(4) coordinate the provision of policy guidance to the Hostage Recovery Fusion Cell, including reviewing recovery options proposed by the Hostage Recovery Fusion Cell and working to resolve disputes within the Hostage Recovery Fusion Cell;

(5) as appropriate, direct the use of resources at the Hostage Recovery Fusion Cell to coordinate or assist in the safe recovery of United States nationals unlawfully or wrongfully detained abroad; and

(6) as appropriate, direct the use of resources at the Hostage Recovery Fusion Cell to coordinate the United States Government response to other hostage-takings occurring abroad in which the United States has a national interest.

(d) MEETINGS.—The Hostage Response Group shall meet regularly.

(e) REPORTING.—The Hostage Response Group shall regularly provide recommendations on hostage recovery options and strategies to the National Security Council.

SEC. 1296. AUTHORIZATION OF IMPOSITION OF SANCTIONS.

(a) IN GENERAL.—The President may impose the sanctions described in subsection (b) with respect to any foreign person the President determines, based on credible evidence—

(1) is responsible for or is complicit in, or responsible for ordering, controlling, or otherwise directing, the hostage-taking of a United States national abroad or the unlawful or wrongful detention of a United States national abroad; or

(2) knowingly provides financial, material, or technological support for, or goods or services in support of, an activity described in paragraph (1).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection are the following:

(1) INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.—

(A) VISAS, ADMISSION, OR PAROLE.—An alien described in subsection (a) may be—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) CURRENT VISAS REVOKED.—

(i) IN GENERAL.—An alien described in subsection (a) may be subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) IMMEDIATE EFFECT.—A revocation under clause (i) may—

(I) take effect immediately; and

(II) cancel any other valid visa or entry documentation that is in the alien's possession.

(2) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The President may exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), to the extent necessary to block and prohibit all transactions in property and interests in property of a foreign person described in subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this section.

(c) EXCEPTIONS.—

(1) EXCEPTION FOR INTELLIGENCE ACTIVITIES.—Sanctions under this section shall not apply to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) EXCEPTION TO COMPLY WITH INTERNATIONAL OBLIGATIONS AND FOR LAW ENFORCEMENT ACTIVITIES.—Sanctions under subsection (b)(1) shall not apply with respect to an alien if admitting or paroling the alien into the United States is necessary—

(A) to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations; or

(B) to carry out or assist law enforcement activity in the United States.

(d) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(2) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) TERMINATION OF SANCTIONS.—The President may terminate the application of sanctions under this section with respect to a person if the President determines that—

(1) information exists that the person did not engage in the activity for which sanctions were imposed;

(2) the person has been prosecuted appropriately for the activity for which sanctions were imposed;

(3) the person has credibly demonstrated a significant change in behavior, has paid an appropriate consequence for the activity for which sanctions were imposed, and has credibly committed to not engage in an activity described in subsection (a) in the future; or

(4) the termination of the sanctions is in the national security interests of the United States.

(f) REPORTING REQUIREMENT.—If the President terminates sanctions pursuant to subsection (d), the President shall report to the appropriate congressional committees a written justification for such termination within 15 days.

(g) IMPLEMENTATION OF REGULATORY AUTHORITY.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(h) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(1) IN GENERAL.—The authorities and requirements to impose sanctions authorized under this subtitle shall not include the authority or a requirement to impose sanctions on the importation of goods.

(2) GOOD DEFINED.—In this paragraph, the term ''good'' means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(i) DEFINITIONS.—In this section:

(1) FOREIGN PERSON.—The term ''foreign person'' means—

(A) any citizen or national of a foreign country (including any such individual who is also a citizen or national of the United States); or

(B) any entity not organized solely under the laws of the United States or existing solely in the United States.

(2) UNITED STATES PERSON.—The term ''United States person'' means—

(A) an individual who is a United States citizen or an alien lawfully admitted for permanent residence to the United States;

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity; or

(C) any person in the United States.

SEC. 1297. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on the Judiciary, the Committee on Armed Services, and the Select Committee on Intelligence of the United States Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, the Committee on Financial Services, the Committee on the Judiciary, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) UNITED STATES NATIONAL.—The term ''United States national'' means—

(A) a United States national as defined in section 101(a)(22) or section 308 of the Immigration and Nationality Act (8 U.S.C. 1101(a)(22), 8 U.S.C. 1408); and

(B) a lawful permanent resident alien with significant ties to the United States.

SEC. 1298. RULE OF CONSTRUCTION.

Nothing in this subtitle shall be construed to authorize a private right of action.

SA 2271. Mr. SCHATZ submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. 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 nonjudicial 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, 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, 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 section 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 described in subparagraph (A), any additional paid vacation, personal, family, medical, or sick leave provided by the employing office to such employee.

''(3) LIMITATION.—Nothing in this section or section 102(d)(2)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(d)(2)(A)) shall be considered to require or permit an employing office to require that an employee first use all or any portion of the leave described in paragraph (2)(B) before being allowed to use the paid parental leave described in paragraph (2)(A).

''(4) ADDITIONAL RULES.—Paid parental leave under paragraph (2)(A)—

''(A) shall be payable from any appropriation or fund available for salaries or expenses for positions within the employing office;

''(B) if not used by the covered employee before the end of the 12-month period (as referred to in section 102(a)(1) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2612(a)(1))) to which it relates, shall not accumulate for any subsequent use; and

''(C) shall apply without regard to the limitations in subparagraph (E), (F), or (G) of section 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) APPLICATION OF FEDERAL FML.—

(A) IN GENERAL.—Section 40122(g)(2) of title 49, United States Code, is amended—

(i) in subparagraph (I)(iii), by striking ''and'' at the end;

(ii) in subparagraph (J), by striking the period at the end and inserting ''; and''; and

(iii) by adding at the end the following:

''(K) subchapter V of chapter 63, relating to family and medical leave.''.

(B) APPLICABILITY.—The amendments made by subparagraph (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) CORRECTIONS FOR TSA SCREENERS.—Section 7606 of the National Defense Authorization Act for Fiscal Year 2020 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 subchapter 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).''.

(f) TECHNICAL CORRECTIONS.—

(1) Section 7605 of the National Defense Authorization Act for Fiscal Year 2020 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, is amended by striking ''the requirement to complete'' and all that follows and inserting ''the service requirement under subparagraph (B) of section 6381(1).''.

(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.

SA 2272. Mr. KAINE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title VIII, add the following:

SEC. 894. EXTENSION OF CARES ACT DEADLINE FOR FEDERAL CONTRACTORS TO MODIFY TERMS AND CONDITIONS OF CONTRACTS OR AGREEMENTS TO REIMBURSE PAID LEAVE A CONTRACTOR PROVIDES TO KEEP ITS EMPLOYEES OR SUBCONTRACTORS IN A READY STATE.

Section 3610 of the CARES Act (Public Law 116–136) is amended by striking ''September 30, 2020'' and inserting ''December 31, 2020''.

SA 2273. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of section 806, add the following:

(d) MEDICAL SUPPLY CHAIN PREPAREDNESS MEASURES.—

(1) IN GENERAL.—Not later than 18 months after the date of the enactment of this Act, the Director of the Defense Logistics Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives—

(A) the results of a study on contracts entered into by the Director relating to health readiness of the Armed Forces to assess—

(i) the reliance by the Department of Defense on foreign sources of active pharmaceutical ingredients, drugs, and medical devices; and

(ii) the redundancy planning of the Department to mitigate shortages of drugs and medical devices; and

(B) a list of critical drugs for the Department of Defense compiled by the Director of the Defense Logistics Agency, in coordination with the Director of the Defense Health Agency.

(2) DEFINITIONS.—In this subsection:

(A) DRUG.—The term ''drug'' has the meaning given that term in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).

(B) MEDICAL DEVICE.—The term ''medical device'' has the meaning given the term ''device'' in such section 201.

SA 2274. Mr. PETERS submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NATIONAL BIODEFENSE STRATEGY UPDATES.

(a) UPDATED BIODEFENSE THREAT ASSESSMENT.—

(1) IN GENERAL.—The Secretary of Homeland Security, in consultation with the Secretary of State, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Health and Human Services, and the Director of National Intelligence, shall—

(A) conduct an assessment of current and potential biological threats against the United States, both naturally occurring and man-made, either accidental or deliberate, including the potential for catastrophic biological threats on the scale of the COVID–19 pandemic or greater;

(B) not later than 1 year after the date of enactment of this section, submit the findings of the assessment conducted under subparagraph (A) to the Federal officials described in subsection (b)(1);

(C) not later than 30 days of the date on which the assessment is submitted under subparagraph (B), conduct a briefing for the appropriate congressional committees on the findings of the assessment;

(D) update the assessment under subparagraph (A) biennially as appropriate, and provide the findings of such updated assessments to the Federal officials described in subsection (b)(1); and

(E) conduct briefings for the appropriate congressional committees as needed any time an assessment under this paragraph is updated.

(2) CLASSIFICATION AND FORMAT.—Assessments under paragraph (1) shall be submitted in an unclassified format and include a classified annex.

(b) UPDATED IMPLEMENTATION PLAN FOR NATIONAL BIODEFENSE STRATEGY.—

(1) IN GENERAL.—The Secretary of Health and Human Services, the Secretary of Defense, the Secretary of Agriculture, the Secretary of Homeland Security, and all other Departments and agencies with responsibilities for biodefense, in consultation with the National Security Advisor and Director of the Office of Management and Budget, as appropriate, shall jointly—

(A) consider the assessment in subsection (a);

(B) seek input from relevant external stakeholders;

(C) provide an updated comprehensive Implementation Plan for the National Biodefense Strategy (referred to in this section as the ''Strategy''), under section 1086 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104), which shall include—

(i) short-, medium-, and long-term goals and objectives for executing the Strategy;

(ii) metrics for meeting each objective of the Strategy;

(iii) the specific roles and responsibilities of each relevant Federal agency in the execution of the Strategy;

(iv) resource plans developed by each department and agency with responsibility for biodefense to staff, support, and sustain efforts to execute the Strategy within the jurisdiction of such department or agency;

(v) guidance on the decision-making process for individual agency budgets and for identifying and enforcing enterprise-wide decisions and priorities under the Strategy;

(vi) recommendations on methods for analyzing the data collected from relevant agencies, including ensuring that non-Federal resources and capabilities are accounted for in analysis under the Strategy; and

(vii) guidance for identifying biodefense allocations within individual agency budget submissions to the Office of Management and Budget, aligned with the objectives in the Strategy; and

(D) not later than 6 months after the date of the completion of the assessment in subsection (a)(1)(A), submit such Implementation Plan to the appropriate congressional committees.

(2) CLASSIFICATION AND FORMAT.—Assessments under paragraph (1) shall be submitted in an unclassified format and include a classified annex, as appropriate.

(c) DEFINITION.—In this section, the term ''appropriate congressional committees'' means those committees described in section 1086(f) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 104(f)) as well as the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SA 2275. Mr. PETERS (for himself, Mr. JOHNSON, Mr. KING, and Mr. SASSE) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. CONTINUITY OF THE ECONOMY PLAN.

(a) REQUIREMENT.—

(1) IN GENERAL.—The President shall develop and maintain a plan to maintain and restore the economy of the United States in response to a significant event.

(2) PRINCIPLES.—The plan required under paragraph (1) shall—

(A) be consistent with—

(i) a free market economy; and

(ii) the rule of law; and

(B) respect private property rights.

(3) CONTENTS.—The plan required under paragraph (1) shall—

(A) examine the distribution of goods and services across the United States necessary for the reliable functioning of the United States during a significant event;

(B) identify the economic functions of relevant actors, the disruption, corruption, or dysfunction of which would have a debilitating effect in the United States on—

(i) security;

(ii) economic security;

(iii) defense readiness; or

(iv) public health or safety;

(C) identify the critical distribution mechanisms for each economic sector that should be prioritized for operation during a significant event, including—

(i) bulk power and electric transmission systems;

(ii) national and international financial systems, including wholesale payments, stocks, and currency exchanges;

(iii) national and international communications networks, data-hosting services, and cloud services;

(iv) interstate oil and natural gas pipelines; and

(v) mechanisms for the interstate and international trade and distribution of materials, food, and medical supplies, including road, rail, air, and maritime shipping;

(D) identify economic functions of relevant actors, the disruption, corruption, or dysfunction of which would cause—

(i) catastrophic economic loss;

(ii) the loss of public confidence; or

(iii) the widespread imperilment of human life;

(E) identify the economic functions of relevant actors that are so vital to the economy of the United States that the disruption, corruption, or dysfunction of those economic functions would undermine response, recovery, or mobilization efforts during a significant event;

(F) incorporate, to the greatest extent practicable, the principles and practices contained within Federal plans for the continuity of Government and continuity of operations;

(G) identify—

(i) industrial control networks on which the interests of national security outweigh the benefits of dependence on internet connectivity, including networks that are required to maintain defense readiness; and

(ii) for each industrial control network described in clause (i), the most feasible and optimal locations for the installation of—

(I) parallel services;

(II) stand-alone analog services; and

(III) services that are otherwise hardened against failure;

(H) identify critical economic sectors for which the preservation of data in a protected, verified, and uncorrupted status would be required for the quick recovery of the economy of the United States in the face of a significant disruption following a significant event;

(I) include a list of raw materials, industrial goods, and other items, the absence of which would significantly undermine the ability of the United States to sustain the functions described in subparagraphs (B), (D), and (E);

(J) provide an analysis of supply chain diversification for the items described in subparagraph (I) in the event of a disruption caused by a significant event;

(K) include—

(i) a recommendation as to whether the United States should maintain a strategic reserve of 1 or more of the items described in subparagraph (I); and

(ii) for each item described in subparagraph (I) for which the President recommends maintaining a strategic reserve under clause (i), an identification of mechanisms for tracking inventory and availability of the item in the strategic reserve;

(L) identify mechanisms in existence on the date of enactment of this Act and mechanisms that can be developed to ensure that the swift transport and delivery of the items described in subparagraph (I) is feasible in the event of a distribution network disturbance or degradation, including a distribution network disturbance or degradation caused by a significant event;

(M) include guidance for determining the prioritization for the distribution of the items described in subparagraph (I), including distribution to States and Indian Tribes;

(N) consider the advisability and feasibility of mechanisms for extending the credit of the United States or providing other financial support authorized by law to key participants in the economy of the United States if the extension or provision of other financial support—

(i) is necessary to avoid severe economic degradation; or

(ii) allows for the recovery from a significant event;

(O) include guidance for determining categories of employees that should be prioritized to continue to work in order to sustain the functions described in subparagraphs (B), (D), and (E) in the event that there are limitations on the ability of individuals to travel to workplaces or to work remotely, including considerations for defense readiness;

(P) identify critical economic sectors necessary to provide material and operational support to the defense of the United States;

(Q) determine whether the Secretary of Homeland Security, the National Guard, and the Secretary of Defense have adequate authority to assist the United States in a recovery from a severe economic degradation caused by a significant event;

(R) review and assess the authority and capability of heads of other agencies that the President determines necessary to assist the United States in a recovery from a severe economic degradation caused by a significant event; and

(S) consider any other matter that would aid in protecting and increasing the resilience of the economy of the United States from a significant event.

(b) COORDINATION.—In developing the plan required under subsection (a)(1), the President shall—

(1) receive advice from—

(A) the Secretary of Homeland Security;

(B) the Secretary of Defense;

(C) the Secretary of the Treasury;

(D) the Secretary of Health and Human Services;

(E) the Secretary of Commerce;

(F) the Secretary of Transportation;

(G) the Secretary of Energy;

(H) the Administrator of the Small Business Administration; and

(I) the head of any other agency that the President determines necessary to complete the plan;

(2) consult with economic sectors relating to critical infrastructure through sector-coordinated councils, as appropriate;

(3) consult with relevant State, Tribal, and local governments and organizations that represent those governments; and

(4) consult with any other non-Federal entity that the President determines necessary to complete the plan.

(c) SUBMISSION TO CONGRESS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and not less frequently than every 3 years thereafter, the President shall submit the plan required under subsection (a)(1) and the information described in paragraph (2) to—

(A) the majority and minority leaders of the Senate;

(B) the Speaker and the minority leader of the House of Representatives;

(C) the Committee on Armed Services of the Senate;

(D) the Committee on Armed Services of the House of Representatives;

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

(F) the Committee on Homeland Security of the House of Representatives;

(G) the Committee on Health, Education, Labor, and Pensions of the Senate;

(H) the Committee on Commerce, Science, and Transportation of the Senate;

(I) the Committee on Energy and Commerce of the House of Representatives;

(J) the Committee on Banking, Housing, and Urban Affairs of the Senate;

(K) the Committee on Finance of the Senate;

(L) the Committee on Financial Services of the House of Representatives;

(M) the Committee on Small Business and Entrepreneurship of the Senate;

(N) the Committee on Small Business of the House of Representatives;

(O) the Committee on Energy and Natural Resources of the Senate;

(P) the Committee on Environment and Public Works of the Senate; and

(Q) any other committee of the Senate or the House of Representatives that has jurisdiction over the subject of the plan.

(2) ADDITIONAL INFORMATION.—The information described in this paragraph is—

(A) any change to Federal law that would be necessary to carry out the plan required under subsection (a)(1); and

(B) any proposed changes to the funding levels provided in appropriation Acts for the most recent fiscal year that can be implemented in future appropriation Acts or additional resources necessary to—

(i) implement the plan required under subsection (a)(1); or

(ii) maintain any program offices and personnel necessary to—

(I) maintain the plan required under subsection (a)(1) and the plans described in subsection (a)(3)(F); and

(II) conduct exercises, assessments, and updates to the plans described in subclause (I) over time.

(3) BUDGET OF THE PRESIDENT.—The President may include the information described in paragraph (2)(B) in the budget required to be submitted by the President under section 1105(a) of title 31, United States Code.

(d) DEFINITIONS.—In this section:

(1) The term ''agency'' has the meaning given the term in section 551 of title 5, United States Code.

(2) The term ''economic sector'' means a sector of the economy of the United States.

(3) The term ''relevant actor'' means—

(A) the Federal government;

(B) a State, local, or Tribal government; or

(C) the private sector.

(4) The term ''significant event'' means an event that causes severe degradation to economic activity in the United States due to—

(A) a cyber attack; or

(B) another significant event that is natural or human-caused.

(5) The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States.

SA 2276. Mr. THUNE (for Mr. TOOMEY (for himself and Mr. JONES)) submitted an amendment intended to be proposed by Mr. Thune to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII of division A, add the following:

SEC. 1287. BLOCKING DEADLY FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the ''Blocking Deadly Fentanyl Imports Act''.

(b) DEFINITIONS.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''in which'';

(B) in subparagraph (A), by inserting ''in which'' before ''1,000'';

(C) in subparagraph (B)—

(i) by inserting ''in which'' before ''1,000''; and

(ii) by striking ''or'' at the end;

(D) in subparagraph (C)—

(i) by inserting ''in which'' before ''5,000''; and

(ii) by inserting ''or'' after the semicolon; and

(E) by adding at the end the following:

''(D) that is a significant source of illicit synthetic opioids significantly affecting the United States;''; and

(2) in paragraph (4)—

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

(B) in subparagraph (D), by adding ''and'' at the end; and

(C) by adding at the end the following:

''(E) assistance that furthers the objectives set forth in paragraphs (1) through (4) of section 664(b) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2151n–2(b));

''(F) assistance to combat trafficking authorized under the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.)); and

''(G) global health assistance authorized under sections 104 through 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b through 22 U.S.C. 2151b–4).''.

(c) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding at the end the following:

''(9) A separate section that contains the following:

''(A) An identification of the countries, to the extent feasible, that are the most significant sources of illicit fentanyl and fentanyl analogues significantly affecting the United States during the preceding calendar year.

''(B) A description of the extent to which each country identified pursuant to subparagraph (A) has cooperated with the United States to prevent the articles or chemicals described in subparagraph (A) from being exported from such country to the United States.

''(C) A description of whether each country identified pursuant to subparagraph (A) has adopted and utilizes scheduling or other procedures for illicit drugs that are similar in effect to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;

''(D) A description of whether each country identified pursuant to subparagraph (A) is following steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)); and

''(E) A description of whether each country identified pursuant to subparagraph (A) requires the registration of tableting machines and encapsulating machines or other measures similar in effect to the registration requirements set forth in part 1310 of title 21, Code of Federal Regulations, and has not made good faith efforts, in the opinion of the Secretary, to improve regulation of tableting machines and encapsulating machines.''.

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is amended—

(A) in paragraph (1), by striking ''or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting ''country identified pursuant to section 489(a)(8)(A), or country thrice identified during a 5-year period pursuant to section 489(a)(9)(A)''; and

(B) in paragraph (2), by striking ''or major drug-transit country (as determined under subsection (h)) or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting '', major drug-transit country, country identified pursuant to section 489(a)(8)(A), or country thrice identified during a 5-year period pursuant to section 489(a)(9)(A)''.

(2) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT SCHEDULING PROCEDURES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''also'';

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

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by inserting after subparagraph (A) the following:

''(B) designate each country, if any, identified under section 489(a)(9) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that has failed to adopt and utilize scheduling procedures for illicit drugs that are comparable to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;''; and

(E) in subparagraph (D), as redesignated, by striking ''so designated'' and inserting ''designated under subparagraph (A), (B), or (C)''.

(3) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS FOR THE MANUFACTURE OR DISTRIBUTION OF FENTANYL ANALOGUES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)), as amended by paragraph (2), is further amended by inserting after subparagraph (B) the following:

''(C) designate each country, if any, identified under section 489(a)(9) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that has not taken significant steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32));''.

(4) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—Section 706(3) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(3)) is amended by striking ''also designated under paragraph (2) in the report'' and inserting ''designated in the report under paragraph (2)(A) or thrice designated during a 5-year period in the report under subparagraph (B) or (C) of paragraph (2)''.

(5) EXCEPTION TO THE LIMITATION ON ASSISTANCE.—Section 706(5) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(5)) is amended—

(A) by redesignating subparagraph (C) as subparagraph (F);

(B) by inserting after subparagraph (B) the following:

''(C) Notwithstanding paragraph (3), assistance to promote democracy (as described in section 481(e)(4)(E) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)(E))) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

''(D) Notwithstanding paragraph (3), assistance to combat trafficking (as described in section 481(e)(4)(F) of such Act) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

''(E) Notwithstanding paragraph (3), global health assistance (as described in section 481(e)(4)(G) of such Act) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph''; and

(C) in subparagraph (F), as redesignated, by striking ''section clause (i) or (ii) of'' and inserting ''clause (i) or (ii) of section''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

SA 2277. Mr. THUNE (for Mr. TOOMEY (for himself and Mr. VAN HOLLEN)) submitted an amendment intended to be proposed by Mr. THUNE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

After title XVI, insert the following:

TITLE XVII—HONG KONG AUTONOMY ACT

SEC. 1701. SHORT TITLE.

This title may be cited as the ''Hong Kong Autonomy Act''.

SEC. 1702. DEFINITIONS.

In this title:

(1) ALIEN; NATIONAL; NATIONAL OF THE UNITED STATES.—The terms ''alien'', ''national'', and ''national of the United States'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES AND LEADERSHIP.—The term ''appropriate congressional committees and leadership'' means—

(A) the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, and the majority leader and the minority leader of the Senate; and

(B) the Committee on Armed Services, the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Speaker and the minority leader of the House of Representatives.

(3) BASIC LAW.—The term ''Basic Law'' means the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China.

(4) CHINA.—The term ''China'' means the People's Republic of China.

(5) ENTITY.—The term ''entity'' means a partnership, joint venture, association, corporation, organization, network, group, or subgroup, or any other form of business collaboration.

(6) FINANCIAL INSTITUTION.—The term ''financial institution'' means a financial institution specified in section 5312(a)(2) of title 31, United States Code.

(7) HONG KONG.—The term ''Hong Kong'' means the Hong Kong Special Administrative Region of the People's Republic of China.

(8) JOINT DECLARATION.—The term ''Joint Declaration'' means 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 on December 19, 1984.

(9) KNOWINGLY.—The term ''knowingly'', with respect to conduct, a circumstance, or a result, means that a person has actual knowledge of the conduct, the circumstance, or the result.

(10) PERSON.—The term ''person'' means an individual or entity.

(11) UNITED STATES PERSON.—The term ''United States person'' means—

(A) any citizen or national of the United States;

(B) any alien lawfully admitted for permanent residence in the United States;

(C) any entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity); or

(D) any person located in the United States.

SEC. 1703. FINDINGS.

Congress makes the following findings:

(1) The Joint Declaration and the Basic Law clarify certain obligations and promises that the Government of China has made with respect to the future of Hong Kong.

(2) The obligations of the Government of China under the Joint Declaration were codified in a legally-binding treaty, signed by the Government of the United Kingdom of Great Britain and Northern Ireland and registered with the United Nations.

(3) The obligations of the Government of China under the Basic Law originate from the Joint Declaration, were passed into the domestic law of China by the National People's Congress, and are widely considered by citizens of Hong Kong as part of the de facto legal constitution of Hong Kong.

(4) Foremost among the obligations of the Government of China to Hong Kong is the promise that, pursuant to Paragraph 3b of the Joint Declaration, ''the Hong Kong Special Administrative Region will enjoy a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government''.

(5) The obligation specified in Paragraph 3b of the Joint Declaration is referenced, reinforced, and extrapolated on in several portions of the Basic Law, including Articles 2, 12, 13, 14, and 22.

(6) Article 22 of the Basic Law establishes that ''No department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law.''.

(7) The Joint Declaration and the Basic Law make clear that additional obligations shall be undertaken by China to ensure the ''high degree of autonomy'' of Hong Kong.

(8) Paragraph 3c of the Joint Declaration states, as reinforced by Articles 2, 16, 17, 18, 19, and 22 of the Basic Law, that Hong Kong ''will be vested with executive, legislative and independent judicial power, including that of final adjudication''.

(9) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (8) of this section, including the following:

(A) In 1999, the Standing Committee of the National People's Congress overruled a decision by the Hong Kong Court of Final Appeal on the right of abode.

(B) On multiple occasions, the Government of Hong Kong, at the advice of the Government of China, is suspected to have not allowed persons entry into Hong Kong allegedly because of their support for democracy and human rights in Hong Kong and China.

(C) The Liaison Office of China in Hong Kong has, despite restrictions on interference in the affairs of Hong Kong as detailed in Article 22 of the Basic Law—

(i) openly expressed support for candidates in Hong Kong for Chief Executive and Legislative Council;

(ii) expressed views on various policies for the Government of Hong Kong and other internal matters relating to Hong Kong; and

(iii) on April 17, 2020, asserted that both the Liaison Office of China in Hong Kong and the Hong Kong and Macau Affairs Office of the State Council ''have the right to exercise supervision . . . on affairs regarding Hong Kong and the mainland, in order to ensure correct implementation of the Basic Law''.

(D) The National People's Congress has passed laws requiring Hong Kong to pass laws banning disrespectful treatment of the national flag and national anthem of China.

(E) The State Council of China released a white paper on June 10, 2014, that stressed the ''comprehensive jurisdiction'' of the Government of China over Hong Kong and indicated that Hong Kong must be governed by ''patriots''.

(F) The Government of China has directed operatives to kidnap and bring to the mainland, or is otherwise responsible for the kidnapping of, residents of Hong Kong, including businessman Xiao Jianhua and bookseller Gui Minhai.

(G) The Government of Hong Kong, acting with the support of the Government of China, introduced an extradition bill that would have permitted the Government of China to request and enforce extradition requests for any individual present in Hong Kong, regardless of the legality of the request or the degree to which it compromised the judicial independence of Hong Kong.

(H) The spokesman for the Standing Committee of the National People's Congress said, ''Whether Hong Kong's laws are consistent with the Basic Law can only be judged and decided by the National People's Congress Standing Committee. No other authority has the right to make judgments and decisions.''.

(10) Paragraph 3e of the Joint Declaration states, as reinforced by Article 5 of the Basic Law, that the ''current social and economic systems in Hong Kong will remain unchanged, as so will the life-style.''.

(11) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (10) of this section, including the following:

(A) In 2002, the Government of China pressured the Government of Hong Kong to introduce ''patriotic'' curriculum in primary and secondary schools.

(B) The governments of China and Hong Kong proposed the prohibition of discussion of Hong Kong independence and self-determination in primary and secondary schools, which infringes on freedom of speech.

(C) The Government of Hong Kong mandated that Mandarin, and not the native language of Cantonese, be the language of instruction in Hong Kong schools.

(D) The governments of China and Hong Kong agreed to a daily quota of mainland immigrants to Hong Kong, which is widely believed by citizens of Hong Kong to be part of an effort to ''mainlandize'' Hong Kong.

(12) Paragraph 3e of the Joint Declaration states, as reinforced by Articles 4, 26, 27, 28, 29, 30, 31, 32 33, 34, and 39 of the Basic Law, that the ''rights and freedoms, including those of person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law'' in Hong Kong.

(13) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (12) of this section, including the following:

(A) On February 26, 2003, the Government of Hong Kong introduced a national security bill that would have placed restrictions on freedom of speech and other protected rights.

(B) The Liaison Office of China in Hong Kong has pressured businesses in Hong Kong not to advertise in newspapers and magazines critical of the governments of China and Hong Kong.

(C) The Hong Kong Police Force selectively blocked demonstrations and protests expressing opposition to the governments of China and Hong Kong or the policies of those governments.

(D) The Government of Hong Kong refused to renew work visa for a foreign journalist, allegedly for hosting a speaker from the banned Hong Kong National Party.

(E) The Justice Department of Hong Kong selectively prosecuted cases against leaders of the Umbrella Movement, while failing to prosecute police officers accused of using excessive force during the protests in 2014.

(F) On April 18, 2020, the Hong Kong Police Force arrested 14 high-profile democracy activists and campaigners for their role in organizing a protest march that took place on August 18, 2019, in which almost 2,000,000 people rallied against a proposed extradition bill.

(14) Articles 45 and 68 of the Basic Law assert that the selection of Chief Executive and all members of the Legislative Council of Hong Kong should be by ''universal suffrage.''.

(15) On multiple occasions, the Government of China has undertaken actions that have contravened the letter or intent of the obligation described in paragraph (14) of this section, including the following:

(A) In 2004, the National People's Congress created new, antidemocratic procedures restricting the adoption of universal suffrage for the election of the Chief Executive of Hong Kong.

(B) The decision by the National People's Congress on December 29, 2007, which ruled out universal suffrage in 2012 elections and set restrictions on when and if universal suffrage will be implemented.

(C) The decision by the National People's Congress on August 31, 2014, which placed limits on the nomination process for the Chief Executive of Hong Kong as a condition for adoption of universal suffrage.

(D) On November 7, 2016, the National People's Congress interpreted Article 104 of the Basic Law in such a way to disqualify 6 elected members of the Legislative Council.

(E) In 2018, the Government of Hong Kong banned the Hong Kong National Party and blocked the candidacy of pro-democracy candidates.

(16) The ways in which the Government of China, at times with the support of a subservient Government of Hong Kong, has acted in contravention of its obligations under the Joint Declaration and the Basic Law, as set forth in this section, are deeply concerning to the people of Hong Kong, the United States, and members of the international community who support the autonomy of Hong Kong.

SEC. 1704. SENSE OF CONGRESS REGARDING HONG KONG.

It is the sense of Congress that—

(1) the United States continues to uphold the principles and policy established in the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701 et seq.) and the Hong Kong Human Rights and Democracy Act of 2019 (Public Law 116–76; 22 U.S.C. 5701 note), which remain consistent with China's obligations under the Joint Declaration and certain promulgated objectives under the Basic Law, including that—

(A) as set forth in section 101(1) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5711(1)), ''The United States should play an active role, before, on, and after July 1, 1997, in maintaining Hong Kong's confidence and prosperity, Hong Kong's role as an international financial center, and the mutually beneficial ties between the people of the United States and the people of Hong Kong.''; and

(B) as set forth in section 2(5) of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5701(5)), ''Support for democratization is a fundamental principle of United States foreign policy. As such, it naturally applies to United States policy toward Hong Kong. This will remain equally true after June 30, 1997.'';

(2) although the United States recognizes that, under the Joint Declaration, the Government of China ''resumed the exercise of sovereignty over Hong Kong with effect on 1 July 1997'', the United States supports the autonomy of Hong Kong in furtherance of the United States-Hong Kong Policy Act of 1992 and the Hong Kong Human Rights and Democracy Act of 2019 and advances the desire of the people of Hong Kong to continue the ''one country, two systems'' regime, in addition to other obligations promulgated by China under the Joint Declaration and the Basic Law;

(3) in order to support the benefits and protections that Hong Kong has been afforded by the Government of China under the Joint Declaration and the Basic Law, the United States should establish a clear and unambiguous set of penalties with respect to foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury, to be involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law and the financial institutions transacting with those foreign persons;

(4) the Secretary of State should provide an unclassified assessment of the reason for imposition of certain economic penalties on entities, so as to permit a clear path for the removal of economic penalties if the sanctioned behavior is reversed and verified by the Secretary of State;

(5) relevant Federal agencies should establish a multilateral sanctions regime with respect to foreign persons involved in the contravention of the obligations of China under the Joint Declaration and the Basic Law; and

(6) in addition to the penalties on foreign persons, and financial institutions transacting with those foreign persons, for the contravention of the obligations of China under the Joint Declaration and the Basic Law, the United States should take steps, in a time of crisis, to assist permanent residents of Hong Kong who are persecuted or fear persecution as a result of the contravention by China of its obligations under the Joint Declaration and the Basic Law to become eligible to obtain lawful entry into the United States.

SEC. 1705. IDENTIFICATION OF FOREIGN PERSONS INVOLVED IN THE EROSION OF THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW AND FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH THOSE PERSONS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that a foreign person is materially contributing to, has materially contributed to, or attempts to materially contribute to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law, the Secretary of State shall submit to the appropriate congressional committees and leadership a report that includes—

(1) an identification of the foreign person; and

(2) a clear explanation for why the foreign person was identified and a description of the activity that resulted in the identification.

(b) IDENTIFYING FOREIGN FINANCIAL INSTITUTIONS.—Not earlier than 30 days and not later than 60 days after the Secretary of State submits to the appropriate congressional committees and leadership the report under subsection (a), the Secretary of the Treasury, in consultation with the Secretary of State, shall submit to the appropriate congressional committees and leadership a report that identifies any foreign financial institution that knowingly conducts a significant transaction with a foreign person identified in the report under subsection (a).

(c) EXCLUSION OF CERTAIN INFORMATION.—

(1) INTELLIGENCE.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Director of National Intelligence determines that such disclosure could compromise an intelligence operation, activity, source, or method of the United States.

(2) LAW ENFORCEMENT.—The Secretary of State shall not disclose the identity of a person in a report submitted under subsection (a) or (b), or an update under subsection (e), if the Attorney General, in coordination, as appropriate, with the Director of the Federal Bureau of Investigation, the head of any other appropriate Federal law enforcement agency, and the Secretary of the Treasury, determines that such disclosure could reasonably be expected—

(A) to compromise the identity of a confidential source, including a State, local, or foreign agency or authority or any private institution that furnished information on a confidential basis;

(B) to jeopardize the integrity or success of an ongoing criminal investigation or prosecution;

(C) to endanger the life or physical safety of any person; or

(D) to cause substantial harm to physical property.

(3) NOTIFICATION REQUIRED.—If the Director of National Intelligence makes a determination under paragraph (1) or the Attorney General makes a determination under paragraph (2), the Director or the Attorney General, as the case may be, shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(d) EXCLUSION OR REMOVAL OF FOREIGN PERSONS AND FOREIGN FINANCIAL INSTITUTIONS.—

(1) FOREIGN PERSONS.—The President may exclude a foreign person from the report under subsection (a), or an update under subsection (e), or remove a foreign person from the report or update prior to the imposition of sanctions under section 1706(a) if the material contribution (as described in subsection (g)) that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign person.

(2) FOREIGN FINANCIAL INSTITUTIONS.—The President may exclude a foreign financial institution from the report under subsection (b), or an update under subsection (e), or remove a foreign financial institution from the report or update prior to the imposition of sanctions under section 1707(a) if the significant transaction or significant transactions of the foreign financial institution that merited inclusion in that report or update—

(A) does not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(B) is not likely to be repeated in the future; and

(C) has been reversed or otherwise mitigated through positive countermeasures taken by that foreign financial institution.

(3) NOTIFICATION REQUIRED.—If the President makes a determination under paragraph (1) or (2) to exclude or remove a foreign person or foreign financial institution from a report under subsection (a) or (b), as the case may be, the President shall notify the appropriate congressional committees and leadership of the determination and the reasons for the determination.

(e) UPDATE OF REPORTS.—

(1) IN GENERAL.—Each report submitted under subsections (a) and (b) shall be updated in an ongoing manner and, to the extent practicable, updated reports shall be resubmitted with the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to terminate the requirement to update the reports under subsections (a) and (b) upon the termination of the requirement to submit the annual report under section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731).

(f) FORM OF REPORTS.—

(1) IN GENERAL.—Each report under subsection (a) or (b) (including updates under subsection (e)) shall be submitted in unclassified form and made available to the public.

(2) CLASSIFIED ANNEX.—The explanations and descriptions included in the report under subsection (a)(2) (including updates under subsection (e)) may be expanded on in a classified annex.

(g) MATERIAL CONTRIBUTIONS RELATED TO OBLIGATIONS OF CHINA DESCRIBED.—For purposes of this section, a foreign person materially contributes to the failure of the Government of China to meet its obligations under the Joint Declaration or the Basic Law if the person—

(1) took action that resulted in the inability of the people of Hong Kong—

(A) to enjoy freedom of assembly, speech, press, or independent rule of law; or

(B) to participate in democratic outcomes; or

(2) otherwise took action that reduces the high degree of autonomy of Hong Kong.

SEC. 1706. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) IN GENERAL.—On and after the date on which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President may impose sanctions described in subsection (b) with respect to that foreign person.

(2) MANDATORY SANCTIONS.—Not later than one year after the date on which a foreign person is included in the report under section 1705(a) or an update to that report under section 1705(e), the President shall impose sanctions described in subsection (b) with respect to that foreign person.

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign person are the following:

(1) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(2) EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.—In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

SEC. 1707. SANCTIONS WITH RESPECT TO FOREIGN FINANCIAL INSTITUTIONS THAT CONDUCT SIGNIFICANT TRANSACTIONS WITH FOREIGN PERSONS THAT CONTRAVENE THE OBLIGATIONS OF CHINA UNDER THE JOINT DECLARATION OR THE BASIC LAW.

(a) IMPOSITION OF SANCTIONS.—

(1) INITIAL SANCTIONS.—Not later than one year after the date on which a foreign financial institution is included in the report under section 1705(b) or an update to that report under section 1705(e), the President shall impose not fewer than 5 of the sanctions described in subsection (b) with respect to that foreign financial institution.

(2) EXPANDED SANCTIONS.—Not later than two years after the date on which a foreign financial institution is included in the report under section 1705(b) or an update to that report under section 1705(e), the President shall impose each of the sanctions described in subsection (b).

(b) SANCTIONS DESCRIBED.—The sanctions described in this subsection with respect to a foreign financial institution are the following:

(1) LOANS FROM UNITED STATES FINANCIAL INSTITUTIONS.—The United States Government may prohibit any United States financial institution from making loans or providing credits to the foreign financial institution.

(2) PROHIBITION ON DESIGNATION AS PRIMARY DEALER.—Neither the Board of Governors of the Federal Reserve System nor the Federal Reserve Bank of New York may designate, or permit the continuation of any prior designation of, the foreign financial institution as a primary dealer in United States Government debt instruments.

(3) PROHIBITION ON SERVICE AS A REPOSITORY OF GOVERNMENT FUNDS.—The foreign financial institution may not serve as agent of the United States Government or serve as repository for United States Government funds.

(4) FOREIGN EXCHANGE.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transactions in foreign exchange that are subject to the jurisdiction of the United States and involve the foreign financial institution.

(5) BANKING TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve the foreign financial institution.

(6) PROPERTY TRANSACTIONS.—The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign financial institution has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(7) RESTRICTION ON EXPORTS, REEXPORTS, AND TRANSFERS.—The President, in consultation with the Secretary of Commerce, may

restrict or prohibit exports, reexports, and transfers (in-country) of commodities, software, and technology subject to the jurisdiction of the United States directly or indirectly to the foreign financial institution.

(8) BAN ON INVESTMENT IN EQUITY OR DEBT.—The President may, pursuant to such regulations or guidelines as the President may prescribe, prohibit any United States person from investing in or purchasing significant amounts of equity or debt instruments of the foreign financial institution.

(9) EXCLUSION OF CORPORATE OFFICERS.—The President may direct the Secretary of State, in consultation with the Secretary of the Treasury and the Secretary of Homeland Security, to exclude from the United States any alien that is determined to be a corporate officer or principal of, or a shareholder with a controlling interest in, the foreign financial institution, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(10) SANCTIONS ON PRINCIPAL EXECUTIVE OFFICERS.—The President may impose on the principal executive officer or officers of the foreign financial institution, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in paragraphs (1) through (8) that are applicable.

(c) TIMING OF SANCTIONS.—The President may impose sanctions required under subsection (a) with respect to a financial institution included in the report under section 1705(b) or an update to that report under section 1705(e) beginning on the day on which the financial institution is included in that report or update.

SEC. 1708. WAIVER, TERMINATION, EXCEPTIONS, AND CONGRESSIONAL REVIEW PROCESS.

(a) NATIONAL SECURITY WAIVER.—Unless a disapproval resolution is enacted under subsection (d), the President may waive the application of sanctions under section 1706 or 1707 with respect to a foreign person or foreign financial institution if the President—

(1) determines that the waiver is in the national security interest of the United States; and

(2) submits to the appropriate congressional committees and leadership a report on the determination and the reasons for the determination.

(b) TERMINATION OF SANCTIONS AND REMOVAL FROM REPORT.—Unless a disapproval resolution is enacted under subsection (d), the President may terminate the application of sanctions under section 1706 or 1707 with respect to a foreign person or foreign financial institution and remove the foreign person from the report required under section 1705(a) or the foreign financial institution from the report required under section 1705(b), as the case may be, if the Secretary of State, in consultation with the Secretary of the Treasury, determines that the actions taken by the foreign person or foreign financial institution that led to the imposition of sanctions—

(1) do not have a significant and lasting negative effect that contravenes the obligations of China under the Joint Declaration and the Basic Law;

(2) are not likely to be repeated in the future; and

(3) have been reversed or otherwise mitigated through positive countermeasures taken by that foreign person or foreign financial institution.

(c) TERMINATION OF ACT.—

(1) REPORT.—

(A) IN GENERAL.—Not later than July 1, 2046, the President, in consultation with the Secretary of State, the Secretary of the Treasury, and the heads of such other Federal agencies as the President considers appropriate, shall submit to Congress a report evaluating the implementation of this title and sanctions imposed pursuant to this title.

(B) ELEMENTS.—The President shall include in the report submitted under subparagraph (A) an assessment of whether this title and the sanctions imposed pursuant to this title should be terminated.

(2) TERMINATION.—This title and the sanctions imposed pursuant to this title shall remain in effect unless a termination resolution is enacted under subsection (e) after July 1, 2047.

(d) CONGRESSIONAL REVIEW.—

(1) RESOLUTIONS.—

(A) DISAPPROVAL RESOLUTION.—In this section, the term ''disapproval resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution disapproving the waiver or termination of sanctions with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong or a foreign financial institution that conducts a significant transaction with that person.''; and

(ii) the sole matter after the resolving clause of which is the following: ''Congress disapproves of the action under section 1708 of the Hong Kong Autonomy Act relating to the application of sanctions imposed with respect to a foreign person that contravenes the obligations of China with respect to Hong Kong, or a foreign financial institution that conducts a significant transaction with that person, on _____ relating to _____.'', with the first blank space being filled with the appropriate date and the second blank space being filled with a short description of the proposed action.

(B) TERMINATION RESOLUTION.—In this section, the term ''termination resolution'' means only a joint resolution of either House of Congress—

(i) the title of which is as follows: ''A joint resolution terminating sanctions with respect to foreign persons that contravene the obligations of China with respect to Hong Kong and foreign financial institutions that conduct significant transactions with those persons.''; and

(ii) the sole matter after the resolving clause of which is the following: ''The Hong Kong Autonomy Act and any sanctions imposed pursuant to that Act shall terminate on _____.'', with the blank space being filled with the termination date.

(C) COVERED RESOLUTION.—In this subsection, the term ''covered resolution'' means a disapproval resolution or a termination resolution.

(2) INTRODUCTION.—A covered resolution may be introduced—

(A) in the House of Representatives, by the majority leader or the minority leader; and

(B) in the Senate, by the majority leader (or the majority leader's designee) or the minority leader (or the minority leader's designee).

(3) FLOOR CONSIDERATION IN HOUSE OF REPRESENTATIVES.—If a committee of the House of Representatives to which a covered resolution has been referred has not reported the resolution within 10 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(4) CONSIDERATION IN THE SENATE.—

(A) COMMITTEE REFERRAL.—

(i) DISAPPROVAL RESOLUTION.—A disapproval resolution introduced in the Senate shall be—

(I) referred to the Committee on Banking, Housing, and Urban Affairs if the resolution relates to an action that is not intended to significantly alter United States foreign policy with regard to China; and

(II) referred to the Committee on Foreign Relations if the resolution relates to an action that is intended to significantly alter United States foreign policy with regard to China.

(ii) TERMINATION RESOLUTION.—A termination resolution introduced in the Senate shall be referred to the Committee on Banking, Housing, and Urban Affairs and the Committee on Foreign Relations.

(B) REPORTING AND DISCHARGE.—If a committee to which a covered resolution was referred has not reported the resolution within 10 calendar days after the date of referral of the resolution, that committee shall be discharged from further consideration of the resolution and the resolution shall be placed on the appropriate calendar.

(C) PROCEEDING TO CONSIDERATION.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Banking, Housing, and Urban Affairs or the Committee on Foreign Relations, as the case may be, reports a covered resolution to the Senate or has been discharged from consideration of such a resolution (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the resolution, and all points of order against the resolution (and against consideration of the resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order.

(D) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a covered resolution shall be decided without debate.

(E) CONSIDERATION OF VETO MESSAGES.—Debate in the Senate of any veto message with respect to a covered resolution, including all debatable motions and appeals in connection with the resolution, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(5) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

(A) TREATMENT OF SENATE RESOLUTION IN HOUSE.—In the House of Representatives, the following procedures shall apply to a covered resolution received from the Senate (unless the House has already passed a resolution relating to the same proposed action):

(i) The resolution shall be referred to the appropriate committees.

(ii) If a committee to which a resolution has been referred has not reported the resolution within 2 calendar days after the date of referral, that committee shall be discharged from further consideration of the resolution.

(iii) Beginning on the third legislative day after each committee to which a resolution has been referred reports the resolution to the House or has been discharged from further consideration thereof, it shall be in order to move to proceed to consider the resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

(iv) The resolution shall be considered as read. All points of order against the resolution and against its consideration are waived. The previous question shall be considered as ordered on the resolution to final passage without intervening motion except 2 hours of debate equally divided and controlled by the sponsor of the resolution (or a designee) and an opponent. A motion to reconsider the vote on passage of the resolution shall not be in order.

(B) TREATMENT OF HOUSE RESOLUTION IN SENATE.—

(i) RECEIVED BEFORE PASSAGE OF SENATE RESOLUTION.—If, before the passage by the Senate of a covered resolution, the Senate receives an identical resolution from the House of Representatives, the following procedures shall apply:

(I) That resolution shall not be referred to a committee.

(II) With respect to that resolution—

(aa) the procedure in the Senate shall be the same as if no resolution had been received from the House of Representatives; but

(bb) the vote on passage shall be on the resolution from the House of Representatives.

(ii) RECEIVED AFTER PASSAGE OF SENATE RESOLUTION.—If, following passage of a covered resolution in the Senate, the Senate receives an identical resolution from the House of Representatives, that resolution shall be placed on the appropriate Senate calendar.

(iii) NO SENATE COMPANION.—If a covered resolution is received from the House of Representatives, and no companion resolution has been introduced in the Senate, the Senate procedures under this subsection shall apply to the resolution from the House of Representatives.

(C) APPLICATION TO REVENUE MEASURES.—The provisions of this paragraph shall not apply in the House of Representatives to a covered resolution that is a revenue measure.

(6) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This subsection is enacted by Congress—

(A) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such is deemed a part of the rules of each House, respectively, and supersedes other rules only to the extent that it is inconsistent with such rules; and

(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

SEC. 1709. IMPLEMENTATION; PENALTIES.

(a) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to the extent necessary to carry out this title.

(b) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of section 1706 or 1707 or any regulation, license, or order issued to carry out that section shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

SEC. 1710. RULE OF CONSTRUCTION.

Nothing in this title shall be construed as an authorization of military force against China.

SEC. 1711. EXCEPTION RELATING TO IMPORTATION OF GOODS.

(a) IN GENERAL.—The authorities and requirements to impose sanctions under this title shall not include the authority or requirement to impose sanctions on the importation of goods.

(b) GOOD DEFINED.—In this section, the term ''good'' means any article, natural or manmade substance, material, supply, or manufactured product, including inspection and test equipment, and excluding technical data.

SA 2278. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title II, insert the following:

SEC. _____. SECRETARY OF DEFENSE BRIEFING ON POWERED EXOSKELETONS AND HUMAN CONTROLLED ROBOTS FOR HEAVY LIFT SUSTAINMENT TASKS.

Not later than March 1, 2021, the Secretary of Defense shall provide to Congress a briefing on the research and development efforts of the Department of Defense for the use of full-body, autonomously powered exoskeletons and semi-autonomous or teleoperated single or dual-armed, human controlled robots used for heavy lift sustainment tasks.

SA 2279. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON EMERGING TECHNOLOGIES FOR THE DEMILITARIZATION OF UNSERVICEABLE AMMUNITION OVERSEAS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report setting forth an assessment of various emerging technologies for the demilitarization of unserviceable ammunition overseas the use of which could result in savings by avoiding the expense of the transportation of such ammunition to the United States for demilitarization.

SA 2280. Mr. LEE (for himself and Mr. JOHNSON) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

Strike section 234.

Strike section 1083.

SA 2281. Mr. HOEVEN (for himself, Mr. UDALL, Mr. BARRASSO, Ms. MURKOWSKI, Ms. MCSALLY, Mr. TESTER, Mr. SCHATZ, Mr. CRAMER, Ms. SMITH, and Mr. DAINES) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—NATIVE AMERICAN HOUSING ASSISTANCE AND SELF-DETERMINATION REAUTHORIZATION

SEC. 5101. SHORT TITLE.

This division may be cited as the ''Native American Housing Assistance and Self-Determination Reauthorization Act of 2020''.

SEC. 5102. CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.

Section 105 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4115) is amended by adding at the end the following:

''(e) CONSOLIDATION OF ENVIRONMENTAL REVIEW REQUIREMENTS.—

''(1) IN GENERAL.—In the case of a recipient of grant amounts under this Act that is carrying out a project that qualifies as an affordable housing activity under section 202, if the recipient is using 1 or more additional sources of Federal funds to carry out the project, and the grant amounts received under this Act constitute the largest single source of Federal funds that the recipient reasonably expects to commit to the project at the time of environmental review, the Indian tribe of the recipient may assume, in addition to all of the responsibilities for environmental review, decision making, and action under subsection (a), all of the additional responsibilities for environmental review, decision making, and action under provisions of law that would apply to each Federal agency providing additional funding were the Federal agency to carry out the project as a Federal project.

''(2) DISCHARGE.—The assumption by the Indian tribe of the additional responsibilities for environmental review, decision making, and action under paragraph (1) with respect to a project shall be deemed to discharge the responsibility of the applicable Federal agency for environmental review, decision making, and action with respect to the project.

''(3) CERTIFICATION.—An Indian tribe that assumes the additional responsibilities under paragraph (1), shall certify, in addition to the requirements under subsection (c)—

''(A) the additional responsibilities that the Indian tribe has fully carried out under this subsection; and

''(B) that the certifying officer consents to assume the status of a responsible Federal official under the provisions of law that would apply to each Federal agency providing additional funding under paragraph (1).

''(4) LIABILITY.—

''(A) IN GENERAL.—An Indian tribe that completes an environmental review under this subsection shall assume sole liability for the content and quality of the review.

''(B) REMEDIES AND SANCTIONS.—Except as provided in subparagraph (C), if the Secretary approves a certification and release of funds to an Indian tribe for a project in accordance with subsection (b), but the Secretary or the head of another Federal agency providing funding for the project subsequently learns that the Indian tribe failed to

carry out the responsibilities of the Indian tribe as described in subsection (a) or paragraph (1), as applicable, the Secretary or other head, as applicable, may impose appropriate remedies and sanctions in accordance with—

''(i) the regulations issued pursuant to section 106; or

''(ii) such regulations as are issued by the other head.

''(C) STATUTORY VIOLATION WAIVERS.—If the Secretary waives the requirements under this section in accordance with subsection (d) with respect to a project for which an Indian tribe assumes additional responsibilities under paragraph (1), the waiver shall prohibit any other Federal agency providing additional funding for the project from imposing remedies or sanctions for failure to comply with requirements for environmental review, decision making, and action under provisions of law that would apply to the Federal agency.''.

SEC. 5103. AUTHORIZATION OF APPROPRIATIONS.

Section 108 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4117) is amended, in the first sentence, by striking ''2009 through 2013'' and inserting ''2021 through 2031''.

SEC. 5104. STUDENT HOUSING ASSISTANCE.

Section 202(3) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4132(3)) is amended by inserting ''including education-related stipends, college housing assistance, and other education-related assistance for low-income college students,'' after ''self-sufficiency and other services,''.

SEC. 5105. APPLICATION OF RENT RULE ONLY TO UNITS OWNED OR OPERATED BY INDIAN TRIBE OR TRIBALLY DESIGNATED HOUSING ENTITY.

Section 203(a)(2) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)(2)) is amended by inserting ''owned or operated by a recipient and'' after ''residing in a dwelling unit''.

SEC. 5106. PROGRAM REQUIREMENTS.

Section 203(a) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(a)) (as amended by section 5) is amended—

(1) in paragraph (1), by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)'';

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

(3) by inserting after paragraph (1) the following:

''(2) APPLICATION OF TRIBAL POLICIES.—Paragraph (3) shall not apply if—

''(A) the recipient has a written policy governing rents and homebuyer payments charged for dwelling units; and

''(B) that policy includes a provision governing maximum rents or homebuyer payments, *including tenant protections*.''; and

(4) in paragraph (3) (as so redesignated), by striking ''In the case of'' and inserting ''In the absence of a written policy governing rents and homebuyer payments, in the case of''.

SEC. 5107. DE MINIMIS EXEMPTION FOR PROCUREMENT OF GOODS AND SERVICES.

Section 203(g) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4133(g)) is amended by striking ''$5,000'' and inserting ''$10,000''.

SEC. 5108. HOMEOWNERSHIP OR LEASE-TO-OWN LOW-INCOME REQUIREMENT AND INCOME TARGETING.

Section 205 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4135) is amended—

(1) in subsection (a)(1)—

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

(B) by adding at the end the following:

''(E) notwithstanding any other provision of this paragraph, in the case of rental housing that is made available to a current rental family for conversion to a homebuyer or a lease-purchase unit, that the current rental family can purchase through a contract of sale, lease-purchase agreement, or any other sales agreement, is made available for purchase only by the current rental family, if the rental family was a low-income family at the time of their initial occupancy of such unit; and''; and

(2) in subsection (c)—

(A) by striking ''The provisions'' and inserting the following:

''(1) IN GENERAL.—The provisions''; and

(B) by adding at the end the following:

''(2) APPLICABILITY TO IMPROVEMENTS.—The provisions of subsection (a)(2) regarding binding commitments for the remaining useful life of property shall not apply to improvements of privately owned homes if the cost of the improvements do not exceed 10 percent of the maximum total development cost for the home.''.

SEC. 5109. LEASE REQUIREMENTS AND TENANT SELECTION.

Section 207 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4137) is amended by adding at the end the following:

''(c) NOTICE OF TERMINATION.—The notice period described in subsection (a)(3) shall apply to projects and programs funded in part by amounts authorized under this Act.''.

SEC. 5110. INDIAN HEALTH SERVICE.

(a) IN GENERAL.—Subtitle A of title II of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4131 et seq.) is amended by adding at the end the following:

''SEC. 211. IHS SANITATION FACILITIES CONSTRUCTION.

''Notwithstanding any other provision of law, the Director of the Indian Health Service, or a recipient receiving funding for a housing construction or renovation project under this title, may use funding from the Indian Health Service for the construction of sanitation facilities under that project.''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Native American Housing Assistance and Self-Determination Act of 1996 (Public Law 104–330; 110 Stat. 4016) is amended by inserting after the item relating to section 210 the following:

''Sec. 211. IHS sanitation facilities construction.''.

SEC. 5111. STATUTORY AUTHORITY TO SUSPEND GRANT FUNDS IN EMERGENCIES.

Section 401(a)(4) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4161(a)(4)) is amended—

(1) in subparagraph (A), by striking ''may take an action described in paragraph (1)(C)'' and inserting ''may immediately take an action described in paragraph (1)(C)''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) PROCEDURAL REQUIREMENTS.—

''(i) IN GENERAL.—If the Secretary takes an action described in subparagraph (A), the Secretary shall provide notice to the recipient at the time that the Secretary takes that action.

''(ii) NOTICE REQUIREMENTS.—The notice under clause (i) shall inform the recipient that the recipient may request a hearing by not later than 30 days after the date on which the Secretary provides the notice.

''(iii) HEARING REQUIREMENTS.—A hearing requested under clause (ii) shall be conducted—

''(I) in accordance with subpart A of part 26 of title 24, Code of Federal Regulations (or successor regulations); and

''(II) to the maximum extent practicable, on an expedited basis.

''(iv) FAILURE TO CONDUCT A HEARING.—If a hearing requested under clause (ii) is not completed by the date that is 180 days after the date on which the recipient requests the hearing, the action of the Secretary to limit the availability of payments shall no longer be effective.''.

SEC. 5112. REPORTS TO CONGRESS.

Section 407 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4167) is amended—

(1) in subsection (a), by striking ''Congress'' and inserting ''Committee on Indian Affairs and the Committee on Banking, Housing and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives''; and

(2) by adding at the end the following:

''(c) PUBLIC AVAILABILITY.—The report described in subsection (a) shall be made publicly available, including to recipients.''.

SEC. 5113. 99-YEAR LEASEHOLD INTEREST IN TRUST OR RESTRICTED LANDS FOR HOUSING PURPOSES.

Section 702 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4211) is amended—

(1) in the section heading, by striking ''**50-YEAR**'' and inserting ''**99-YEAR**'';

(2) in subsection (b), by striking ''50 years'' and inserting ''99 years''; and

(3) in subsection (c)(2), by striking ''50 years'' and inserting ''99 years''.

SEC. 5114. REAUTHORIZATION OF NATIVE HAWAIIAN HOMEOWNERSHIP PROVISIONS.

Section 824 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4243) is amended by striking ''such sums as may be necessary'' and all that follows through the period at the end and inserting ''such sums as may be necessary for each of fiscal years 2021 through 2031.''.

SEC. 5115. TOTAL DEVELOPMENT COST MAXIMUM PROJECT COST.

Affordable housing (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) that is developed, acquired, or assisted under the block grant program established under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111) shall not exceed by more than 20 percent, without prior approval of the Secretary of Housing and Urban Development, the total development cost maximum cost for all housing assisted under an affordable housing activity, including development and model activities.

SEC. 5116. COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.

Section 105 of the Housing and Community Development Act of 1974 (42 U.S.C. 5305) is amended by adding at the end the following:

''(i) INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES AS COMMUNITY-BASED DEVELOPMENT ORGANIZATIONS.—

''(1) DEFINITION.—In this subsection, the term 'tribally designated housing entity' has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(2) QUALIFICATION.—An Indian tribe, a tribally designated housing entity, or a tribal organization shall qualify as a community-based development organization for purposes of carrying out new housing construction under this subsection under a grant made under section 106(a)(1).''.

SEC. 5117. INDIAN TRIBE ELIGIBILITY FOR HUD HOUSING COUNSELING GRANTS.

Section 106(a)(4) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x(a)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking ''and'' and inserting a comma; and

(B) by inserting before the period at the end the following: '', Indian tribes, and tribally designated housing entities'';

(2) in subparagraph (B), by inserting '', Indian tribes, and tribally designated housing entities'' after ''organizations)'';

(3) by redesignating subparagraph (F) as subparagraph (G); and

(4) by inserting after subparagraph (E) the following:

''(F) DEFINITIONS.—In this paragraph, the terms 'Indian tribe' and 'tribally designated housing entity' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).''.

SEC. 5118. SECTION 184 INDIAN HOME LOAN GUARANTEE PROGRAM.

(a) IN GENERAL.—Section 184(b)(4) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(b)(4)) is amended by—

(1) redesignating subparagraphs (A) through (D) as clauses (i) through (iv), respectively, and adjusting the margins accordingly;

(2) by striking ''The loan'' and inserting the following:

''(A) IN GENERAL.—The loan'';

(3) in subparagraph (A), as so designated, by adding at the end the following:

''(v) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(4) by adding at the end the following:

''(B) DIRECT GUARANTEE PROCESS.—

''(i) AUTHORIZATION.—The Secretary may authorize qualifying lenders to participate in a direct guarantee process for approving loans under this section.

''(ii) INDEMNIFICATION.—

''(I) IN GENERAL.—If the Secretary determines that a mortgage guaranteed through a direct guarantee process under this subparagraph was not originated in accordance with the requirements established by the Secretary, the Secretary may require the lender approved under this subparagraph to indemnify the Secretary for the loss, irrespective of whether the violation caused the mortgage default.

''(II) FRAUD OR MISREPRESENTATION.—If fraud or misrepresentation is involved in a direct guarantee process under this subparagraph, the Secretary shall require the original lender approved under this subparagraph to indemnify the Secretary for the loss regardless of when an insurance claim is paid.

''(C) REVIEW OF MORTGAGEES.—

''(i) IN GENERAL.—The Secretary may periodically review the mortgagees originating, underwriting, or servicing single family mortgage loans under this section.

''(ii) REQUIREMENTS.—In conducting a review under clause (i), the Secretary—

''(I) shall compare the mortgagee with other mortgagees originating or underwriting loan guarantees for Indian housing based on the rates of defaults and claims for guaranteed mortgage loans originated, underwritten, or serviced by that mortgagee;

''(II) may compare the mortgagee with such other mortgagees based on underwriting quality, geographic area served, or any commonly used factors the Secretary determines necessary for comparing mortgage default risk, provided that the comparison is of factors that the Secretary would expect to affect the default risk of mortgage loans guaranteed by the Secretary;

''(iii) shall implement such comparisons by regulation, notice, or mortgagee letter; and

''(I) may terminate the approval of a mortgagee to originate, underwrite, or service loan guarantees for housing under this section if the Secretary determines that the mortgage loans originated, underwritten, or serviced by the mortgagee present an unacceptable risk to the Indian Housing Loan Guarantee Fund established under subsection (i)—

''(aa) based on a comparison of any of the factors set forth in this subparagraph; or

''(bb) by a determination that the mortgagee engaged in fraud or misrepresentation.''.

(b) LOAN GUARANTEES FOR INDIAN HOUSING.—Section 184(i)(5) of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13a(i)(5)) is amended—

(1) in subparagraph (B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2021 through 2031.''; and

(2) in subparagraph (C), by striking ''2008 through 2012'' and inserting ''2021 through 2031''.

SEC. 5119. LOAN GUARANTEES FOR NATIVE HAWAIIAN HOUSING.

Section 184A of the Housing and Community Development Act of 1992 (12 U.S.C. 1715z–13b) is amended—

(1) in subsection (c)(4)(B)—

(A) by redesignating clause (iv) as clause (v); and

(B) by adding after clause (iii) the following:

''(iv) Any entity certified as a community development financial institution by the Community Development Financial Institutions Fund established under section 104(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 (12 U.S.C. 4703(a)).''; and

(2) in subsection (j)(5)(B), by inserting after the first sentence the following: ''There are authorized to be appropriated for those costs such sums as may be necessary for each of fiscal years 2021 through 2031.''.

SEC. 5120. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES IN CONTINUUM OF CARE PROGRAM.

(a) IN GENERAL.—Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11360 et seq.) is amended—

(1) in section 401(8) (42 U.S.C. 11360(8)), by inserting ''Indian reservations and trust land,'' after ''nonentitlement area,''; and

(2) in subtitle C (42 U.S.C. 11381 et seq.), by adding at the end the following:

''SEC. 435. PARTICIPATION OF INDIAN TRIBES AND TRIBALLY DESIGNATED HOUSING ENTITIES.

''Notwithstanding any other provision of this title, for purposes of this subtitle, an Indian tribe or tribally designated housing entity (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103)) may—

''(1) be a collaborative applicant or eligible entity; or

''(2) receive grant amounts from another entity that receives a grant directly from the Secretary, and use the amounts in accordance with this subtitle.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 101(b) of the McKinney-Vento Homeless Assistance Act (Public Law 100–77; 101 Stat. 482) is amended by inserting after the item relating to section 434 the following:

''Sec. 435. Participation of Indian tribes and tribally designated housing entities.''.

SEC. 5121. ASSISTANT SECRETARY FOR INDIAN HOUSING.

The Department of Housing and Urban Development Act (42 U.S.C. 3531 et seq.) is amended—

(1) in section 4 (42 U.S.C. 3533)—

(A) in subsection (a)(1), by striking ''7'' and inserting ''8''; and

(B) in subsection (e)—

(i) by redesignating paragraph (2) as paragraph (4); and

(ii) by striking ''(e)(1)(A) There'' and all that follows through the end of paragraph (1) and inserting the following:

''(e)(1) There is established within the Department the Office of Native American Programs (in this subsection referred to as the 'Office') to be headed by an Assistant Secretary for Native American Programs (in this subsection referred to as the 'Assistant Secretary'), who shall be 1 of the Assistant Secretaries in subsection (a)(1).

''(2) The Assistant Secretary shall be responsible for—

''(A) administering, in coordination with the relevant office in the Department, the provision of housing assistance to Indian tribes or Indian housing authorities under each program of the Department that provides for such assistance;

''(B) administering the community development block grant program for Indian tribes under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) and the provision of assistance to Indian tribes under such Act;

''(C) directing, coordinating, and assisting in managing any regional offices of the Department that administer Indian programs to the extent of such programs; and

''(D) coordinating all programs of the Department relating to Indian and Alaska Native housing and community development.

''(3) The Secretary shall include in the annual report under section 8 a description of the extent of the housing needs for Indian families and community development needs of Indian tribes in the United States and the activities of the Department, and extent of such activities, in meeting such needs.''; and

(2) in section 8 (42 U.S.C. 3536), by striking ''section 4(e)(2)'' and inserting ''section 4(e)(4)''.

SEC. 5122. DRUG ELIMINATION PROGRAM.

(a) DEFINITIONS.—In this section:

(1) CONTROLLED SUBSTANCE.—The term ''controlled substance'' has the meaning given the term in section 102 of the Controlled Substances Act (21 U.S.C. 802).

(2) DRUG-RELATED CRIME.—The term ''drug-related crime'' means the illegal manufacture, sale, distribution, use, or possession with intent to manufacture, sell, distribute, or use a controlled substance.

(3) RECIPIENT.—The term ''recipient''—

(A) has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103); and

(B) includes a recipient of funds under title VIII of that Act (25 U.S.C. 4221 et seq.).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

(b) ESTABLISHMENT.—The Secretary may make grants under this section to recipients of assistance under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) for use in eliminating drug-related and violent crime.

(c) ELIGIBLE ACTIVITIES.—Grants under this section may be used for—

(1) the employment of security personnel;

(2) reimbursement of State, local, Tribal, or Bureau of Indian Affairs law enforcement agencies for additional security and protective services;

(3) physical improvements which are specifically designed to enhance security;

(4) the employment of 1 or more individuals—

(A) to investigate drug-related or violent crime in and around the real property comprising housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); and

(B) to provide evidence relating to such crime in any administrative or judicial proceeding;

(5) the provision of training, communications equipment, and other related equipment for use by voluntary tenant patrols acting in cooperation with law enforcement officials;

(6) programs designed to reduce use of drugs in and around housing projects funded under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), including drug-abuse prevention, intervention, referral, and treatment programs;

(7) providing funding to nonprofit resident management corporations and resident councils to develop security and drug abuse prevention programs involving site residents; and

(8) sports programs and sports activities that serve primarily youths from housing projects funded through and are operated in conjunction with, or in furtherance of, an organized program or plan designed to reduce or eliminate drugs and drug-related problems in and around those projects.

(d) APPLICATIONS.—

(1) IN GENERAL.—To receive a grant under this subsection, an eligible applicant shall submit an application to the Secretary, at such time, in such manner, and accompanied by—

(A) a plan for addressing the problem of drug-related or violent crime in and around of the housing administered or owned by the applicant for which the application is being submitted; and

(B) such additional information as the Secretary may reasonably require.

(2) CRITERIA.—The Secretary shall approve applications submitted under paragraph (1) on the basis of thresholds or criteria such as—

(A) the extent of the drug-related or violent crime problem in and around the housing or projects proposed for assistance;

(B) the quality of the plan to address the crime problem in the housing or projects proposed for assistance, including the extent to which the plan includes initiatives that can be sustained over a period of several years;

(C) the capability of the applicant to carry out the plan; and

(D) the extent to which tenants, the Tribal government, and the Tribal community support and participate in the design and implementation of the activities proposed to be funded under the application.

(e) HIGH INTENSITY DRUG TRAFFICKING AREAS.—In evaluating the extent of the drug-related crime problem pursuant to subsection (d)(2), the Secretary may consider whether housing or projects proposed for assistance are located in a high intensity drug trafficking area designated pursuant to section 707(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706(b)).

(f) REPORTS.—

(1) GRANTEE REPORTS.—The Secretary shall require grantees under this section to provide periodic reports that include the obligation and expenditure of grant funds, the progress made by the grantee in implementing the plan described in subsection (d)(1)(A), and any change in the incidence of drug-related crime in projects assisted under section.

(2) HUD REPORTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the system used to distribute funding to grantees under this section, which shall include descriptions of—

(A) the methodology used to distribute amounts made available under this section among public housing agencies, including provisions used to provide for renewals of ongoing programs funded under this section; and

(B) actions taken by the Secretary to ensure that amounts made available under section are not used to fund baseline local government services, as described in subsection (h)(2).

(g) NOTICE OF FUNDING AWARDS.—The Secretary shall cause to be published in the Federal Register not less frequently than annually a notice of all grant awards made pursuant to section, which shall identify the grantees and the amount of the grants.

(h) MONITORING.—

(1) IN GENERAL.—The Secretary shall audit and monitor the program funded under this subsection to ensure that assistance provided under this subsection is administered in accordance with the provisions of section.

(2) PROHIBITION OF FUNDING BASELINE SERVICES.—

(A) IN GENERAL.—Amounts provided under this section may not be used to reimburse or support any local law enforcement agency or unit of general local government for the provision of services that are included in the baseline of services required to be provided by any such entity pursuant to a local cooperative agreement pursuant under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.) or any provision of an annual contributions contract for payments in lieu of taxation with the Bureau of Indian Affairs.

(B) DESCRIPTION.—Each grantee under this section shall describe, in the report under subsection (f)(1), such baseline of services for the unit of Tribal government in which the jurisdiction of the grantee is located.

(3) ENFORCEMENT.—The Secretary shall provide for the effective enforcement of this section, which may include the use of on-site monitoring, independent public audit requirements, certification by tribal or Federal law enforcement or Tribal government officials regarding the performance of baseline services referred to in paragraph (2), entering into agreements with the Attorney General to achieve compliance, and verification of compliance, with the provisions of this section, and any applicable enforcement authority provided to the Secretary under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.)

(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary for each fiscal years 2021 through 2031 to carry out this section.

SEC. 5123. RENTAL ASSISTANCE FOR HOMELESS OR AT-RISK INDIAN VETERANS.

Section 8(o)(19) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(19)) is amended by adding at the end the following:

''(D) INDIAN VETERANS HOUSING RENTAL ASSISTANCE PROGRAM.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) ELIGIBLE INDIAN VETERAN.—The term 'eligible Indian veteran' means an Indian veteran who is—

''(aa) homeless or at risk of homelessness; and

''(bb) living—

''(AA) on or near a reservation; or

''(BB) in or near any other Indian area.

''(II) ELIGIBLE RECIPIENT.—The term 'eligible recipient' means a recipient eligible to receive a grant under section 101 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4111).

''(III) INDIAN; INDIAN AREA.—The terms 'Indian' and 'Indian area' have the meanings given those terms in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

''(IV) INDIAN VETERAN.—The term 'Indian veteran' means an Indian who is a veteran.

''(V) PROGRAM.—The term 'Program' means the Tribal HUD–VASH program carried out under clause (ii).

''(VI) TRIBAL ORGANIZATION.—The term 'tribal organization' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

''(ii) PROGRAM SPECIFICATIONS.—The Secretary shall use not less than 5 percent of the amounts made available for rental assistance under this paragraph to carry out a rental assistance and supported housing program, to be known as the 'Tribal HUD–VASH program', in conjunction with the Secretary of Veterans Affairs, by awarding grants for the benefit of eligible Indian veterans.

''(iii) MODEL.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall model the Program on the rental assistance and supported housing program authorized under subparagraph (A) and applicable appropriations Acts, including administration in conjunction with the Secretary of Veterans Affairs.

''(II) EXCEPTIONS.—

''(aa) SECRETARY OF HOUSING AND URBAN DEVELOPMENT.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(bb) SECRETARY OF VETERANS AFFAIRS.—After consultation with Indian tribes, eligible recipients, and any other appropriate tribal organizations, the Secretary of Veterans Affairs may make necessary and appropriate modifications to facilitate the use of the Program by eligible recipients to serve eligible Indian veterans.

''(iv) ELIGIBLE RECIPIENTS.—The Secretary shall make amounts for rental assistance and associated administrative costs under the Program available in the form of grants to eligible recipients.

''(v) FUNDING CRITERIA.—The Secretary shall award grants under the Program based on—

''(I) need;

''(II) administrative capacity; and

''(III) any other funding criteria established by the Secretary in a notice published in the Federal Register after consulting with the Secretary of Veterans Affairs.

''(vi) ADMINISTRATION.—Grants awarded under the Program shall be administered in accordance with the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.), except that recipients shall—

''(I) submit to the Secretary, in a manner prescribed by the Secretary, reports on the utilization of rental assistance provided under the Program; and

''(II) provide to the Secretary information specified by the Secretary to assess the effectiveness of the Program in serving eligible Indian veterans.

''(vii) CONSULTATION.—

''(I) GRANT RECIPIENTS; TRIBAL ORGANIZATIONS.—The Secretary, in coordination with the Secretary of Veterans Affairs, shall consult with eligible recipients and any other appropriate tribal organization on the design

of the Program to ensure the effective delivery of rental assistance and supportive services to eligible Indian veterans under the Program.

''(II) INDIAN HEALTH SERVICE.—The Director of the Indian Health Service shall provide any assistance requested by the Secretary or the Secretary of Veterans Affairs in carrying out the Program.

''(viii) WAIVER.—

''(I) IN GENERAL.—Except as provided in subclause (II), the Secretary may waive or specify alternative requirements for any provision of law (including regulations) that the Secretary administers in connection with the use of rental assistance made available under the Program if the Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of rental assistance under the Program to eligible Indian veterans.

''(II) EXCEPTION.—The Secretary may not waive or specify alternative requirements under subclause (I) for any provision of law (including regulations) relating to labor standards or the environment.

''(ix) RENEWAL GRANTS.—The Secretary may—

''(I) set aside, from amounts made available for tenant-based rental assistance under this subsection and without regard to the amounts used for new grants under clause (ii), such amounts as may be necessary to award renewal grants to eligible recipients that received a grant under the Program in a previous year; and

''(II) specify criteria that an eligible recipient must satisfy to receive a renewal grant under subclause (I), including providing data on how the eligible recipient used the amounts of any grant previously received under the Program.

''(x) REPORTING.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subparagraph, and every 5 years thereafter, the Secretary, in coordination with the Secretary of Veterans Affairs and the Director of the Indian Health Service, shall—

''(aa) conduct a review of the implementation of the Program, including any factors that may have limited its success; and

''(bb) submit a report describing the results of the review under item (aa) to—

''(AA) the Committee on Indian Affairs, the Committee on Banking, Housing, and Urban Affairs, the Committee on Veterans' Affairs, and the Committee on Appropriations of the Senate; and

''(BB) the Subcommittee on Indian, Insular and Alaska Native Affairs of the Committee on Natural Resources, the Committee on Financial Services, the Committee on Veterans' Affairs, and the Committee on Appropriations of the House of Representatives.

''(II) ANALYSIS OF HOUSING STOCK LIMITATION.—The Secretary shall include in the initial report submitted under subclause (I) a description of—

''(aa) any regulations governing the use of formula current assisted stock (as defined in section 1000.314 of title 24, Code of Federal Regulations (or any successor regulation)) within the Program;

''(bb) the number of recipients of grants under the Program that have reported the regulations described in item (aa) as a barrier to implementation of the Program; and

''(cc) proposed alternative legislation or regulations developed by the Secretary in consultation with recipients of grants under the Program to allow the use of formula current assisted stock within the Program.''.

SEC. 5124. LEVERAGING.

All funds provided under a grant made pursuant to this division or the amendments made by this division may be used for purposes of meeting matching or cost participation requirements under any other Federal or non-Federal program, provided that such grants made pursuant to the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.) are spent in accordance with that Act.

SA 2282. Mr. HOEVEN submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XVI, add the following:

SEC. 1656. SENSE OF THE SENATE ON IMPORTANCE OF THE NUCLEAR FORCES OF THE UNITED STATES.

It is the sense of the Senate that—

(1) United States Strategic Command, its subordinate commands, and the forces of the Air Force and Navy assigned to nuclear missions, should be commended for the prudent, timely, and comprehensive action taken to protect the health and safety of their members from the coronavirus disease 2019 (commonly referred to as ''COVID–19'');

(2) modernized nuclear forces of the United States are critical for long-term strategic competition; and

(3) the complete nuclear modernization program should remain a top priority, including modernization of the nuclear triad, supporting infrastructure, and nuclear command, control, and communications systems, as described in the 2018 Nuclear Posture Review.

SA 2283. Ms. COLLINS (for herself, Mr. HEINRICH, and Ms. SMITH) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 3___. BETTER ENERGY STORAGE TECHNOLOGY.

(a) DEFINITIONS.—In this section:

(1) DEPARTMENT.—The term ''Department'' means the Department of Energy.

(2) ENERGY STORAGE SYSTEM.—The term ''energy storage system'' means any system, equipment, facility, or technology that—

(A) is capable of absorbing or converting energy, storing the energy for a period of time, and dispatching the energy; and

(B)(i) uses mechanical, electrochemical, thermal, electrolysis, or other processes to convert and store electric energy that was generated at an earlier time for use at a later time; or

(ii) stores energy in an electric, thermal, or gaseous state for direct use for heating or cooling at a later time in a manner that avoids the need to use electricity or other fuel sources at that later time, such as a grid-enabled water heater.

(3) NATIONAL LABORATORY.—The term ''National Laboratory'' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Energy.

(b) ENERGY STORAGE SYSTEM RESEARCH, DEVELOPMENT, AND DEPLOYMENT PROGRAM.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program, to be known as the ''Energy Storage System Research, Development, and Deployment Program'' (referred to in this subsection as the ''program'').

(2) INITIAL PROGRAM OBJECTIVES.—The program shall focus on research, development, and deployment of—

(A) energy storage systems designed to further the development of technologies—

(i) for large-scale commercial deployment;

(ii) for deployment at cost targets established by the Secretary;

(iii) for hourly and subhourly durations required to provide reliability services to the grid;

(iv) for daily durations, which have—

(I) the capacity to discharge energy for a minimum of 6 hours; and

(II) a system lifetime of at least 20 years under regular operation;

(v) for weekly or monthly durations, which have—

(I) the capacity to discharge energy for 10 to 100 hours, at a minimum; and

(II) a system lifetime of at least 20 years under regular operation; and

(vi) for seasonal durations, which have—

(I) the capability to address seasonal variations in supply and demand; and

(II) a system lifetime of at least 20 years under regular operation;

(B) distributed energy storage technologies and applications, including building-grid integration;

(C) transportation energy storage technologies and applications, including vehicle-grid integration;

(D) cost-effective systems and methods for—

(i) the reclamation, recycling, and disposal of energy storage materials, including lithium, cobalt, nickel, and graphite; and

(ii) the reuse and repurposing of energy storage system technologies;

(E) advanced control methods for energy storage systems;

(F) pumped hydroelectric energy storage systems to advance—

(i) adoption of innovative technologies, including—

(I) adjustable-speed, ternary, and other new pumping and generating equipment designs;

(II) modular systems;

(III) closed-loop systems, including mines and quarries; and

(IV) other critical equipment and materials for pumped hydroelectric energy storage, as determined by the Secretary; and

(ii) reductions of equipment costs, civil works costs, and construction times for pumped hydroelectric energy storage projects, with the goal of reducing those costs by 50 percent;

(G) models and tools to demonstrate the benefits of energy storage to—

(i) power and water supply systems;

(ii) electric generation portfolio optimization; and

(iii) expanded deployment of other renewable energy technologies, including in hybrid energy storage systems; and

(H) energy storage use cases from individual and combination technology applications, including value from various-use cases and energy storage services.

(3) TESTING AND VALIDATION.—In coordination with 1 or more National Laboratories, the Secretary shall accelerate the development, standardized testing, and validation of energy storage systems under the program

by developing testing and evaluation methodologies for—

(A) storage technologies, controls, and power electronics for energy storage systems under a variety of operating conditions;

(B) standardized and grid performance testing for energy storage systems, materials, and technologies during each stage of development, beginning with the research stage and ending with the deployment stage;

(C) reliability, safety, and durability testing under standard and evolving duty cycles; and

(D) accelerated life testing protocols to predict estimated lifetime metrics with accuracy.

(4) PERIODIC EVALUATION OF PROGRAM OBJECTIVES.—Not less frequently than once every calendar year, the Secretary shall evaluate and, if necessary, update the program objectives to ensure that the program continues to advance energy storage systems toward widespread commercial deployment by lowering the costs and increasing the duration of energy storage resources.

(5) ENERGY STORAGE STRATEGIC PLAN.—

(A) IN GENERAL.—The Secretary shall develop a 10-year strategic plan for the program, and update the plan, in accordance with this paragraph.

(B) CONTENTS.—The strategic plan developed under subparagraph (A) shall—

(i) be coordinated with and integrated across other relevant offices in the Department;

(ii) to the extent practicable, include metrics that can be used to evaluate storage technologies;

(iii) identify Department programs that—

(I) support the research and development activities described in paragraph (2) and the demonstration projects under subsection (c); and

(II)(aa) do not support the activities or projects described in subclause (I); but

(bb) are important to the development of energy storage systems and the mission of the Department, as determined by the Secretary;

(iv) include expected timelines for—

(I) the accomplishment of relevant objectives under current programs of the Department relating to energy storage systems; and

(II) the commencement of any new initiatives within the Department relating to energy storage systems to accomplish those objectives; and

(v) incorporate relevant activities described in the Grid Modernization Initiative Multi-Year Program Plan.

(C) SUBMISSION TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives the strategic plan developed under subparagraph (A).

(D) UPDATES TO PLAN.—The Secretary—

(i) shall annually review the strategic plan developed under subparagraph (A); and

(ii) may periodically revise the strategic plan as appropriate.

(6) LEVERAGING OF RESOURCES.—The program may be led by a specific office of the Department, but shall be cross-cutting in nature, so that in carrying out activities under the program, the Secretary (or a designee of the Secretary charged with leading the program) shall leverage existing Federal resources, including, at a minimum, the expertise and resources of—

(A) the Office of Electricity Delivery and Energy Reliability;

(B) the Office of Energy Efficiency and Renewable Energy, including the Water Power Technologies Office; and

(C) the Office of Science, including—

(i) the Basic Energy Sciences Program;

(ii) the Advanced Scientific Computing Research Program;

(iii) the Biological and Environmental Research Program; and

(D) the Electricity Storage Research Initiative established under section 975 of the Energy Policy Act of 2005 (42 U.S.C. 16315).

(7) PROTECTING PRIVACY AND SECURITY.—In carrying out this subsection, the Secretary shall identify, incorporate, and follow best practices for protecting the privacy of individuals and businesses and the respective sensitive data of the individuals and businesses, including by managing privacy risk and implementing the Fair Information Practice Principles of the Federal Trade Commission for the collection, use, disclosure, and retention of individual electric consumer information in accordance with the Office of Management and Budget Circular A–130 (or successor circulars).

(c) ENERGY STORAGE DEMONSTRATION PROJECTS; PILOT GRANT PROGRAM.—

(1) DEMONSTRATION PROJECTS.—Not later than September 30, 2023, the Secretary shall, to the maximum extent practicable, enter into agreements to carry out not fewer than 5 energy storage system demonstration projects, including at least 1 energy storage system demonstration project designed to further the development of technologies described in clause (v) or (vi) of subsection (b)(2)(A).

(2) ENERGY STORAGE PILOT GRANT PROGRAM.—

(A) DEFINITION OF ELIGIBLE ENTITY.—In this paragraph, the term ''eligible entity'' means—

(i) a State energy office (as defined in section 124(a) of the Energy Policy Act of 2005 (42 U.S.C. 15821(a)));

(ii) an Indian tribe (as defined in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103);

(iii) a tribal organization (as defined in section 3765 of title 38, United States Code);

(iv) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(v) an electric utility, including—

(I) an electric cooperative;

(II) a political subdivision of a State, such as a municipally owned electric utility, or any agency, authority, corporation, or instrumentality of a State political subdivision; and

(III) an investor-owned utility; and

(vi) a private energy storage company.

(B) ESTABLISHMENT.—The Secretary shall establish a competitive grant program under which the Secretary shall award grants to eligible entities to carry out demonstration projects for pilot energy storage systems.

(C) SELECTION REQUIREMENTS.—In selecting eligible entities to receive a grant under subparagraph (B), the Secretary shall, to the maximum extent practicable—

(i) ensure regional diversity among eligible entities awarded grants, including ensuring participation of eligible entities that are rural States and States with high energy costs;

(ii) ensure that grants are awarded for demonstration projects that—

(I) expand on the existing technology demonstration programs of the Department;

(II) are designed to achieve 1 or more of the objectives described in subparagraph (D); and

(III) inject or withdraw energy from the bulk power system, electric distribution system, building energy system, or microgrid (grid-connected or islanded mode) where the project is located; and

(iii) give consideration to proposals from eligible entities for securing energy storage through competitive procurement or contract for service.

(D) OBJECTIVES.—Each demonstration project carried out by a grant awarded under subparagraph (B) shall have 1 or more of the following objectives:

(i) To improve the security of critical infrastructure and emergency response systems.

(ii) To improve the reliability of transmission and distribution systems, particularly in rural areas, including high-energy-cost rural areas.

(iii) To optimize transmission or distribution system operation and power quality to defer or avoid costs of replacing or upgrading electric grid infrastructure, including transformers and substations.

(iv) To supply energy at peak periods of demand on the electric grid or during periods of significant variation of electric grid supply.

(v) To reduce peak loads of homes and businesses.

(vi) To improve and advance power conversion systems.

(vii) To provide ancillary services for grid stability and management.

(viii) To integrate renewable energy resource production.

(ix) To increase the feasibility of microgrids (grid-connected or islanded mode).

(x) To enable the use of stored energy in forms other than electricity to support the natural gas system and other industrial processes.

(xi) To integrate fast charging of electric vehicles.

(xii) To improve energy efficiency.

(3) REPORTS.—Not less frequently than once every 2 years for the duration of the programs under paragraphs (1) and (2), the Secretary shall submit to Congress and make publicly available a report describing the performance of those programs.

(4) NO PROJECT OWNERSHIP INTEREST.—The Federal Government shall not hold any equity or other ownership interest in any energy storage system that is part of a project under this subsection unless the holding is agreed to by each participant of the project.

(d) TECHNICAL AND PLANNING ASSISTANCE PROGRAM.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(i) an electric cooperative;

(ii) a political subdivision of a State, such as a municipally owned electric utility, or any agency, authority, corporation, or instrumentality of a State political subdivision;

(iii) a not-for-profit entity that is in a partnership with not less than 6 entities described in clause (i) or (ii); and

(iv) an investor-owned utility.

(B) PROGRAM.—The term ''program'' means the technical and planning assistance program established under paragraph (2)(A).

(2) ESTABLISHMENT.—

(A) IN GENERAL.—The Secretary shall establish a technical and planning assistance program to assist eligible entities in identifying, evaluating, planning, designing, and developing processes to procure energy storage systems.

(B) ASSISTANCE AND GRANTS.—Under the program, the Secretary shall—

(i) provide technical and planning assistance, including disseminating information, directly to eligible entities; and

(ii) award grants to eligible entities to contract to obtain technical and planning assistance from outside experts.

(C) FOCUS.—In carrying out the program, the Secretary shall focus on energy storage system projects that have the greatest potential for—

(i) strengthening the reliability and resiliency of energy infrastructure;

(ii) reducing the cost of energy storage systems;

(iii) improving the feasibility of microgrids (grid-connected or islanded mode), particularly in rural areas, including high energy cost rural areas;

(iv) reducing consumer electricity costs; or

(v) maximizing local job creation.

(3) TECHNICAL AND PLANNING ASSISTANCE.—

(A) IN GENERAL.—Technical and planning assistance provided under the program shall include assistance with 1 or more of the following activities relating to energy storage systems:

(i) Identification of opportunities to use energy storage systems.

(ii) Feasibility studies to assess the potential for development of new energy storage systems or improvement of existing energy storage systems.

(iii) Assessment of technical and economic characteristics, including a cost-benefit analysis.

(iv) Utility interconnection.

(v) Permitting and siting issues.

(vi) Business planning and financial analysis.

(vii) Engineering design.

(viii) Resource adequacy planning.

(ix) Resilience planning and valuation.

(B) EXCLUSION.—Technical and planning assistance provided under the program shall not be used to pay any person for influencing or attempting to influence an officer or employee of any Federal, State, or local agency, a Member of Congress, an employee of a Member of Congress, a State or local legislative body, or an employee of a State or local legislative body.

(4) INFORMATION DISSEMINATION.—The information disseminated under paragraph (2)(B)(i) shall include—

(A) information relating to the topics described in paragraph (3)(A), including case studies of successful examples;

(B) computational tools or software for assessment, design, and operation and maintenance of energy storage systems;

(C) public databases that track existing and planned energy storage systems;

(D) best practices for the utility and grid operator business processes associated with the topics described in paragraph (3)(A); and

(E) relevant State policies or regulations associated with the topics described in paragraph (3)(A).

(5) APPLICATIONS.—

(A) IN GENERAL.—The Secretary shall seek applications for the program—

(i) on a competitive, merit-reviewed basis; and

(ii) on a periodic basis, but not less frequently than once every 12 months.

(B) APPLICATION.—An eligible entity desiring to apply for the program shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require, including whether the eligible entity is applying for—

(i) direct technical or planning assistance under paragraph (2)(B)(i); or

(ii) a grant under paragraph (2)(B)(ii).

(C) PRIORITIES.—In selecting eligible entities for technical and planning assistance under the program, the Secretary shall give priority to eligible entities described in clauses (i) and (ii) of paragraph (1)(A).

(6) REPORTS.—The Secretary shall submit to Congress and make available to the public—

(A) not less frequently than once every 2 years, a report describing the performance of the program, including a synthesis and analysis of any information the Secretary requires grant recipients to provide to the Secretary as a condition of receiving a grant; and

(B) on termination of the program, an assessment of the success of, and education provided by, the measures carried out by eligible entities under the program.

(7) COST-SHARING.—Activities under this subsection shall be subject to the cost-sharing requirements under section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(e) ENERGY STORAGE MATERIALS RECYCLING PRIZE COMPETITION.—Section 1008 of the Energy Policy Act of 2005 (42 U.S.C. 16396) is amended by adding at the end the following:

''(g) ENERGY STORAGE MATERIALS RECYCLING PRIZE COMPETITION.—

''(1) DEFINITION OF CRITICAL ENERGY STORAGE MATERIALS.—In this subsection, the term 'critical energy storage materials' includes—

''(A) lithium;

''(B) cobalt;

''(C) nickel;

''(D) graphite; and

''(E) any other material determined by the Secretary to be critical to the continued growing supply of energy storage resources.

''(2) PRIZE AUTHORITY.—

''(A) IN GENERAL.—As part of the program established under subsection (a), the Secretary shall establish an award program, to be known as the 'Energy Storage Materials Recycling Prize Competition' (referred to in this subsection as the 'program'), under which the Secretary shall carry out prize competitions and make awards to advance the recycling of critical energy storage materials.

''(B) FREQUENCY.—To the maximum extent practicable, the Secretary shall carry out a competition under the program not less frequently than once every calendar year.

''(3) ELIGIBILITY.—

''(A) IN GENERAL.—To be eligible to win a prize under the program, an individual or entity—

''(i) shall have complied with the requirements of the competition as described in the announcement for that competition published in the Federal Register by the Secretary under paragraph (6);

''(ii) in the case of a private entity, shall be incorporated in the United States and maintain a primary place of business in the United States;

''(iii) in the case of an individual, whether participating singly or in a group, shall be a citizen of, or an alien lawfully admitted for permanent residence in, the United States.

''(B) EXCLUSIONS.—The following entities and individuals shall not be eligible to win a prize under the program:

''(i) A Federal entity.

''(ii) A Federal employee (including an employee of a National Laboratory) acting within the scope of employment.

''(4) AWARDS.—In carrying out the program, the Secretary shall award cash prizes, in amounts to be determined by the Secretary, to each individual or entity selected through a competitive process to develop advanced methods or technologies to recycle critical energy storage materials from energy storage systems.

''(5) CRITERIA.—

''(A) IN GENERAL.—The Secretary shall establish objective, merit-based criteria for awarding the prizes in each competition carried out under the program.

''(B) REQUIREMENTS.—The criteria established under subparagraph (A) shall prioritize advancements in methods or technologies that present the greatest potential for large-scale commercial deployment.

''(C) CONSULTATION.—In establishing criteria under subparagraph (A), the Secretary shall consult with appropriate members of private industry involved in the commercial deployment of energy storage systems.

''(6) ADVERTISING AND SOLICITATION OF COMPETITORS.—

''(A) IN GENERAL.—The Secretary shall announce each prize competition under the program by publishing a notice in the Federal Register.

''(B) REQUIREMENTS.—Each notice published under subparagraph (A) shall describe the essential elements of the competition, such as—

''(i) the subject of the competition;

''(ii) the duration of the competition;

''(iii) the eligibility requirements for participation in the competition;

''(iv) the process for participants to register for the competition;

''(v) the amount of the prize; and

''(vi) the criteria for awarding the prize.

''(7) JUDGES.—

''(A) IN GENERAL.—For each prize competition under the program, the Secretary shall assemble a panel of qualified judges to select the winner or winners of the competition on the basis of the criteria established under paragraph (5).

''(B) SELECTION.—The judges for each competition shall include appropriate members of private industry involved in the commercial deployment of energy storage systems.

''(C) CONFLICTS.—An individual may not serve as a judge in a prize competition under the program if the individual, the spouse of the individual, any child of the individual, or any other member of the household of the individual—

''(i) has a personal or financial interest in, or is an employee, officer, director, or agent of, any entity that is a registered participant in the prize competition for which the individual will serve as a judge; or

''(ii) has a familial or financial relationship with a registered participant in the prize competition for which the individual will serve as a judge.

''(8) REPORT TO CONGRESS.—Not later than 60 days after the date on which the first prize is awarded under the program, and annually thereafter, the Secretary shall submit to Congress a report that—

''(A) identifies each award recipient;

''(B) describes the advanced methods or technologies developed by each award recipient; and

''(C) specifies actions being taken by the Department toward commercial application of all methods or technologies with respect to which a prize has been awarded under the program.

''(9) ANTI-DEFICIENCY ACT.—The Secretary shall carry out the program in accordance with section 1341 of title 31, United States Code (commonly referred to as the 'Anti-Deficiency Act').

''(10) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary for fiscal year 2021.''.

(f) REGULATORY ACTIONS TO ENCOURAGE ENERGY STORAGE DEPLOYMENT.—

(1) DEFINITIONS.—In this subsection:

(A) COMMISSION.—The term ''Commission'' means the Federal Energy Regulatory Commission.

(B) ELECTRIC STORAGE RESOURCE.—The term ''electric storage resource'' means a resource capable of receiving electric energy from the grid and storing that electric energy for later injection back into the grid.

(2) REGULATORY ACTION.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commission shall issue a regulation to identify the eligibility of, and process for, electric storage resources—

(i) to receive cost recovery through Commission-regulated rates for the transmission of electric energy in interstate commerce; and

(ii) that receive cost recovery under clause (i) to receive compensation for other services (such as the sale of energy, capacity, or ancillary services) without regard to whether those services are provided concurrently with the transmission service described in clause (i).

(B) PROHIBITION OF DUPLICATE RECOVERY.—Any regulation issued under subparagraph (A) shall preclude the receipt of unjust and unreasonable double recovery for electric storage resources providing services described in clauses (i) and (ii) of that subparagraph.

(3) ELECTRIC STORAGE RESOURCES TECHNICAL CONFERENCE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission shall convene a technical conference on the potential for electric storage resources to improve the operation of electric systems.

(B) REQUIREMENTS.—The technical conference under subparagraph (A) shall—

(i) identify opportunities for further consideration of electric storage resources in regional and interregional transmission planning processes within the jurisdiction of the Commission;

(ii) identify all energy, capacity, and ancillary service products, market designs, or rules that—

(I) are within the jurisdiction of the Commission; and

(II) enable and compensate for the use of electric storage resources that improve the operation of electric systems;

(iii) examine additional products, market designs, or rules that would enable and compensate for the use of electric storage resources for improving the operation of electric systems; and

(iv) examine the functional value of electric storage resources at the transmission and distribution system interface for purposes of providing electric system reliability.

(g) COORDINATION.—To the maximum extent practicable, the Secretary shall coordinate the activities under this section (including activities conducted pursuant to the amendments made by this section) among the offices and employees of the Department, other Federal agencies, and other relevant entities—

(1) to ensure appropriate collaboration; and

(2) to avoid unnecessary duplication of those activities.

(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out each of subsections (b) through (d) such sums as are necessary for fiscal year 2021.

SA 2284. Mr. SASSE (for himself, Mr. SCOTT of South Carolina, Mr. COTTON, and Mr. SCOTT of Florida) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. PILOT PROGRAM ON EDUCATION SAVINGS ACCOUNTS FOR MILITARY DEPENDENT CHILDREN.

(a) IN GENERAL.—From amounts made available under subsection (k), the Secretary shall carry out a pilot program under which the Secretary shall establish education savings accounts for eligible military students to enable such students to attend public or private elementary schools or secondary schools selected by the students' parents.

(b) DURATION.—The pilot program under this section shall begin with the first school year that begins after the date of enactment of this section and shall terminate at the end of the tenth school year that begins after such date of enactment.

(c) SCOPE OF PROGRAM.—The Secretary shall select 5 military installations to participate in the pilot program under this section. In making such selection, the Secretary shall choose the military installations at which eligible military students will derive the greatest benefit from expanded educational options, as determined by the Secretary, which may include considerations of—

(1) limited access to high-quality education options, including Department of Defense Education Activity schools and corresponding retention trends of service members with dependents;

(2) availability, cost, and proximity of nonpublic education options, including private schools and homeschool consortia; and

(3) site capacity to design, implement, and evaluate such a pilot. .

(d) DEPOSITS.—

(1) IN GENERAL.—The Secretary shall deposit funds in the amount specified in paragraph (2) into each education savings account established on behalf of an eligible military student under this section.

(2) AMOUNT OF DEPOSIT.—

(A) IN GENERAL.—The amount deposited into each education savings account awarded to an eligible military student shall be not more than $10,000 for each school year.

(B) ADJUSTMENT FOR INFLATION.—For each school year after the first full school year of the program, the Secretary shall adjust the amount specified in subparagraph (A) to reflect changes for the 12-month period ending the preceding June in the Chained Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(e) RULES OF CONSTRUCTION.—

(1) IN GENERAL.—An amount awarded to a student under this section shall not be considered assistance to the school or other educational provider that enrolls, or provides educational services to, the student or the student's parents.

(2) NOT TREATED AS INCOME.—The amount awarded to a student under this section shall not be treated as income to the student or the parent of the student for purposes of Federal tax laws or for determining eligibility for any other Federal program.

(3) PROHIBITION OF CONTROL OVER NONPUBLIC EDUCATION PROVIDERS.—Nothing in this section shall be construed—

(A) to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home education provider, whether or not a home education provider is treated as a private school or home school under State law; or

(B) to exclude private, religious, or home education providers from participation in programs or services under this section.

(f) ELIGIBLE USES OF FUNDS.—Funds deposited into an education savings account under this section for a school year may be used by the parent of an eligible military student to make payments to a qualified educational service provider that is approved by the Secretary under subsection (g) for—

(1) costs of attendance at a private elementary school or secondary school recognized by the State, which may include a private school that has a religious mission;

(2) online programs;

(3) tutoring services;

(4) services contracted for and provided by a public district, charter, or magnet elementary school or secondary school attended by the child on a less than full-time basis, including individual classes and extracurricular activities and programs;

(5) textbooks, curriculum programs, or other instructional materials, including any supplemental materials required by a curriculum program, private school, private online learning program, or a public school, or any parent directed curriculum associated with kindergarten through grade 12 education;

(6) educational services and therapies, including occupational, behavioral, physical, speech-language, and audiology therapies; or

(7) education technology needed to access remote learning, including internet access or hotspots and computer hardware, software, or other technological devices, including adaptive devices, not to exceed $1,000;

(8) concurrent and dual enrollment at a postsecondary institution, including for career and technical education experiences;

(9) academic, college, and career counseling services;

(10) testing preparation and examination fees, including Advanced Placement examinations, industry certification exams, State licensure exams, and any examinations related to college or university admission;

(11) application fees, including for public and non-public school students;

(12) fees for summer education programs and specialized afterschool education programs; or

(13) other education-related services and materials that are reasonable and necessary, as approved by the Secretary.

(g) REQUIREMENTS FOR QUALIFIED EDUCATIONAL SERVICE PROVIDERS.—The Secretary shall establish and maintain a registry of qualified educational service providers that are approved to receive payments from an education savings account established under this section. The Secretary shall approve a qualified educational service provider to receive such payments if the provider demonstrates to the Secretary that it is licensed in the State in which it operates to provide one or more of the services for which funds may be expended under subsection (f).

(h) PARTICIPATION IN ONLINE MARKET PLACE.—As a condition of receiving funds from an education savings account, a qualified educational service provider shall make its services available for purchase through the online marketplace described in subsection (i).

(i) ONLINE MARKETPLACE.—The Secretary shall seek to enter into a contract with a private-sector entity under which the entity shall—

(1) establish and operate an online marketplace that enables the holder of an education savings account to make direct purchases from qualified educational service providers using funds from such account;

(2) ensure that each qualified educational service provider on the registry maintained by the Secretary under subsection (g) has made its services available for purchase through the online marketplace;

(3) ensure that all purchases made through the online marketplace are for services that are allowable uses of funds under this section; and

(4) develop and make available a standardized expense report form, in electronic and hard copy formats, to be used by parents for reporting expenses.

(j) REPORTS.—

(1) ANNUAL REPORTS.—Not later than July 30 of the first year of the pilot program, and each subsequent year through the year in which the final report is submitted under paragraph (2), the Secretary shall prepare and submit to Congress an interim report on the accounts awarded under the pilot program under this section that includes the content described in paragraph (3) for the applicable school year of the report.

(2) FINAL REPORT.—Not later than 90 days after the end of the pilot program under this section, the Secretary shall prepare and submit to Congress a report on the accounts awarded under the pilot program that includes the content described in paragraph (3) for each school year of the program.

(3) CONTENT.—Each report under paragraphs (1) and (2) shall identify—

(A) the number of applicants for education savings accounts under this section;

(B) the number of elementary school students receiving education savings accounts under this section and the number of secondary school students receiving such savings accounts;

(C) the results of a survey, conducted by the Secretary, regarding parental satisfaction with the education savings account program under this section; and

(D) any other information the Secretary determines to be necessary to evaluate the effectiveness of the program.

(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

(1) $20,000,000 for each of fiscal years 2020 through 2030 to establish education savings accounts; and

(2) $1,000,000 for each of fiscal years 2020 through 2030 for administrative costs associated with operating the pilot program established under this section.

(l) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms ''child'', ''elementary school'', and ''secondary school'' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ELIGIBLE MILITARY STUDENT.—The term ''eligible military student'' means a child—

(A) who is a military dependent student;

(B) whose parent works on the military installation selected to participate in the program under this section; and

(C) who chooses to attend a participating school or purchase other approved education services, rather than attending the school otherwise assigned to the child.

(3) MILITARY DEPENDENT STUDENTS.—The term ''military dependent students'' has the meaning given the term in section 572(e) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b(e)).

(4) QUALIFIED EDUCATIONAL SERVICE PROVIDER.—The term ''qualified educational service provider'' means an entity or person that is—

(A) licensed in the State in which it operates to provide one or more of the educational services for which funds may be expended under subsection (f); or

(B) otherwise approved by the Secretary.

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

SA 2285. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. MODIFICATION OF ANNUAL REPORTING REQUIREMENTS CONCERNING DIPLOMATIC IMMUNITY.

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

(1) According to the January 2019 Worldwide Threat Assessment of the United States Intelligence Community, ''Russia and China will continue to be the leading state intelligence threats to U.S. interests, based on their services' capabilities, intent, and broad operational scopes.''.

(2) It is necessary to reaffirm for the executive branch the sense of Congress set forth in section 601 of the Intelligence Authorization Act for Fiscal Year 1985 (22 U.S.C. 254c–1): ''It is the sense of the Congress that the numbers, status, privileges and immunities, travel, accommodations, and facilities within the United States of official representatives to the United States of any foreign government that engages in intelligence activities within the United States harmful to the national security of the United States should not exceed the respective numbers, status, privileges and immunities, travel accommodations, and facilities within such country of official representatives of the United States to such country.''.

(b) ADDITIONAL REPORTING REQUIREMENTS.—Section 204B of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4304b) is amended—

(1) in subsection (a)(2)—

(A) in subparagraph (F), by striking ''subsection (c)'' and inserting ''subsection (d)''; and

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

''(G) The number and names of foreign diplomats with expired diplomatic visas who continue to receive diplomatic accreditation.

''(H) The foreign country represented by each diplomat identified under subparagraph (G).'';

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

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

''(b) CERTIFICATION.—

''(1) IN GENERAL.—Subject to paragraphs (2) and (3), together with each annual report under subsection (a), the Secretary of State, in coordination with the Director of National Intelligence, shall submit to Congress a certification that the individuals identified under paragraph (2)(G) of that subsection are not engaging in intelligence activities in the United States harmful to the national security of the United States.

''(2) INABILITY TO CERTIFY.—If the Secretary of State assesses that he or she is unable under paragraph (1) to certify that individuals identified under paragraph (2)(G) are not engaging in intelligence activities in the United States harmful to the national security of the United States, the Secretary shall submit to Congress a report detailing such assessment.

''(3) CONTINUED DIPLOMATIC ACCREDITATION IN NATIONAL SECURITY INTEREST.—If the Secretary of State assesses that continued diplomatic accreditation of an individual identified under paragraph (2)(G) is in the national security interests of the United States and the Secretary is therefore unwilling to submit a certification under paragraph (1), the Secretary shall submit to Congress a report detailing such assessment.''.

SA 2286. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PILOT PROGRAM ON AN INTERNATIONAL PARTNERSHIP FOR A STRONG INNOVATION BASE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense shall establish a pilot program for a preferential designation program for select allie and partner countries of the United States, in order to add innovation, capability, and capacity to the United States industrial base and to enhance the access of the United States to emerging and critical technology from those allie and partner countries.

(b) OBJECTIVES OF PILOT PROGRAM.—The Secretary shall design the pilot program required by subsection (a) to determine the following:

(1) The effectiveness of recognizing certain allied and partner countries for opportunities to obtain accelerated or other priority treatment for purposes of—

(A) foreign military sales and foreign military financing;

(B) export, import, or other transfer of defense articles, defense services, and related technology; and

(C) review of investments subject to the National Industrial Security Program, consistent with the provisions of the Foreign Investment Risk Review Modernization Act of 2018 and its implementing regulations.

(2) The impact that designating such allies and partners has on research, development, and access to emerging and critical technologies (including fifth generation and sixth generation communications technology, microelectronics, semiconductors, and artificial intelligence) that are beneficial to the United States national security innovation base and defense industrial base.

(3) The opportunities to promote cross-border technological development, including joint programs to foster innovation in technologies with potential application in both the national security and commercial sectors.

(4) The policy effects of designating particular countries as trusted partners in the United States national security innovation base.

(c) NUMBER OF PARTICIPANTS.—The Secretary shall select no fewer than three countries to participate in the pilot program established under subsection (a).

(d) ELEMENTS OF SELECTION.—The Secretary shall prioritize the following elements in selecting nations to be designated as participating countries for the pilot program established under subsection:

(1) The record of commitment to investment in national defense as defined by the level of spending on national defense and defense-related infrastructure.

(2) The level of investment and cooperation with the United States, particularly within the United States defense industrial base.

(3) The value to military interoperability, as measured by investment and participation in major defense acquisition programs of the United States Armed Forces.

(4) The robustness of the local innovation base, including its record of investment in emerging and critical technologies.

(5) The degree of defense and security cooperation with the United States.

(6) The existence and extent of security agreements and reciprocal defense agreements, including a country's practices and procedures that correspond with United States national security laws and regulations regarding supply chain security, export control, and foreign investment.

(e) DELEGATION AUTHORIZED.—The Secretary may delegate any of the authorities and responsibilities in this section to the Under Secretary of Defense for Acquisition and Sustainment.

(f) COMMENCEMENT AND DURATION.—The pilot program established under subsection (a) shall be established not later than April 1, 2021, and all activities under such pilot program shall continue through December 31, 2024.

(g) INTERIM REPORT REQUIRED.—Not later than October 1, 2021, the Secretary submit to the congressional defense committees a report on the status of the pilot program. The report shall include the following elements:

(1) A list of the countries designated under the pilot program.

(2) A description of the full selection methodology used for the countries designated under the pilot program.

(3) An assessment of interest from major allied nations in participating in the pilot program.

(4) Initial observations of the pilot program, including successful or promising innovation partnerships or technology development initiatives.

(5) Any other matters the Secretary considers appropriate.

(h) FINAL REPORT REQUIRED.—Not later October 1, 2023, the Secretary of Defense shall submit to the congressional defense committees a final report on the findings of the pilot program established under this section. The report shall include the following elements:

(1) A comprehensive description of the benefits gained by the United States innovation base by designating countries for inclusion in the partnership.

(2) An assessment of the foreign policy factors to be considered in expanding or making permanent a country designation program consistent with the elements of this section.

(3) Recommendations for legislative or administrative action the Secretary determines appropriate, including whether—

(A) to expand the scope of the pilot program;

(B) to expand the number of countries eligible under the pilot program; or

(C) to make the pilot program permanent.

SA 2287. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title XVI, add the following:

SEC. _____. STUDY ON CYBEREXPLOITATION OF MEMBERS OF THE ARMED FORCES AND THEIR FAMILIES.

(a) STUDY REQUIRED.—Not later than 150 days after the date of the enactment of this Act, the Secretary of Defense shall complete a study on the cyberexploitation of the personal information and accounts of members of the Armed Forces and their families.

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

(1) An intelligence assessment of the threat currently posed by foreign government and non-state actor cyberexploitation of members of the Armed Forces and their families, including generalized assessments as to whether cyberexploitation of members of the Armed Forces and their families is a substantial threat as compared to other means of information warfare and as to whether cyberexploitation of members of the Armed Forces and their families is an increasing threat.

(2) Case-study analysis of three known occurrences of attempted cyberexploitation against members of the Armed Forces and their families, including assessments of the vulnerability and the ultimate consequences of the attempted cyberexploitation.

(3) A description of the actions taken by the Department of Defense to educate members of the Armed Forces and their families, including particularly vulnerable subpopulations, about any actions that can be taken to reduce these threats.

(4) An intelligence assessment of the threat posed by foreign government and non-state actor creation and use of deep fakes featuring members of the Armed Forces or their families, including generalized assessments of the maturity of the technology used in the creation of deep fakes and as to how deep fakes have been used or might be used to conduct information warfare.

(5) Development of recommendations for policy changes to reduce the vulnerability of members of the Armed Forces and their families to cyberexploitation, including recommendations for legislative or administrative action.

(c) REPORT.—

(1) IN GENERAL.—The Secretary shall submit to the congressional defense committees a report on the findings of the Secretary with respect to the study required by subsection (a).

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

(d) DEFINITIONS.—In this section:

(1) The term ''cyberexploitation'' means the use of digital means to knowingly access, or conspire to access, without authorization, an individual's personal information to be employed (or to be used) with malicious intent.

(2) The term ''deep fake'' means the digital insertion of a person's likeness into or digital alteration of a person's likeness in visual media, such as photographs and videos, without the person's permission and with malicious intent.

SA 2288. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. MODIFICATIONS TO TRADE PROMOTION AUTHORITY.

(a) TRADE NEGOTIATING OBJECTIVES.—Section 102 of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (19 U.S.C. 4201) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (14) and (15) as paragraphs (18) and (19), respectively; and

(B) by inserting after paragraph (13) the following:

''(14) to enhance the security of the United States;

''(15) to increase the access of the United States to critical technology from countries that are trusted allies and security partners of the United States;

''(16) to promote cross-border technological cooperation, development, and adoption of critical technology, including practices and procedures, between the United States and such countries;

''(17) to provide a free world alternative to the 'Made in China 2025' technological initiative of the People's Republic of China;''; and

(2) in subsection (b), by adding at the end the following:

''(23) NATIONAL SECURITY.—The principal negotiating objective of the United States with respect to national security is to establish a critical technology trade partnership agreement with countries that are trusted allies and security partners of the United States—

''(A) to develop a trusted, secure, and competitive telecommunications equipment alternative to Huawei Technologies;

''(B) to establish an international security innovation base between the United States and such countries;

''(C) to enhance technical collaboration efforts between the United States and such countries on technologies applicable to both the national security and commercial sectors either through elevating existing programs of collaboration or the creation of new partnership mechanisms;

''(D) to accelerate or obtain other priority treatment for such countries for—

''(i) foreign military sales and financing; and

''(ii) the export, import, and transfer of defense articles, services, and related technology; and

''(E) to enhance cooperation between the United States and such countries regarding the review of investments subject to the National Industrial Security Program, the Committee on Foreign Investment in the United States, or similar entities in such countries.''.

(b) CONSULTATIONS WITH MEMBERS OF CONGRESS.—Section 104(a)(1) of such Act (19 U.S.C. 4203(a)(1)) is amended—

(1) in subparagraph (D), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (E), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(F) with regard to any negotiations and agreement relating to national security, consult closely and on a timely basis (including immediately before initialing an agreement) with and keep fully appraised of the negotiations the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives. Consultations under this subparagraph may be conducted be a designee of the Trade Representative from the Department of State, the Department of Defense, the Department of Homeland Security, the Office of the Director of National Intelligence, the Department of Energy, the Department of Treasury, or any other Federal agency the Trade Representative considers appropriate.''.

(c) NOTICE, CONSULTATIONS, AND REPORTS BEFORE NEGOTIATION.—Section 105(a) of such Act (19 U.S.C. 4204(a)) is amended by adding at the end the following:

''(6) NEGOTIATIONS REGARDING NATIONAL SECURITY.—

''(A) IN GENERAL.—The United States Trade Representative shall prioritize the following criteria when determining which countries should be considered for participation in a critical technology partnership agreement:

''(i) The existence of mutual security and defense agreements and the country's general commitment to investment in national defense.

''(ii) Practices and procedures that reflect standards similar to the standards in the United States national security laws and regulations regarding supply chain security, export control, and foreign investment.

''(iii) Record of commitment to investment in research, development, and utilization of critical and emerging technology.

''(iv) Current and planned domestic telecommunications infrastructure vendors.

''(B) ENDORSEMENT OF OTHER AGENCIES REQUIRED.—The United States Trade Representative shall secure the formal endorsement of the Secretary of State, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Treasury, the Secretary of Energy, and the Director of National Intelligence with respect to a critical technology partnership agreement before submitting the notice to Congress of intention to sign the agreement under paragraph (1)(A).

''(C) ADDITIONAL CONSULTATIONS.—Before initiating or continuing negotiations for an agreement that directly related to national security with any country, the President shall—

''(i) consult with—

''(I) the Select Committee on Intelligence and the Committee on Finance of the Senate; and

''(II) the Permanent Select Committee on Intelligence and the Committee on Ways and Means of the House of Representatives; and

''(ii) keep those committees appraised of the negotiations on an ongoing and timely basis''.

SA 2289. Mr. SASSE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title XII of division A, add the following:

SECTION 1. ASYLUM FOR HONG KONG VICTIMS OF COMMUNISM.

(a) SHORT TITLE.—This section may be cited as the ''Hong Kong Victims of Communism Support Act''.

(b) SENSE OF CONGRESS; STATEMENT OF POLICY.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) Hong Kong has flourished as a bastion of freedom because of—

(i) the rule of law and autonomous status afforded under the Hong Kong Basic Law, adopted by the National People's Congress on April 4, 1990, and effective since July 1, 1997; and

(ii) the enterprising and free people of Hong Kong; and

(B) the direct imposition of national security legislation on Hong Kong, adopted by the National People's Congress on May 28, 2020—

(i) lies in direct conflict with the principles of the legally-binding, United Nations-registered 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;

(ii) dramatically erodes the autonomy of Hong Kong; and

(iii) curtails the liberties of the people of Hong Kong.

(2) STATEMENT OF POLICY.—It is the policy of the United States to provide support for the refugees and asylum seekers who share the principles of liberty enshrined in the Constitution of the United States and are fleeing Hong Kong due to actions the People's Republic of China has taken to undermine Hong Kong's high-degree of autonomy afforded under the Basic Law and the Sino-British Joint Declaration.

(c) ELIGIBILITY FOR ASYLUM.—

(1) DEFINED TERM.—In this subsection, the term ''Hong Konger'' means any individual who—

(A) has enjoyed the right of abode in the Hong Kong Special Administrative Region since birth under the Immigration Ordinance (Chapter 115, Laws of Hong Kong); and

(B) has maintained continuous residency in Hong Kong since birth.

(2) IN GENERAL.—Notwithstanding paragraph (1) of section 208(b) of the Immigration and Nationality Act (8 U.S.C. 1158(b)), any Hong Konger—

(A) shall be deemed to be eligible for asylum in the United States unless he or she is described in paragraph (2) of such section 208(b); and

(B) may apply for asylum at the United States Consulate General in Hong Kong and Macau before the date referred to in paragraph (3).

(3) SUNSET.—This section shall have no force or effect beginning on the date on which the Secretary of State certifies to Congress that Hong Kong has regained a high degree of autonomy to warrant differential treatment under United States law consistent with reporting requirements under sections 205 and 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5725 and 5731).

(d) TREATMENT OF HONG KONG APPLICANTS FOR ASYLUM.—Consistent with section 206 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5726), and notwithstanding any other provision of law, any application for asylum under section 208 of the Immigration and Nationality Act (8 U.S.C. 1158), including any application authorized under subsection (c)(2), which was submitted by an otherwise qualified applicant who resided in the Hong Kong Special Administrative Region in 2014 or later may not be denied primarily on the basis of the applicant's subjection to politically-motivated arrest, detention, or other adverse government action.

(e) CONSULTATION REQUIREMENT.—The Secretary of Homeland Security and the Attorney General shall consult with the Director of National Intelligence and the Secretary of State regarding any risks to national security associated with granting asylum to a permanent resident of the Hong Kong Special Administrative Region that meets the eligibility requirements under subsection (c)(2).

(f) STRATEGY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Secretary of Homeland Security, shall develop a strategy for providing support and technical assistance to the United Kingdom of Great Britain and Northern Ireland, the Republic of China (Taiwan), the countries surrounding Hong Kong Special Administrative Region, and any other country offering to provide migration services and asylum to eligible Permanent Residents of the Hong Kong Special Administrative Region, which shall—

(1) identify the types of support and technical assistance required by such countries;

(2) identify the existing United States Government resources and authorities to provide support and technical assistance to such countries;

(3) identify any gaps in resources or authorities to provide support and technical assistance to such countries; and

(4) assess how the efforts of the United States to accept asylees from Hong Kong and provide support and technical assistance to countries offering to provide migration services and asylum to the people of Hong Kong is impacting the interests and foreign policy of the People's Republic of China.

SA 2290. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REQUIREMENTS FOR SUBMITTAL OF BUSINESS CASE ANALYSIS UNDER UTILITIES PRIVATIZATION PROGRAM OF DEPARTMENT OF DEFENSE.

Section 2688(d)(2) of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense'' and inserting ''(A) The Secretary of Defense''; and

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

''(B) The Secretary of Defense shall—

''(i) not later than 30 days after the submittal to the Secretary of a business case analysis under subparagraph (A)—

''(I) approve or deny such analysis; and

''(II) in the case of an analysis that is denied, provide recommendations for corrective action; and

''(ii) not later than 30 days after a resubmittal that has taken recommendations provided under clause (i)(II), approve or deny such resubmittal.''.

SA 2291. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. REPORT ON METRICS TO BE INCLUDED IN BUSINESS CASE ANALYSIS UNDER UTILITIES PRIVATIZATION PROGRAM OF DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report that lists and explains the metrics that must be included in a business case analysis required under section 2688(d)(2) of title 10, United States Code.

SA 2292. Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. REPORT ON FACILITIES FOR COMMANDING, CONTROLLING, AND DISSEMINATING DATA FOR SATELLITE CONSTELLATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on readily available commercial and government facilities for commanding, controlling, and disseminating data for satellite constellations, which shall include—

(1) the cost, schedule, deployment, rapid prototyping, and testing of new space technologies for small satellite programs;

(2) a description of potential effects based on the finite number of such facilities that are agile, maintainable, accredited at the correct classification, and located within reasonable proximity to manufacturer and researcher facilities; and

(3) a description of the costs and benefits of increasing the number of such facilities.

SA 2293. Mr. CARPER submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. THRESHOLD FOR REPORTING ADDITIONS TO TOXICS RELEASE INVENTORY.

Section 7321 of the PFAS Act of 2019 (Public Law 116–92) is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by adding at the end the following:

''(C) LIMITATION.—Section 372.38 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances described in paragraph (1) unless the Administrator, in accordance with subparagraph (B), revises the threshold for reporting the substance or class of substances to 10,000 pounds.''; and

(2) in subsection (c)(2)—

(A) in subparagraph (A), by striking ''subparagraph (B)'' and inserting ''subparagraphs (B) and (C)''; and

(B) by adding at the end the following:

''(C) LIMITATION.—Section 372.38 of title 40, Code of Federal Regulations (or successor regulations), shall not apply to a substance or class of substances described in paragraph (1) unless the Administrator, in accordance with subparagraph (B), revises the threshold for reporting the substance or class of substances to 10,000 pounds.''.

SA 2294. Mr. MURPHY submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. 1287. LIMITATION ON USE OF FUNDS FOR AIR CAMPAIGN OF THE SAUDI-LED COALITION IN YEMEN.

(a) IN GENERAL.—None of the funds authorized to be appropriated by this Act may be obligated or expended to support of the air campaign of the Saudi-led coalition in Yemen until the Secretary of Defense—

(1) certifies, in writing, to Congress that members of such coalition are in compliance with end-use agreements related to sales of United States weapons and defense articles; and

(2) submits to Congress written findings of any internal Department of Defense investigation into unauthorized third-party transfers of United States weapons and defense articles in Yemen and has taken corrective action as a result of any such investigation.

(b) FORM.—The certification and findings under subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

SA 2295. Ms. KLOBUCHAR (for herself and Mr. CORNYN) submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle H of title V, add the following:

SEC. 593. STUDY ON IMPROVEMENT OF ACCESS TO VOTING FOR MEMBERS OF THE ARMED FORCES OVERSEAS.

(a) STUDY REQUIRED.—The Director of the Federal Voting Assistance Program of the Department of Defense shall conduct a study on means of improving access to voting for members of the Armed Forces overseas.

(b) REPORT.—Not later than September 30, 2022, the Director shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) The results of a survey, undertaken for purposes of the study, of Voting Assistance Officers and members of the Armed Forces overseas on means of improving access to voting for such members, including through the establishment of unit-level assistance mechanisms or permanent voting assistance offices.

(2) An estimate of the costs and requirements in connection with an expansion of the number of Voting Assistance Officers in order to fully meet the needs of members of the Armed Forces overseas for access to voting.

(3) A description and assessment of various actions to be undertaken under the Federal Voting Assistance Program in order to increase the capabilities of the Voting Assistance Officer program.

SA 2296. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XII of division A, add the following:

SEC. 1274. REPORT ON FOREIGN TRAFFICKERS.

(a) SHORT TITLES.—This section may be cited as the ''Leveraging Information on Foreign Traffickers Act'' or the ''LIFT Act''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the annual Trafficking In Persons Report prepared by the Department of State pursuant to the Trafficking Victims Protection Act of 2000 (the ''TIP Report'') remains one of the most comprehensive, timely, and important sources of information on human trafficking in the world, and currently includes 187 individual country narratives;

(2) in January 2019, the statute mandating the TIP Report was amended to require that each report must cover efforts and activities occurring within the period from April 1 of the prior year through March 31 of the current year, which necessarily requires the collection and transmission of information after March 31;

(3) ensuring that the Department of State has adequate time to receive, analyze, and incorporate trafficking-related information into its annual Trafficking In Persons Report is important to the quality and comprehensiveness of that report;

(4) information regarding prevalence and patterns of human trafficking is important for understanding the scourge of modern slavery and making effective decisions about where and how to combat it; and

(5) United States officials responsible for monitoring and combating trafficking in persons around the world should receive available information regarding where and how often United States diplomatic and consular officials encounter persons who are responsible for, or who knowingly benefit from, severe forms of trafficking in persons.

(c) DEFINITIONS.—In this section:

(1) LOCATIONS OF UNITED STATES VISA DENIALS.—The term ''location of United States visa denials'' means—

(A) the United States diplomatic or consular post at which a denied United States visa application was adjudicated; and

(B) the city or locality of residence of the applicant whose visa application was so denied.

(2) RELEVANT CONGRESSIONAL COMMITTEES.—The term ''relevant congressional committees'' means—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on the Judiciary of the House of Representatives.

(d) ANNUAL DEADLINE FOR TRAFFICKING IN PERSONS REPORT.—Section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) is amended by striking ''June 1'' and inserting ''June 30''.

(e) UNITED STATES ADVISORY COUNCIL ON HUMAN TRAFFICKING.—

(1) EXTENSION.—Section 115(h) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243) is amended by striking ''September 30, 2021'' and inserting ''September 30, 2025''.

(2) COMPENSATION.—Section 115(f) of such Act is amended—

(A) in paragraph (1), by striking ''and'' at the end;

(B) in paragraph (2), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(3) may each receive compensation for each day such member is engaged in the actual performance of the duties of the Council.''.

(3) COMPENSATION REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall submit a plan to the relevant congressional committees for implementing compensation for members of the United States Advisory Council on Human Trafficking pursuant to section 115(f)(3) of the Justice for Victims of Trafficking Act of 2015, as added by paragraph (2)(C).

(f) TIMELY PROVISION OF INFORMATION TO THE OFFICE TO MONITOR AND COMBAT TRAFFICKING IN PERSONS OF THE DEPARTMENT OF STATE.—

(1) IN GENERAL.—Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

''(l) INFORMATION REGARDING HUMAN TRAFFICKING-RELATED VISA DENIALS.—

''(1) IN GENERAL.—The Secretary of State shall ensure that the Office to Monitor and Combat Trafficking in Persons and the Bureau of Diplomatic Security of the Department of State receive timely and regular information regarding United States visa denials based, in whole or in part, on grounds related to human trafficking.

''(2) DECISIONS REGARDING ALLOCATION.—The Secretary of State shall ensure that decisions regarding the allocation of resources of the Department of State related to combating human trafficking and to law enforcement presence at United States diplomatic and consular posts appropriately take into account—

''(A) the information described in paragraph (1); and

''(B) the information included in the most recent report submitted in accordance with section 110(b).''.

(2) CONFORMING AMENDMENT.—Section 103 of such Act (22 U.S.C. 7102) is amended by adding at the end the following:

''(18) GROUNDS RELATED TO HUMAN TRAFFICKING.—The term 'grounds related to human trafficking' means grounds related to the criteria for inadmissibility to the United States described in section 212(a)(2)(H) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)(H)).''.

(g) REPORTS TO CONGRESS.—

(1) INITIAL REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the relevant congressional committees that—

(A) describes the actions that have been taken and that are planned to implement section 106(l) of the Trafficking Victims Protection Act of 2000, as added by subsection (f)(1); and

(B) identifies by country and by United States diplomatic and consular post the number of visa applications denied during the previous calendar year with respect to which the basis for such denial, included grounds related to human trafficking (as defined in section 103 of the Trafficking Victims Protection Act of 2000, as amended by subsection (f)(2)).

(2) ANNUAL REPORT.—Beginning with the first annual anti-trafficking report required under section 110(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(1)) that is submitted after the date of the enactment of this Act, and concurrent with each such subsequent submission for the following 7 years, the Secretary of State shall submit a report to the relevant congressional committees that contains information relating to the number and the locations of United States visa denials based, in whole or in part, on grounds related to human trafficking (as defined in section 103 of the Trafficking Victims Protection Act of 2000, as amended by subsection (f)(2)) during the period covered by each such report.

SA 2297. Mr. BLUMENTHAL submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

Subtitle ____—Transition Assistance Matters

SEC. __01. SHORT TITLE.

This subtitle may be cited as the ''Navy SEAL Chief Petty Officer William 'Bill' Mulder (Ret.) Transition Improvement Act of 2020''.

SEC. __02. TAP DEFINED.

In this subtitle, the term ''TAP'' means the Transition Assistance Program under sections 1142 and 1144 of title 10, United States Code.

SEC. __03. ACCESS FOR THE SECRETARIES OF LABOR AND VETERANS AFFAIRS TO THE FEDERAL DIRECTORY OF NEW HIRES.

Section 453A(h) of the Social Security Act (42 U.S.C. 653a(h)) is amended by adding at the end the following new paragraph:

''(4) VETERAN EMPLOYMENT.—The Secretaries of Labor and of Veterans Affairs shall have access to information reported by employers pursuant to subsection (b) of this section for purposes of tracking employment of veterans.''.

SEC. __04. PILOT PROGRAM FOR OFF-BASE TRANSITION TRAINING FOR VETERANS AND SPOUSES.

(a) EXTENSION OF PILOT PROGRAM.—Subsection (a) of section 301 of the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012 (Public Law 112–260; 10 U.S.C. 1144 note) is amended—

(1) by striking ''During the two-year period beginning on the date of the enactment of this Act'' and inserting ''During the five-year period beginning on the date of the enactment of the Navy SEAL Chief Petty Officer William 'Bill' Mulder (Ret.) Transition Improvement Act of 2020''; and

(2) by striking ''to assess the feasibility and advisability of providing such program to eligible individuals at locations other than military installations''.

(b) LOCATIONS.—Subsection (c) of such section is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking ''STATES'' and inserting ''LOCATIONS''; and

(B) by striking ''not less than three and not more than five States'' and inserting ''not fewer than 50 locations in States (as defined in section 101 of title 38, United States Code)''; and

(2) in paragraph (2), by striking ''at least two'' and inserting ''at least 20''.

(c) CONFORMING REPEAL.—Subsection (f) of such section is repealed.

SEC. __05. GRANTS FOR PROVISION OF TRANSITION ASSISTANCE TO MEMBERS OF THE ARMED FORCES AFTER SEPARATION, RETIREMENT, OR DISCHARGE.

(a) IN GENERAL.—The Secretary of Veterans Affairs shall make grants to eligible organizations for the provision of transition assistance to members of the Armed Forces who are separated, retired, or discharged from the Armed Forces, and spouses of such members.

(b) USE OF FUNDS.—The recipient of a grant under this section shall use the grant to provide to members of the Armed Forces and spouses described in subsection (a) resume assistance, interview training, job recruitment training, and related services leading directly to successful transition, as determined by the Secretary.

(c) ELIGIBLE ORGANIZATIONS.—To be eligible for a grant under this section, an organization shall submit to the Secretary an application containing such information and assurances as the Secretary, in consultation with the Secretary of Labor, may require.

(d) PRIORITY FOR HUBS OF SERVICES.—In making grants under this section, the Secretary shall give priority to an organization that provides multiple forms of services described in subsection (b).

(e) AMOUNT OF GRANT.—A grant under this section shall be in an amount that does not exceed 50 percent of the amount required by the organization to provide the services described in subsection (b).

(f) DEADLINE.—The Secretary shall carry out this section not later than six months after the date of the enactment of this Act.

(g) TERMINATION.—The authority to provide a grant under this section shall terminate on the date that is five years after the date on which the Secretary implements the grant program under this section.

(h) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $10,000,000 to carry out this section.

SEC. __06. ONE-YEAR INDEPENDENT ASSESSMENT OF THE EFFECTIVENESS OF TAP.

(a) INDEPENDENT ASSESSMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the covered officials, shall enter into an agreement with an appropriate entity with experience in adult education to carry out a one-year independent assessment of TAP, including—

(1) the effectiveness of TAP for members of each military department during the entire military life cycle;

(2) the appropriateness of the TAP career readiness standards;

(3) a review of information that is provided to the Department of Veterans Affairs under TAP, including mental health data;

(4) whether TAP effectively addresses the challenges veterans face entering the civilian workforce and in translating experience and skills from military service to the job market;

(5) whether TAP effectively addresses the challenges faced by the families of veterans making the transition to civilian life;

(6) appropriate metrics regarding TAP outcomes for members of the Armed Forces one year after separation, retirement, or discharge from the Armed Forces;

(7) what the Secretary, in consultation with the covered officials and veterans service organizations determine to be successful outcomes for TAP;

(8) whether members of the Armed Forces achieve successful outcomes for TAP, as determined under paragraph (7);

(9) how the Secretary and the covered officials provide feedback to each other regarding such outcomes;

(10) recommendations for the Secretaries of the military departments regarding how to improve outcomes for members of the Armed Forces after separation, retirement, and discharge; and

(11) other topics the Secretary and the covered officials determine would aid members of the Armed Forces as they transition to civilian life.

(b) REPORT.—Not later than 90 days after the completion of the independent assessment under subsection (a), the Secretary and the covered officials shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives—

(1) the findings and recommendations (including recommended legislation) of the independent assessment prepared by the entity described in subsection (a); and

(2) responses of the Secretary and the covered officials to the findings and recommendations described in paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term ''covered officials'' is comprised of—

(A) the Secretary of Defense;

(B) the Secretary of Labor;

(C) the Administrator of the Small Business Administration; and

(D) the Secretaries of the military departments.

(2) The term ''military department'' has the meaning given that term in section 101 of title 10, United States Code.

SEC. __07. LONGITUDINAL STUDY ON CHANGES TO TAP.

(a) STUDY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretaries of Defense and Labor and the Administrator of the Small Business Administration, shall conduct a five-year longitudinal study regarding TAP on three separate cohorts of members of the Armed Forces who have separated from the Armed Forces, including—

(1) a cohort that has attended TAP counseling as implemented on the date of the enactment of this Act;

(2) a cohort that attends TAP counseling after the Secretaries of Defense and Labor implement changes recommended in the report under section __06(b) of this Act; and

(3) a cohort that has not attended TAP counseling.

(b) PROGRESS REPORTS.—Not later than 90 days after the day that is one year after the date of the initiation of the study under subsection (a) and annually thereafter for the three subsequent years, the Secretaries of Veterans Affairs, Defense, and Labor, and the Administrator of the Small Business Administration, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives a progress report of activities under the study during the immediately preceding year.

(c) FINAL REPORT.—Not later than 180 days after the completion of the study under subsection (a), the Secretaries of Veterans Affairs, Defense, and Labor, and the Administrator of the Small Business Administration, shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives and the Committees on Armed Services of the Senate and House of Representatives a report of final findings and recommendations based on the study.

(d) ELEMENTS.—The final report under subsection (c) shall include information regarding the following:

(1) The percentage of each cohort that received unemployment benefits during the study.

(2) The numbers of months members of each cohort were employed during the study.

(3) Annual starting and ending salaries of members of each cohort who were employed during the study.

(4) How many members of each cohort enrolled in an institution of higher learning, as that term is defined in section 3452(f) of title 38, United States Code.

(5) The academic credit hours, degrees, and certificates obtained by members of each cohort during the study.

(6) The annual income of members of each cohort.

(7) The total household income of members of each cohort.

(8) How many members of each cohort own their principal residences.

(9) How many dependents that members of each cohort have.

(10) The percentage of each cohort that achieves a successful outcome for TAP, as determined under section __06(a)(7) of this Act.

(11) Other criteria the Secretaries and the Administrator of the Small Business Administration determine appropriate.

SA 2298. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle F of title X, add the following:

SEC. 1064. REPORT ON ROUND-THE-CLOCK AVAILABILITY OF CHILDCARE FOR MEMBERS OF THE ARMED FORCES AND CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE WHO WORK ROTATING SHIFTS.

(a) IN GENERAL.—Not later than 270 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 setting forth the results of a study, conducted by the Secretary for purposes of the report, on the feasibility and advisability of making round-the-clock childcare available for children of members of the Armed Forces and civilian employees of the Department of Defense who works on rotating shifts at military installations.

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

(1) The results of the study described in that subsection.

(2) If the Secretary determines that making round-the-clock childcare available as described in subsection (a) is feasible and advisable, such matters as the Secretary considers appropriate in connection with making such childcare available, including—

(A) an identification of the installations at which such childcare would be beneficial to members of the Armed Forces, civilian employees of the Department, or both;

(B) an identification of any barriers to making such childcare available at the installations identified pursuant to subparagraph (A);

(C) an assessment whether the childcare needs of members of the Armed Forces and civilian employees of the Department described in subsection (a) would be better met by an increase in assistance for childcare fees;

(D) a description and assessment of the actions, if any, being taken to make such childcare available at the installations identified pursuant to subparagraph (A); and

(E) such recommendations for legislative or administrative action as the Secretary considers appropriate to make such childcare available at the installations identified pursuant to subparagraph (A), or at any other military installations.

SA 2299. Mr. BOOZMAN submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. 549. MEASURES FOR PERSONAL AND PROFESSIONAL DEVELOPMENT OF MEMBERS OF THE ARMED FORCES WHO ARE QUARANTINED IN CONNECTION WITH THE CORONAVIRUS DISEASE 2019 (COVID–19).

(a) DEVELOPMENT OF MEASURES REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall develop measures to ensure the personal and professional development of members of the Armed Forces (including cadets and midshipmen at the military service academies) who are quarantined in connection with the Coronavirus Disease 2019 (COVID–19).

(b) SCOPE OF MEASURES.—The measures required by subsection (a) shall provide for the following:

(1) The availability to members of the Armed Forces quarantined in connection with the Coronavirus Disease 2019 of each of the following:

(A) Behavioral and mental health resources, including access to mental health providers, counselors, and chaplains.

(B) Physical activity and exercise.

(C) Education resources, including online courses, reading lists, and other platforms relating to professional development and self-improvement.

(2) The availability of peer-to-peer interactions among members described in paragraph (1), including access of cadets and midshipmen at the military service academies to cadre, coaches, and coaching staff.

(3) The availability of communication between units deployed and stationed at home regarding synchronization of quarantine plans for units with members described in paragraph (1).

(4) Such other matters relating to the personal and professional development of members of the Armed Forces who are quarantined in connection with the Coronavirus Disease 2019 as the Secretary considers appropriate.

(c) COMMENCEMENT OF IMPLEMENTATION.—The measures developed pursuant to subsection (a) shall be implemented beginning not later than 90 days after the completion of the development of the measures pursuant to that subsection.

SA 2300. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. COUNTY LAW ENFORCEMENT ASSISTANCE.

(a) DEFINITIONS.—In this section—

(1) the term ''county'' means any county, parish, or organized or unorganized borough;

(2) the term ''covered county'' means a county in which a covered municipality is located;

(3) the term ''covered municipality'' means a municipality that has reduced the funding of any law enforcement agency over which the municipality has authority during 2020; and

(4) the term ''municipality''—

(A) means a city, town, or other public body created by State law; and

(B) does not include a county.

(b) GRANTS AUTHORIZED.—The Attorney General shall establish a competitive grant program to award grants to county law enforcement agencies located in covered counties to assist the law enforcement agencies in hiring additional law enforcement officers.

(c) APPLICATION.—A law enforcement agency seeking a grant under this section shall submit an application in such form, at such time, and containing such information as the Attorney General may require.

(d) SUPPLEMENT NOT SUPPLANT.—Amounts awarded under this section shall supplement and not supplant amounts otherwise awarded by the Attorney General to a law enforcement agency.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Attorney General $1,500,000,000 for fiscal year 2021 to carry out this section.

SA 2301. Mr. INHOFE proposed an amendment to the bill S. 4049, 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; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''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 six 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—Additional Provisions.

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

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

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Integrated air and missile defense assessment.
Sec. 112. Report and limitation on Integrated Visual Augmentation System acquisition.
Sec. 113. Modifications to requirement for an interim cruise missile defense capability.

Subtitle C—Navy Programs

Sec. 121. Contract authority for Columbia-class submarine program.
Sec. 122. Limitation on Navy medium and large unmanned surface vessels.
Sec. 123. Extension of prohibition on availability of funds for Navy waterborne security barriers.
Sec. 124. Procurement authorities for certain amphibious shipbuilding programs.
Sec. 125. Fighter force structure acquisition strategy.
Sec. 126. Treatment of systems added by Congress in future President's budget requests.
Sec. 127. Report on carrier wing composition.
Sec. 128. Report on strategy to use ALQ–249 Next Generation Jammer to ensure full spectrum electromagnetic superiority.

Subtitle D—Air Force Programs

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

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

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

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 211. Designation and activities of senior officials for critical technology areas supportive of the National Defense Strategy.
Sec. 212. Governance of fifth-generation wireless networking in the Department of Defense.
Sec. 213. Application of artificial intelligence to the defense reform pillar of the National Defense Strategy.
Sec. 214. Extension of authorities to enhance innovation at Department of Defense laboratories.
Sec. 215. Updates to Defense Quantum Information Science and Technology Research and Development program.
Sec. 216. Program of part-time and term employment at Department of Defense science and technology reinvention laboratories of faculty and students from institutions of higher education.
Sec. 217. Improvements to Technology and National Security Fellowship of Department of Defense.
Sec. 218. Department of Defense research, development, and deployment of technology to support water sustainment.
Sec. 219. Development and testing of hypersonic capabilities.
Sec. 220. Disclosure requirements for recipients of Department of Defense research and development grants.

Subtitle C—Plans, Reports, and Other Matters

Sec. 231. Assessment on United States national security emerging biotechnology efforts and capabilities and comparison with adversaries.
Sec. 232. Independent comparative analysis of efforts by China and the United States to recruit and retain researchers in national security-related fields.
Sec. 233. Department of Defense demonstration of virtualized radio access network and massive multiple input multiple output radio arrays for fifth generation wireless networking.
Sec. 234. Independent technical review of Federal Communications Commission Order 20–48.
Sec. 235. Report on and limitation on expenditure of funds for micro nuclear reactor programs.
Sec. 236. Modification to Test Resource Management Center strategic plan reporting cycle and contents.
Sec. 237. Limitation on contract awards for certain unmanned vessels.
Sec. 238. Documentation relating to the Advanced Battle Management System.
Sec. 239. Armed Services Vocational Aptitude Battery Test special purpose adjunct to address computational thinking.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Modifications and technical corrections to ensure restoration of contamination by perfluorooctane sulfonate and perfluorooctanoic acid.
Sec. 312. Readiness and Environmental Protection Integration Program technical edits and clarification.
Sec. 313. Survey and market research of technologies for phase out by Department of Defense of use of fluorinated aqueous film-forming foam.
Sec. 314. Modification of authority to carry out military installation resilience projects.
Sec. 315. Native American Indian lands environmental mitigation program.
Sec. 316. Energy resilience and energy security measures on military installations.
Sec. 317. Modification to availability of energy cost savings for Department of Defense.
Sec. 318. Long-duration demonstration initiative and joint program.
Sec. 319. Pilot program on alternative fuel vehicle purchasing.

Subtitle C—Logistics and Sustainment

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

Subtitle D—Reports

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

Subtitle E—Other Matters

Sec. 371. Prohibition on divestiture of manned intelligence, surveillance, and reconnaissance aircraft operated by United States Special Operations Command.
Sec. 372. Information on overseas construction projects in support of contingency operations using funds for operation and maintenance.
Sec. 373. Provision of protection to the National Museum of the Marine Corps, the National Museum of the United States Army, the National Museum of the United States Navy, and the National Museum of the United States Air Force.
Sec. 374. Inapplicability of congressional notification and dollar limitation requirements for advance billings for certain background investigations.
Sec. 375. Repeal of sunset for minimum annual purchase amount for carriers participating in the Civil Reserve Air Fleet.
Sec. 376. Improvement of the Operational Energy Capability Improvement Fund of the Department of Defense.
Sec. 377. Commission on the naming of items of the Department of Defense that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.
Sec. 378. Modifications to review of proposed actions by Military Aviation and Installation Assurance Clearinghouse.
Sec. 379. Adjustment in availability of appropriations for unusual cost overruns and for changes in scope of work.
Sec. 380. Requirement that Secretary of Defense implement security and emergency response recommendations relating to active shooter or terrorist attacks on installations of Department of Defense.
Sec. 381. Clarification of food ingredient requirements for food or beverages provided by the Department of Defense.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

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

Subtitle B—Reserve Forces

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

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Officer Personnel Policy

Sec. 501. Repeal of codified specification of authorized strengths of certain commissioned officers on active duty.
Sec. 502. Temporary expansion of availability of enhanced constructive service credit in a particular career field upon original appointment as a commissioned officer.
Sec. 503. Requirement for promotion selection board recommendation of higher placement on promotion list of officers of particular merit.
Sec. 504. Special selection review boards for review of promotion of officers subject to adverse information identified after recommendation for promotion and related matters.
Sec. 505. Number of opportunities for consideration for promotion under alternative promotion authority.
Sec. 506. Mandatory retirement for age.
Sec. 507. Clarifying and improving restatement of rules on the retired grade of commissioned officers.
Sec. 508. Repeal of authority for original appointment of regular Navy officers designated for engineering duty, aeronautical engineering duty, and special duty.

Subtitle B—Reserve Component Management

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

Subtitle C—General Service Authorities

Sec. 516. Increased access to potential recruits.
Sec. 517. Temporary authority to order retired members to active duty in high-demand, low-density assignments during war or national emergency.
Sec. 518. Certificate of Release or Discharge from Active Duty (DD Form 214) matters.
Sec. 519. Evaluation of barriers to minority participation in certain units of the Armed Forces.

Subtitle D—Military Justice and Related Matters

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

Sec. 521. Modification of time required for expedited decisions in connection with applications for change of station or unit transfer of members who are victims of sexual assault or related offenses.
Sec. 522. Defense Advisory Committee for the Prevention of Sexual Misconduct.
Sec. 523. Report on ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to perform duties.
Sec. 524. Briefing on Special Victims' Counsel program.
Sec. 525. Accountability of leadership of the Department of Defense for discharging the sexual harassment policies and programs of the Department.
Sec. 526. Safe-to-report policy applicable across the Armed Forces.
Sec. 527. Additional bases for provision of advice by the Defense Advisory Committee for the Prevention of Sexual Misconduct.
Sec. 528. Additional matters for reports of the Defense Advisory Committee for the Prevention of Sexual Misconduct.
Sec. 529. Policy on separation of victim and accused at military service academies and degree-granting military educational institutions.
Sec. 530. Briefing on placement of members of the Armed Forces in academic status who are victims of sexual assault onto Non-Rated Periods.

PART II—OTHER MILITARY JUSTICE MATTERS

Sec. 531. Right to notice of victims of offenses under the Uniform Code of Military Justice regarding certain post-trial motions, filings, and hearings.
Sec. 532. Consideration of the evidence by Courts of Criminal Appeals.
Sec. 533. Preservation of records of the military justice system.
Sec. 534. Comptroller General of the United States report on implementation by the Armed Forces of recent GAO recommendations and statutory requirements on assessment of racial, ethnic, and gender disparities in the military justice system.

Sec. 535. Briefing on mental health support for vicarious trauma for certain personnel in the military justice system.
Sec. 536. Guardian ad litem program for minor dependents of members of the Armed Forces.

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

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

Subtitle F—Decorations and Awards

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

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

PART I—DEFENSE DEPENDENTS' EDUCATION MATTERS

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

PART II—MILITARY FAMILY READINESS MATTERS

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

Subtitle H—Other Matters

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

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Reorganization of certain allowances other than travel and transportation allowances.
Sec. 602. Hazardous duty pay for members of the Armed Forces performing duty in response to the Coronavirus Disease 2019.

Subtitle B—Bonuses and Special and Incentive Pays

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

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

Sec. 621. Inclusion of drill or training foregone due to emergency travel or duty restrictions in computations of entitlement to and amounts of retired pay for nonregular service.
Sec. 622. Modernization and clarification of payment of certain Reserves while on duty.

Subtitle D—Other Matters

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

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

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

Subtitle B—Health Care Administration

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

Subtitle C—Reports and Other Matters

Sec. 741. Extension of authority for Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund.
Sec. 742. Membership of Board of Regents of Uniformed Services University of the Health Sciences.
Sec. 743. Military Health System Clinical Quality Management Program.
Sec. 744. Modifications to pilot program on civilian and military partnerships to enhance interoperability and medical surge capability and capacity of National Disaster Medical System.
Sec. 745. Study on force mix options and service models to enhance readiness of medical force of the Armed Forces to provide combat casualty care.
Sec. 746. Comptroller General study on delivery of mental health services to members of the reserve components of the Armed Forces.
Sec. 747. Review and report on prevention of suicide among members of the Armed Forces stationed at remote installations outside the contiguous United States.
Sec. 748. Audit of medical conditions of tenants in privatized military housing.

Sec. 749. Comptroller General study on prenatal and postpartum mental health conditions among members of the Armed Forces and their dependents.
Sec. 750. Plan for evaluation of flexible spending account options for members of the uniformed services and their families.
Sec. 751. Assessment of receipt by civilians of emergency medical treatment at military medical treatment facilities.

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

Subtitle A—Industrial Base Matters

Sec. 801. Policy recommendations for implementation of Executive Order 13806 (Assessing and Strengthening the Manufacturing and Defense Industrial Base and Supply Chain Resiliency).
Sec. 802. Assessment of national security innovation base.
Sec. 803. Improving implementation of policy pertaining to the national technology and industrial base.
Sec. 804. Modification of framework for modernizing acquisition processes to ensure integrity of industrial base.
Sec. 805. Assessments of industrial base capabilities and capacity.
Sec. 806. Analyses of certain materials and technology sectors for action to address sourcing and industrial capacity.
Sec. 807. Microelectronics manufacturing strategy.
Sec. 808. Additional requirements pertaining to printed circuit boards.
Sec. 809. Statement of policy with respect to supply of strategic minerals and metals for Department of Defense purposes.
Sec. 810. Report on strategic and critical minerals and metals.
Sec. 811. Stabilization of shipbuilding industrial base workforce.
Sec. 812. Miscellaneous limitations on the procurement of goods other than United States goods.
Sec. 813. Use of domestically sourced star trackers in national security satellites.
Sec. 814. Modification to small purchase threshold exception to sourcing requirements for certain articles.

Subtitle B—Acquisition Policy and Management

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

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

Sec. 841. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.
Sec. 842. Truth in Negotiations Act threshold for Department of Defense contracts.
Sec. 843. Revision of proof required when using an evaluation factor for defense contractors employing or subcontracting with members of the selected reserve of the reserve components of the Armed Forces.
Sec. 844. Contract authority for advanced development of initial or additional prototype units.
Sec. 845. Definition of business system deficiencies for contractor business systems.
Sec. 846. Repeal of pilot program on payment of costs for denied Government Accountability Office bid protests.

Subtitle D—Provisions Relating to Major Defense Acquisition Programs

Sec. 861. Implementation of modular open systems architecture requirements.
Sec. 862. Sustainment reviews.
Sec. 863. Recommendations for future direct selections.
Sec. 864. Disclosures for certain shipbuilding major defense acquisition program offers.

Subtitle E—Small Business Matters

Sec. 871. Prompt payment of contractors.
Sec. 872. Extension of pilot program for streamlined awards for innovative technology programs.

Subtitle F—Provisions Related to Software-Driven Capabilities

Sec. 881. Inclusion of software in government performance of acquisition functions.
Sec. 882. Balancing security and innovation in software development and acquisition.
Sec. 883. Comptroller General report on intellectual property acquisition and licensing.

Subtitle G—Other Matters

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

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

Sec. 901. Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and related matters.
Sec. 902. Redesignation and codification in law of Office of Economic Adjustment.
Sec. 903. Modernization of process used by the Department of Defense to identify, task, and manage Congressional reporting requirements.
Sec. 904. Inclusion of Vice Chief of the National Guard Bureau as an advisor to the Joint Requirements Oversight Council.
Sec. 905. Assignment of responsibility for the Arctic region within the Office of the Secretary of Defense.

Subtitle B—Department of Defense Management Reform

Sec. 911. Termination of position of Chief Management Officer of the Department of Defense.
Sec. 912. Report on assignment of responsibilities, duties, and authorities of Chief Management Officer to other officers or employees of the Department of Defense.
Sec. 913. Performance Improvement Officer of the Department of Defense.
Sec. 914. Assignment of certain responsibilities and duties to particular officers of the Department of Defense.
Sec. 915. Assignment of responsibilities and duties of Chief Management Officer to officers or employees of the Department of Defense to be designated.
Sec. 916. Definition of enterprise business operations for title 10, United States Code.
Sec. 917. Annual report on enterprise business operations of the Department of Defense.
Sec. 918. Conforming amendments.

Subtitle C—Space Force Matters

PART I—AMENDMENTS TO INTEGRATE THE SPACE FORCE INTO LAW

Sec. 931. Clarification of Space Force and Chief of Space Operations authorities.
Sec. 932. Amendments to Department of the Air Force provisions in title 10, United States Code.
Sec. 933. Amendments to other provisions of title 10, United States Code.
Sec. 934. Amendments to provisions of law relating to pay and allowances.
Sec. 935. Amendments relating to provisions of law on veterans' benefits.
Sec. 936. Amendments to other provisions of the United States Code.
Sec. 937. Applicability to other provisions of law.

PART II—OTHER MATTERS

Sec. 941. Matters relating to reserve components for the Space Force.
Sec. 942. Transfers of military and civilian personnel to the Space Force.
Sec. 943. Limitation on transfer of military installations to the jurisdiction of the Space Force.

Subtitle D—Organization and Management of Other Department of Defense Offices and Elements

Sec. 951. Annual report on establishment of field operating agencies.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Application of Financial Improvement and Audit Remediation Plan to fiscal years following fiscal year 2020.

Subtitle B—Counterdrug Activities

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

Subtitle C—Naval Vessels and Shipyards

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

Subtitle D—Counterterrorism

Sec. 1031. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to the United States.

Sec. 1032. Extension of prohibition on use of funds to close or relinquish control of United States Naval Station, Guantanamo Bay, Cuba.

Sec. 1033. Extension of prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.

Sec. 1034. Extension of prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 1041. Inclusion of disaster-related emergency preparedness activities among law enforcement activities authorities for sale or donation of excess personal property of the Department of Defense.

Sec. 1042. Expenditure of funds for Department of Defense clandestine activities that support operational preparation of the environment.

Sec. 1043. Clarification of authority of military commissions under chapter 47A of title 10, United States Code, to punish contempt.

Sec. 1044. Prohibition on actions to infringe upon First Amendment rights of peaceable assembly and petition for redress of grievances.

Sec. 1045. Arctic planning, research, and development.

Sec. 1046. Consideration of security risks in certain telecommunications architecture for future overseas basing decisions of the Department of Defense.

Sec. 1047. Foreign military training programs.

Sec. 1048. Reporting of adverse events relating to consumer products on military installations.

Sec. 1049. Inclusion of United States Naval Sea Cadet Corps among youth and charitable organizations authorized to receive assistance from the National Guard.

Sec. 1050. Department of Defense policy for the regulation of dangerous dogs.

Sec. 1051. Sense of Congress on the basing of KC–46A aircraft outside the contiguous United States.

Subtitle F—Studies and Reports

Sec. 1061. Report on potential improvements to certain military educational institutions of the Department of Defense.

Sec. 1062. Reports on status and modernization of the North Warning System.

Sec. 1063. Studies on the force structure for Marine Corps aviation.

Subtitle G—Other Matters

Sec. 1081. Department of Defense strategic Arctic ports.

Sec. 1082. Personal protective equipment matters.

Sec. 1083. Estimate of damages from Federal Communications Commission Order 20–48.

Sec. 1084. Modernization effort.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—Department of Defense Matters

Sec. 1101. Enhanced pay authority for certain acquisition and technology positions in the Department of Defense.

Sec. 1102. Enhanced pay authority for certain research and technology positions in the science and technology reinvention laboratories of the Department of Defense.

Sec. 1103. Extension of enhanced appointment and compensation authority for civilian personnel for care and treatment of wounded and injured members of the Armed Forces.

Sec. 1104. Extension of overtime rate authority for Department of the Navy employees performing work aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan.

Sec. 1105. Expansion of direct hire authority for certain Department of Defense personnel to include installation military housing office positions supervising privatized military housing.

Sec. 1106. Extension of sunset of inapplicability of certification of executive qualifications by qualification certification review board of Office of Personnel Management for initial appointments to Senior Executive Service positions in Department of Defense.

Sec. 1107. Pilot program on enhanced pay authority for certain high-level management positions in the Department of Defense.

Sec. 1108. Pilot program on expanded authority for appointment of recently retired members of the Armed Forces to positions in the Department of Defense.

Sec. 1109. Direct hire authority and relocation incentives for positions at remote locations.

Sec. 1110. Modification of direct hire authority for certain personnel involved with Department of Defense maintenance activities.

Sec. 1110A. Fire Fighters Alternative Work Schedule demonstration project for the Navy Region Mid-Atlantic Fire and Emergency Services.

Subtitle B—Government-Wide Matters

Sec. 1111. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

Sec. 1112. One-year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.

Sec. 1113. Technical amendments to authority for reimbursement of Federal, State, and local income taxes incurred during travel, transportation, and relocation.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. Authority to build capacity for additional operations.

Sec. 1202. Authority to build capacity for air sovereignty operations.

Sec. 1203. Modification to the Inter-European Air Forces Academy.

Sec. 1204. Modification to support of special operations for irregular warfare.

Sec. 1205. Extension and modification of authority to support border security operations of certain foreign countries.

Sec. 1206. Modification of authority for participation in multinational centers of excellence.

Sec. 1207. Implementation of the Women, Peace, and Security Act of 2017.

Sec. 1208. Ted Stevens Center for Arctic Security Studies.

Sec. 1209. Functional Center for Security Studies in Irregular Warfare.

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.

Sec. 1212. Extension and modification of Commanders' Emergency Response Program.

Sec. 1213. Extension and modification of support for reconciliation activities led by the Government of Afghanistan.

Sec. 1214. Sense of Senate on special immigrant visa program for Afghan allies.

Sec. 1215. Sense of Senate and report on United States presence in Afghanistan.

Subtitle C—Matters Relating to Syria, Iraq, and Iran

Sec. 1221. Extension of authority and limitation on use of funds to provide assistance to counter the Islamic State of Iraq and Syria.

Sec. 1222. Extension and modification of authority to provide assistance to vetted Syrian groups and individuals.

Sec. 1223. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.

Subtitle D—Matters Relating to Europe and the Russian Federation

Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.

Sec. 1232. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.

Sec. 1233. Modification and extension of Ukraine Security Assistance Initiative.

Sec. 1234. Report on capability and capacity requirements of military forces of Ukraine and resource plan for security assistance.

Sec. 1235. Sense of Senate on North Atlantic Treaty Organization enhanced opportunities partner status for Ukraine.

Sec. 1236. Extension of authority for training for Eastern European national security forces in the course of multilateral exercises.

Sec. 1237. Sense of Senate on Kosovo and the role of the Kosovo Force of the North Atlantic Treaty Organization.

Sec. 1238. Sense of Senate on strategic competition with the Russian Federation and related activities of the Department of Defense.

Sec. 1239. Report on Russian Federation support of racially and ethnically motivated violent extremists.
Sec. 1240. Participation in European program on multilateral exchange of surface transportation services.
Sec. 1241. Participation in programs relating to coordination or exchange of air refueling and air transportation services.

Subtitle E—Matters Relating to the Indo-Pacific Region

Sec. 1251. Pacific Deterrence Initiative.
Sec. 1252. Sense of Senate on the United States-Vietnam defense relationship.
Sec. 1253. Authority to transfer funds for Bien Hoa dioxin cleanup.
Sec. 1254. Cooperative program with Vietnam to account for Vietnamese personnel missing in action.
Sec. 1255. Provision of goods and services at Kwajalein Atoll, Republic of the Marshall Islands.
Sec. 1256. Authority to establish a Movement Coordination Center Pacific in the Indo-Pacific region and participate in an Air Transport and Air-to-Air Refueling and other Exchanges of Services program.
Sec. 1257. Training of ally and partner air forces in Guam.
Sec. 1258. Statement of policy and sense of Senate on the Taiwan Relations Act.
Sec. 1259. Sense of Congress on port calls in Taiwan with the *USNS Comfort* and the *USNS Mercy*.
Sec. 1260. Limitation on use of funds to reduce total number of members of the Armed Forces serving on active duty who are deployed to the Republic of Korea.
Sec. 1261. Sense of Congress on co-development with Japan of a long-range ground-based anti-ship cruise missile system.

Subtitle F—Reports

Sec. 1271. Review of and report on overdue acquisition and cross-servicing agreement transactions.
Sec. 1272. Report on burden sharing contributions by designated countries.
Sec. 1273. Report on risk to personnel, equipment, and operations due to Huawei 5G architecture in host countries.

Subtitle G—Other Matters

Sec. 1281. Reciprocal patient movement agreements.
Sec. 1282. Extension of authorization of nonconventional assisted recovery capabilities.
Sec. 1283. Extension of Department of Defense support for stabilization activities in national security interest of the United States.
Sec. 1284. Notification with respect to withdrawal of members of the Armed Forces participating in the Multinational Force and Observers in Egypt.
Sec. 1285. Modification to initiative to support protection of national security academic researchers from undue influence and other security threats.
Sec. 1286. Establishment of United States-Israel Operations-Technology Working Group.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Funding allocations for Department of Defense Cooperative Threat Reduction Program.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. Chemical Agents and Munitions Destruction, Defense.
Sec. 1403. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1404. Defense Inspector General.
Sec. 1405. Defense Health Program.

Subtitle B—Armed Forces Retirement Home

Sec. 1411. Authorization of appropriations for Armed Forces Retirement Home.
Sec. 1412. Periodic inspections of Armed Forces Retirement Home facilities by nationally recognized accrediting organization.
Sec. 1413. Expansion of eligibility for residence at the Armed Forces Retirement Home.

Subtitle C—Other Matters

Sec. 1421. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

Sec. 1501. Purpose.
Sec. 1502. Overseas contingency operations.
Sec. 1503. Procurement.
Sec. 1504. Research, development, test, and evaluation.
Sec. 1505. Operation and maintenance.
Sec. 1506. Military personnel.
Sec. 1507. Working capital funds.
Sec. 1508. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1509. Defense Inspector General.
Sec. 1510. Defense Health Program.

Subtitle B—Financial Matters

Sec. 1521. Treatment as additional authorizations.
Sec. 1522. Special transfer authority.

Subtitle C—Other Matters

Sec. 1531. Afghanistan Security Forces Fund.
Sec. 1532. Transition and enhancement of inspector general authorities for Afghanistan reconstruction.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

Sec. 1601. Resilient and survivable positioning, navigation, and timing capabilities.
Sec. 1602. Distribution of launches for phase two of acquisition strategy for National Security Space Launch program.
Sec. 1603. Development efforts for National Security Space Launch providers.
Sec. 1604. Timeline for nonrecurring design validation for responsive space launch.
Sec. 1605. Tactically responsive space launch operations.
Sec. 1606. Conforming amendments relating to reestablishment of Space Command.
Sec. 1607. Space Development Agency development requirements and transfer to Space Force.
Sec. 1608. Space launch rate assessment.
Sec. 1609. Report on impact of acquisition strategy for the National Security Space Launch Program on emerging foreign space launch providers.

Subtitle B—Cyberspace-Related Matters

Sec. 1611. Modification of position of Principal Cyber Advisor.
Sec. 1612. Framework for cyber hunt forward operations.
Sec. 1613. Modification of scope of notification requirements for sensitive military cyber operations.
Sec. 1614. Modification of requirements for quarterly Department of Defense cyber operations briefings for Congress.
Sec. 1615. Rationalization and integration of parallel cybersecurity architectures and operations.
Sec. 1616. Modification of acquisition authority of Commander of United States Cyber Command.
Sec. 1617. Assessment of cyber operational planning and deconfliction policies and processes.
Sec. 1618. Pilot program on cybersecurity capability metrics.
Sec. 1619. Assessment of effect of inconsistent timing and use of Network Address Translation in Department of Defense networks.
Sec. 1620. Matters concerning the College of Information and Cyberspace at National Defense University.
Sec. 1621. Modification of mission of cyber command and assignment of cyber operations forces.
Sec. 1622. Integration of Department of Defense user activity monitoring and cybersecurity.
Sec. 1623. Defense industrial base cybersecurity sensor architecture plan.
Sec. 1624. Extension of Cyberspace Solarium Commission to track and assess implementation.
Sec. 1625. Review of regulations and promulgation of guidance relating to National Guard responses to cyber attacks.
Sec. 1626. Improvements relating to the quadrennial cyber posture review.
Sec. 1627. Report on enabling United States Cyber Command resource allocation.
Sec. 1628. Evaluation of options for establishing a cyber reserve force.
Sec. 1629. Ensuring cyber resiliency of nuclear command and control system.
Sec. 1630. Modification of requirements relating to the Strategic Cybersecurity Program and the evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense.
Sec. 1631. Defense industrial base participation in a cybersecurity threat intelligence sharing program.
Sec. 1632. Assessment on defense industrial base cybersecurity threat hunting.
Sec. 1633. Assessing risk to national security of quantum computing.
Sec. 1634. Applicability of reorientation of Big Data Platform program to Department of Navy.
Sec. 1635. Expansion of authority for access and information relating to cyber attacks on operationally critical contractors of the Armed Forces.
Sec. 1636. Requirements for review of and limitations on the Joint Regional Security Stacks activity.

Sec. 1637. Independent assessment of establishment of a National Cyber Director.
Sec. 1638. Modification of authority to use operation and maintenance funds for cyber operations-peculiar capability development projects.
Sec. 1639. Personnel management authority for Commander of United States Cyber Command and development program for offensive cyber operations.
Sec. 1640. Implementation of information operations matters.
Sec. 1641. Report on Cyber Institutes Program.
Sec. 1642. Assistance for small manufacturers in the defense industrial supply chain on matters relating to cybersecurity.

Subtitle C—Nuclear Forces

Sec. 1651. Modification to responsibilities of Nuclear Weapons Council.
Sec. 1652. Responsibility of Nuclear Weapons Council in preparation of National Nuclear Security Administration budget.
Sec. 1653. Modification of Government Accountability Office review of annual reports on nuclear weapons enterprise.
Sec. 1654. Prohibition on reduction of the intercontinental ballistic missiles of the United States.
Sec. 1655. Sense of the Senate on nuclear cooperation between the United States and the United Kingdom.

Subtitle D—Missile Defense Programs

Sec. 1661. Iron Dome short-range rocket defense system and Israeli cooperative missile defense program co-development and co-production.
Sec. 1662. Acceleration of the deployment of hypersonic and ballistic tracking space sensor payload.
Sec. 1663. Extension of prohibition relating to missile defense information and systems.
Sec. 1664. Report on and limitation on expenditure of funds for layered homeland missile defense system.
Sec. 1665. Extension of requirement for Comptroller General review and assessment of missile defense acquisition programs.
Sec. 1666. Repeal of requirement for reporting structure of Missile Defense Agency.
Sec. 1667. Ground-based midcourse defense interim capability.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.
Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Authorization of appropriations, Army.
Sec. 2104. Modification of authority to carry out fiscal year 2017 project at Camp Walker, Korea.

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Modification of authority to carry out fiscal year 2018 project at Royal Air Force Lakenheath.
Sec. 2306. Modification of authority to carry out certain fiscal year 2019 projects.
Sec. 2307. Modification of authority to carry out certain fiscal year 2020 family housing projects.
Sec. 2308. Modification of authority to carry out certain fiscal year 2020 projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Authorized Energy Resilience and Conservation Investment Program projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.
Sec. 2503. Execution of projects under the North Atlantic Treaty Organization Security Investment Program.

Subtitle B—Host Country In-Kind Contributions

Sec. 2511. Republic of Korea funded construction projects.
Sec. 2512. Qatar funded construction projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.
Sec. 2607. Modification of authority to carry out fiscal year 2020 project in 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.
Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

Sec. 2801. Responsibility of Navy for military construction requirements for certain Fleet Readiness Centers.
Sec. 2802. Construction of ground-based strategic deterrent launch facilities and launch centers for Air Force.

Subtitle B—Military Family Housing

Sec. 2821. Prohibition on substandard family housing units.
Sec. 2822. Technical corrections to privatized military housing program.
Sec. 2823. Requirement that Secretary of Defense implement recommendations relating to military family housing contained in report by Inspector General of Department of Defense.

Subtitle C—Project Management and Oversight Reforms

Sec. 2841. Promotion of energy resilience and energy security in privatized utility systems.
Sec. 2842. Consideration of energy security and energy resilience in life-cycle cost for military construction.

Subtitle D—Land Conveyances

Sec. 2861. Renewal of Fallon Range Training Complex land withdrawal and reservation.
Sec. 2862. Renewal of Nevada Test and Training Range land withdrawal and reservation.
Sec. 2863. Transfer of land under the administrative jurisdiction of the Department of the Interior within Naval Support Activity Panama City, Florida.
Sec. 2864. Land conveyance, Camp Navajo, Arizona.

Subtitle E—Other Matters

Sec. 2881. Military family readiness considerations in basing decisions.
Sec. 2882. Prohibition on use of funds to reduce air base resiliency or demolish protected aircraft shelters in the European theater without creating a similar protection from attack.
Sec. 2883. Prohibitions relating to closure or returning to host nation of existing bases under the European Consolidation Initiative.
Sec. 2884. Enhancement of authority to accept conditional gifts of real property on behalf of military museums.
Sec. 2885. Equal treatment of insured depository institutions and credit unions operating on military installations.
Sec. 2886. Report on operational aviation units impacted by noise restrictions or noise mitigation measures.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

Sec. 2901. Authorized Navy construction and land acquisition projects.
Sec. 2902. Authorized Air Force construction and land acquisition projects.
Sec. 2903. Authorization of appropriations.
Sec. 2904. Replenishment of certain military constructions funds.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs and Authorizations

Sec. 3101. National Nuclear Security Administration.
Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.
Sec. 3104. Nuclear energy.

Subtitle B—Budget of the National Nuclear Security Administration

Sec. 3111. Review of adequacy of nuclear weapons budget.
Sec. 3112. Treatment of budget of National Nuclear Security Administration.
Sec. 3113. Responsibility of Administrator for Nuclear Security for ensuring National Nuclear Security Administration budget satisfies nuclear weapons needs of Department of Defense.
Sec. 3114. Participation of Secretary of Defense in planning, programming, budgeting, and execution process of National Nuclear Security Administration.
Sec. 3115. Requirement for updated planning, programming, budgeting, and execution guidance for National Nuclear Security Administration.
Sec. 3116. Cross-training in budget processes of Department of Defense and National Nuclear Security Administration.

Subtitle C—Personnel Matters

Sec. 3121. National Nuclear Security Administration Personnel System.
Sec. 3122. Inclusion of certain employees and contractors of Department of Energy in definition of public safety officer for purposes of certain death benefits.
Sec. 3123. Reimbursement for liability insurance for nuclear materials couriers.
Sec. 3124. Transportation and moving expenses for immediate family of deceased nuclear materials couriers.
Sec. 3125. Extension of authority for appointment of certain scientific, engineering, and technical personnel.

Subtitle D—Cybersecurity

Sec. 3131. Reporting on penetrations of networks of contractors and subcontractors.
Sec. 3132. Clarification of responsibility for cybersecurity of National Nuclear Security Administration facilities.

Subtitle E—Defense Environmental Cleanup

Sec. 3141. Public statement of environmental liabilities for facilities undergoing defense environmental cleanup.
Sec. 3142. Inclusion of missed milestones in future-years defense environmental cleanup plan.
Sec. 3143. Classification of defense environmental cleanup as capital asset projects or operations activities.
Sec. 3144. Continued analysis of approaches for supplemental treatment of low-activity waste at Hanford Nuclear Reservation.

Subtitle F—Other Matters

Sec. 3151. Modifications to enhanced procurement authority to manage supply chain risk.
Sec. 3152. Laboratory- or production facility-directed research and development programs.
Sec. 3153. Prohibition on use of laboratory- or production facility-directed research and development funds for general and administrative overhead costs.
Sec. 3154. Monitoring of industrial base for nuclear weapons components, subsystems, and materials.
Sec. 3155. Prohibition on use of funds for advanced naval nuclear fuel system based on low-enriched uranium.
Sec. 3156. Authorization of appropriations for W93 nuclear warhead program.
Sec. 3157. Review of future of computing beyond exascale at the National Nuclear Security Administration.
Sec. 3158. Application of requirement for independent cost estimates and reviews to new nuclear weapon systems.
Sec. 3159. Extension and expansion of limitations on importation of uranium from Russian Federation.
Sec. 3160. Integration of stockpile stewardship and nonproliferation missions.
Sec. 3161. Technology development and integration program.
Sec. 3162. Advanced manufacturing development program.
Sec. 3163. Materials science program.
Sec. 3164. Modifications to Inertial Confinement Fusion Ignition and High Yield Program.
Sec. 3165. Earned value management program for life extension programs.
Sec. 3166. Use of high performance computing capabilities for COVID–19 research.
Sec. 3167. Availability of stockpile responsiveness funds for projects to reduce time necessary to execute a nuclear test.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.
Sec. 3202. Nonpublic collaborative discussions by Defense Nuclear Facilities Safety Board.
Sec. 3203. Improvements to operations of Defense Nuclear Facilities Safety Board.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Maritime Administration.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

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

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

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

TITLE XLIII—OPERATION AND MAINTENANCE

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

TITLE XLIV—MILITARY PERSONNEL

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

TITLE XLV—OTHER AUTHORIZATIONS

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

TITLE XLVI—MILITARY CONSTRUCTION

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

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security programs.

DIVISION E—ADDITIONAL PROVISIONS

TITLE LI—PROCUREMENT

Subtitle B—Army Programs

Sec. 5111. Report on CH–47F Chinook Block-II upgrade.

Subtitle C—Navy Programs

Sec. 5121. Limitation on alteration of Navy fleet mix.

TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle B—Program Requirements, Restrictions, and Limitations

Sec. 5211. Importance of historically Black colleges and universities and minority-serving institutions.

Subtitle C—Plans, Reports, and Other Matters

Sec. 5231. Report on Department of Defense strategy on artificial intelligence standards.
Sec. 5232. Study on establishment of energetics program office.

TITLE LIII—OPERATION AND MAINTENANCE

Subtitle C—Logistics and Sustainment

Sec. 5331. Use of cost savings realized from intergovernmental services agreements for installation-support services.

Subtitle D—Reports

Sec. 5351. Report on non-permissive, global positioning system denied airfield capabilities.

Subtitle E—Other Matters

Sec. 5371. Increase of amounts available to Marine Corps for base operations and support.
Sec. 5372. Modernization of congressional reports process.

TITLE LV—MILITARY PERSONNEL POLICY

Subtitle C—General Service Authorities

Sec. 5516. Report on implementation of recommendations of the Comptroller General of the United States on recruitment and retention of female members of the Armed Forces.

Subtitle F—Decorations and Awards

Sec. 5551. Report on regulations and procedures to implement programs on award of medals or commendations to handlers of military working dogs.

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

PART II—MILITARY FAMILY READINESS MATTERS

Sec. 5571. Independent study and report on military spouse underemployment.

Subtitle H—Other Matters

Sec. 5586. Questions regarding racism, anti-Semitism, and supremacism in workplace surveys administered by the Secretary of Defense.

Sec. 5587. Briefing on the implementation of requirements on connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.
Sec. 5590. Pilot programs on remote provision by National Guard to State governments and National Guards of other States of cybersecurity technical assistance in training, preparation, and response to cyber incidents.

TITLE LVII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Provisions

Sec. 5707. Pilot program on receipt of nongeneric prescription maintenance medications under TRICARE pharmacy benefits program.

Subtitle B—Health Care Administration

Sec. 5723. Authority of Secretary of Defense to waive requirements during national emergencies for purposes of provision of health care.

Subtitle C—Reports and Other Matters

Sec. 5741. Study and report on surge capacity of Department of Defense to establish negative air room containment systems in military medical treatment facilities.

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

Subtitle A—Industrial Base Matters

Sec. 5801. Report on use of domestic nonavailability determinations.
Sec. 5802. Report on the effect of the Defense Manufacturing Communities Support Program on the defense supply chain.
Sec. 5803. Improving implementation of policy pertaining to the national technology and industrial base.
Sec. 5808. Additional requirements pertaining to printed circuit boards.
Sec. 5812. Miscellaneous limitations on the procurement of goods other than United States goods.

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

Sec. 5841. Waivers of certain conditions for progress payments under certain contracts during the COVID–19 national emergency.

Subtitle E—Small Business Matters

Sec. 5871. Office of Small Business and Disadvantaged Business Utilization.
Sec. 5872. Eligibility of the Commonwealth of the Northern Mariana Islands for certain Small Business Administration programs.
Sec. 5873. Disaster declaration in rural areas.
Sec. 5874. Temporary extension for 8(a) participants.
Sec. 5875. Maximum award price for sole source manufacturing contracts.
Sec. 5876. Annual reports regarding the SBIR program of the Department of Defense.
Sec. 5877. Small business loans for nonprofit child care providers.

Subtitle G—Other Matters

Sec. 5891. Listing of other transaction authority consortia.
Sec. 5892. Report recommending disposition of notes to certain sections of title 10, United States Code.
Sec. 5893. Applicability of reporting requirement related to notional milestones and standard timelines for foreign military sales.
Sec. 5894. Additional requirements related to mitigating risks related to foreign ownership, control, or influence of Department of Defense contractors and subcontractors.

TITLE LIX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle D—Organization and Management of Other Department of Defense Offices and Elements

Sec. 5951. Comptroller General of the United States report on vulnerabilities of the Department of Defense resulting from offshore technical support call centers.

TITLE LX—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 6001. Under Secretary of Defense (Comptroller) reports on improving the budget justification and related materials of the Department of Defense.
Sec. 6002. Report on fiscal year 2022 budget request requirements in connection with Air Force operations in the Arctic.

Subtitle E—Miscellaneous Authorities and Limitations

Sec. 6046. Conditions for permanently basing United States equipment or additional military units in host countries with at-risk vendors in 5G or 6G networks.

Subtitle F—Studies and Reports

Sec. 6061. Maritime security and domain awareness.
Sec. 6062. Report on pandemic preparedness and planning of the Navy.

Subtitle G—Other Matters

Sec. 6081. Modification to First Division monument.
Sec. 6082. Estimate of damages from Federal Communications Commission Order 20–48.
Sec. 6083. Diesel emissions reduction.
Sec. 6084. Utilizing significant emissions with innovative technologies.
Sec. 6085. Legal assistance for veterans and surviving spouses and dependents.
Sec. 6086. Silver Star Service Banner Day.
Sec. 6087. Established Program to Stimulate Competitive Research.
Sec. 6088. Subpoena authority.
Sec. 6089. Thad Cochran headquarters building.
Sec. 6090. Comptroller General of the United States report on handling by Department of Veterans Affairs of disability-related benefits claims by veterans with type 1 diabetes who were exposed to a herbicide agent.
Sec. 6091. Special rules for certain monthly workers' compensation payments and other payments for Federal Government personnel under chief of mission authority.

Subtitle H—Industries of the Future

Sec. 6094A. Short title.
Sec. 6094B. Report on Federal research and development focused on industries of the future.
Sec. 6094C. Industries of the Future Coordination Council.

Subtitle I—READI Act

Sec. 6096. Short title.
Sec. 6096A. Definitions.
Sec. 6096B. Wireless Emergency Alerts System offerings.
Sec. 6096C. State Emergency Alert System Plans and Emergency Communications Committees.
Sec. 6096D. Integrated public alert and warning system guidance.
Sec. 6096E. False alert reporting.
Sec. 6096F. Repeating Emergency Alert System messages for national security.
Sec. 6096G. Internet and online streaming services emergency alert examination.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle B—Matters Relating to Afghanistan and Pakistan

Sec. 6211. Congressional oversight of United States talks with Taliban officials and Afghanistan's comprehensive peace process.

Subtitle D—Matters Relating to Europe and the Russian Federation

Sec. 6231. Clarification and expansion of sanctions relating to construction of Nord Stream 2 or TurkStream pipeline projects.
Sec. 6235. Sense of Senate on admission of Ukraine to the North Atlantic Treaty Organization Enhanced Opportunities Partnership Program.

Subtitle E—Matters Relating to the Indo-Pacific Region

Sec. 6251. Pilot program to improve cyber cooperation with Vietnam, Thailand, and Indonesia.

Subtitle F—Reports

Sec. 6273. Report on risk to personnel, equipment, and operations due to Huawei 5G architecture in host countries.

Subtitle G—Other Matters

Sec. 6281. Comparative studies on defense budget transparency of the People's Republic of China, the Russian Federation, and the United States.
Sec. 6282. Modification to initiative to support protection of national security academic researchers from undue influence and other security threats.
Sec. 6283. Sense of Senate on United States-Israel cooperation on precision-guided munitions.
Sec. 6284. Blocking deadly fentanyl imports.
Sec. 6286. Establishment of United States-Israel Operations-Technology Working Group.

Subtitle H—United States-Israel Security Assistance

Sec. 6290. Short title.
Sec. 6290A. Definition.

CHAPTER 1—SECURITY ASSISTANCE FOR ISRAEL

Sec. 6291. Findings.
Sec. 6292. Statement of policy.
Sec. 6293. Security assistance for Israel.
Sec. 6294. Extension of war reserves stockpile authority.
Sec. 6295. Extension of loan guarantees to Israel.
Sec. 6296. Transfer of precision guided munitions to Israel.
Sec. 6297. Sense of Congress on rapid acquisition and deployment procedures.
Sec. 6298. Eligibility of Israel for the strategic trade authorization exception to certain export control licensing requirements.

CHAPTER 2—ENHANCED UNITED STATES-ISRAEL COOPERATION
Sec. 6299. United States Agency for International Development memoranda of understanding to enhance cooperation with Israel.
Sec. 6299A. Cooperative projects among the United States, Israel, and developing countries.
Sec. 6299B. Joint cooperative program related to innovation and high-tech for the Middle East region.
Sec. 6299C. Sense of Congress on United States-Israel economic cooperation.
Sec. 6299D. Cooperation on directed energy capabilities.
Sec. 6299E. Plans to provide Israel with necessary defense articles and services in a contingency.
Sec. 6299F. Other matters of cooperation.
TITLE LXVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS
Subtitle B—Cyberspace Related Matters
Sec. 6611. Report on use of encryption by Department of Defense national security systems.
Sec. 6612. Guidance and direction on use of direct hiring processes for artificial intelligence professionals and other data science and software development personnel.
Sec. 6613. Cybersecurity State Coordinator Act.
Sec. 6614. Cybersecurity Advisory Committee.
Sec. 6615. Cybersecurity Education and Training Assistance Program.
Subtitle C—Nuclear Forces
Sec. 6651. Report on electromagnetic pulse hardening of ground-based strategic deterrent weapons system.
TITLE LXVII—NUCLEAR ENERGY LEADERSHIP
Sec. 6701. Advanced nuclear reactor research and development goals.
Sec. 6702. Nuclear energy strategic plan.
Sec. 6703. Versatile, reactor-based fast neutron source.
Sec. 6704. Advanced nuclear fuel security program.
Sec. 6705. University Nuclear Leadership Program.
Sec. 6706. Adjusting strategic petroleum reserve mandated drawdowns.
TITLE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS
Subtitle A—Military Construction Program
Sec. 7801. Modification to authority for military construction projects for child development centers at military installations.
Sec. 7802. Modification of construction of ground-based strategic deterrent launch facilities and launch centers for the Air Force.
Subtitle B—Military Family Housing
Sec. 7821. Inclusion of assessment of performance metrics in annual publication on use of incentive fees for privatized military housing projects.
Subtitle D—Land Conveyances
Sec. 7861. Establishment of interagency committees on joint use of certain land withdrawn from appropriation under public land laws.
Sec. 7862. Lease extension for Bryan Multi-Sports Complex, Wayne County, North Carolina.
Subtitle E—Other Matters
Sec. 7881. Sense of Congress on relocation of Joint Spectrum Center.
TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
Subtitle F—Other Matters
Sec. 8159. Extension and expansion of limitations on importation of uranium from Russian Federation.
DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2021
Sec. 9001. Short title.
Sec. 9002. Definitions.
TITLE XCI—INTELLIGENCE ACTIVITIES
Sec. 9101. Authorization of appropriations.
Sec. 9102. Classified Schedule of Authorizations.
Sec. 9103. Intelligence Community Management Account.
TITLE XCII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM
Sec. 9201. Authorization of appropriations.
TITLE XCIII—INTELLIGENCE COMMUNITY MATTERS
Subtitle A—General Intelligence Community Matters
Sec. 9301. Restriction on conduct of intelligence activities.
Sec. 9303. Clarification of authorities and responsibilities of National Manager for National Security Telecommunications and Information Systems Security.
Sec. 9304. Continuity of operations plans for certain elements of the intelligence community in the case of a national emergency.
Sec. 9305. Application of Executive Schedule level III to position of Director of National Reconnaissance Office.
Sec. 9306. National Intelligence University.
Sec. 9307. Requiring facilitation of establishment of Social Media Data and Threat Analysis Center.
Sec. 9308. Data collection on attrition in intelligence community.
Sec. 9309. Limitation on delegation of responsibility for program management of information-sharing environment.
Sec. 9310. Improvements to provisions relating to intelligence community information technology environment.
Sec. 9311. Requirements and authorities for Director of the Central Intelligence Agency to improve education in science, technology, engineering, arts, and mathematics.
Subtitle B—Reports and Assessments Pertaining to Intelligence Community
Sec. 9321. Assessment by the Comptroller General of the United States on efforts of the intelligence community and the Department of Defense to identify and mitigate risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.
Sec. 9322. Report on use by intelligence community of hiring flexibilities and expedited human resources practices to assure quality and diversity in the workforce of the intelligence community.
Sec. 9323. Report on signals intelligence priorities and requirements.
Sec. 9324. Assessment of demand for student loan repayment program benefit.
Sec. 9325. Assessment of intelligence community demand for child care.
Sec. 9326. Open source intelligence strategies and plans for the intelligence community.
TITLE XCIV—SECURITY CLEARANCES AND TRUSTED WORKFORCE
Sec. 9401. Exclusivity, consistency, and transparency in security clearance procedures, and right to appeal.
Sec. 9402. Establishing process parity for security clearance revocations.
Sec. 9403. Federal policy on sharing of derogatory information pertaining to contractor employees in the trusted workforce.
TITLE XCV—REPORTS AND OTHER MATTERS
Sec. 9501. Report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, certain allies of the United States.
Sec. 9502. Report on threats posed by use by foreign governments and entities of commercially available cyber intrusion and surveillance technology.
Sec. 9503. Reports on recommendations of the Cyberspace Solarium Commission.
Sec. 9504. Assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.
Sec. 9505. Combating Chinese influence operations in the United States and strengthening civil liberties protections.
Sec. 9506. Annual report on corrupt activities of senior officials of the Chinese Communist Party.
Sec. 9507. Report on corrupt activities of Russian and other Eastern European oligarchs.
Sec. 9508. Report on biosecurity risk and disinformation by the Chinese Communist Party and the Government of the People's Republic of China.
Sec. 9509. Report on effect of lifting of United Nations arms embargo on Islamic Republic of Iran.
Sec. 9510. Report on Iranian activities relating to nuclear nonproliferation.
Sec. 9511. Sense of Congress on Third Option Foundation.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

SEC. 4. BUDGETARY EFFECTS OF THIS ACT.

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 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—Army Programs

SEC. 111. INTEGRATED AIR AND MISSILE DEFENSE ASSESSMENT.

(a) ASSESSMENT BY SECRETARY OF THE ARMY.—

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

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

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

(i) Cruise, hypersonic, and ballistic missiles.

(ii) Unmanned aerial systems.

(iii) Rockets.

(iv) Other indirect fire.

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

(B) Analysis of current and planned integrated air and missile defense capabilities to counter the threats analyzed and characterized under subparagraph (A), including the following:

(i) Projected timelines for development, procurement, and fielding of planned integrated air and missile defense capabilities.

(ii) Projected capability gaps.

(iii) Opportunities for acceleration or need for incorporation of interim capabilities to address current and projected gaps.

(C) Analysis of current and planned capacity to meet major contingency plan requirements and ongoing global operations of the combatant commands, including the following:

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

(ii) Capacity gaps in addressing combatant command requirements.

(iii) Operations tempo stress on integrated air and missile defense formations and personnel.

(iv) Plans of the Secretary to continue to increase integrated air and missile defense personnel and formations.

(D) Assessment of integrated air and missile defense architecture and enabling command and control systems, including the following:

(i) A description of the integrated air and missile defense architecture and component counter unmanned aerial systems (C-UAS) sub-architecture.

(ii) Identification of the enabling command and control (C2) systems.

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

(iv) Compatibility of the enabling command and control systems with planned Joint All Domain Command and Control (JADC2) architecture.

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

(i) A description of the current proponency structure.

(ii) Adequacy of the current proponency structure to facilitate Army executive agency integrated air and missile defense and counter unmanned aerial systems functions for the Department of Defense.

(iii) Benefits of establishing integrated air and missile defense and counter unmanned aerial systems centers of excellence to help focus Army and joint force efforts to achieving a functional integrated air and missile defense capability and capacity to meet requirements of the combatant commands.

(3) CHARACTERIZATION.—

(A) IN GENERAL.—In carrying out paragraph (2)(A), the Secretary shall avoid broad characterizations that do not sufficiently distinguish between distinctly different threats in the same general class.

(B) EXAMPLE.—An example of a broad characterization to be avoided under such paragraph is ''cruise missiles'', since such characterization does not sufficiently distinguish between current cruise missiles and emerging hypersonic cruise missiles, which may require different capabilities to counter them.

(4) REPORT AND INTERIM BRIEFING.—

(A) INTERIM BRIEFING.—Not later than December 15, 2020, the Secretary shall provide the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a briefing on the assessment being conducted by the Secretary under paragraph (1).

(B) REPORT.—Not later than February 15, 2021, the Secretary shall submit to the Committee on Armed Services of the Senate and Committee on Armed Services of the House of Representatives a report on the findings of the Secretary with respect to the assessment conducted under paragraph (1).

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

(1) REVIEW.—The Vice Chairman of the Joint Chiefs of Staff shall review the assessment being conducted under subsection (a)(1) for potential gaps in capability and capacity to meet requirements of the National Defense Strategy.

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

SEC. 112. REPORT AND LIMITATION ON INTEGRATED VISUAL AUGMENTATION SYSTEM ACQUISITION.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than August 15, 2021, the Secretary of the Army shall submit to the congressional defense committees a report on the Integrated Visual Augmentation System (IVAS) subsequent to the completion of operational testing.

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

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

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

(C) Certification of operational suitability and soldier acceptability of the production model IVAS.

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

SEC. 113. MODIFICATIONS TO REQUIREMENT FOR AN INTERIM CRUISE MISSILE DEFENSE CAPABILITY.

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

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

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

''(A) For the deadline specified in paragraph (1)(A), if the Secretary determines that sufficient funds have not been appropriated to enable the Secretary to meet such deadline.

''(B) For the deadline specified in paragraph (1)(B), if the Secretary submits to the congressional defense committees a certification that—

''(i) allocating resources toward procurement of an integrated enduring capability would provide robust tiered and layered protection to the joint force; or

''(ii) additional time is required to complete training and preparation for operational capability.''.

Subtitle C—Navy Programs

SEC. 121. CONTRACT AUTHORITY FOR COLUMBIA-CLASS SUBMARINE PROGRAM.

(a) CONTRACT AUTHORITY.—The Secretary of the Navy may enter into a contract, beginning with fiscal year 2021, for the procurement of up to two Columbia-class submarines.

(b) INCREMENTAL FUNDING.—With respect to a contract entered into under subsection (a), the Secretary of the Navy may use incremental funding to make payments under the contract.

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

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

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

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

SEC. 122. LIMITATION ON NAVY MEDIUM AND LARGE UNMANNED SURFACE VESSELS.

(a) MILESTONE B APPROVAL REQUIREMENTS.—Milestone B approval may not be granted for a covered program unless such program accomplishes prior to and incorporates into such approval—

(1) qualification by the Senior Technical Authority of—

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

(B) at least two different electrical generators and ancillary equipment;

(2) final results of test programs of engineering development models or prototypes for critical systems specified by the Senior Technical Authority in their final form, fit, and function and in a realistic environment; and

(3) a determination by the milestone decision authority of the minimum number of vessels, discrete test events, performance parameters to be tested, and schedule required to complete initial operational test and evaluation and demonstrate operational suitability and operational effectiveness.

(b) QUALIFICATION REQUIREMENTS.—The qualification required in subsection (a)(1) shall include a land-based operational demonstration of such equipment in the vessel-representative form, fit, and function for not less than 1,080 continuous hours without preventative maintenance, corrective maintenance, emergent repair, or any other form of repair or maintenance.

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

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

(e) DEFINITIONS.—In this section:

(1) The term ''covered program'' means a program for—

(A) medium unmanned surface vessels; or

(B) large unmanned surface vessels.

(2) The term ''Milestone B approval'' has the meaning given the term in section 2366(e)(7) of title 10, United States Code.

(3) The term ''milestone decision authority'' means the official within the Department of Defense designated with the overall responsibility and authority for acquisition decisions for the program, including authority to approve entry of the program into the next phase of the acquisition process.

(4) The term ''Senior Technical Authority'' has the meaning given the term in section 8669b of title 10, United States Code.

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

Section 130(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1665), as amended by section 126 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''for fiscal year 2019 or fiscal year 2020'' and inserting ''for fiscal years 2019, 2020, or 2021''.

SEC. 124. PROCUREMENT AUTHORITIES FOR CERTAIN AMPHIBIOUS SHIPBUILDING PROGRAMS.

(a) CONTRACT AUTHORITY.—

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SEC. 125. FIGHTER FORCE STRUCTURE ACQUISITION STRATEGY.

(a) REPORT REQUIRED.—Not later than March 1, 2021, the Secretary of the Navy shall submit to the congressional defense committees a report with a fighter force structure acquisition strategy that is aligned with the results of the independent studies required under section 1064 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1576).The strategy shall establish a minimum number of F–35 and Next Generation Air Dominance (NGAD) aircraft that the Navy and Marine Corps would be required to purchase each year to mitigate or manage strike fighter shortfalls.

(b) LIMITATION ON DEVIATION FROM STRATEGY.—The Department of the Navy may not deviate from the acquisition strategy established under subsection (a) until—

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

(2) 30 days after the Secretary of the Navy notifies the congressional defense committees of the proposed deviation.

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

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

SEC. 127. REPORT ON CARRIER WING COMPOSITION.

(a) REPORT.—Not later than May 1, 2021, the Secretary of the Navy, in consultation with the Chief of Naval Operations and Commandant of the Marine Corps, shall submit to the congressional defense committees a report on the optimal composition of the carrier air wing in 2030 and 2040, as well as alternative force design concepts.

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

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

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

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

SEC. 128. REPORT ON STRATEGY TO USE ALQ–249 NEXT GENERATION JAMMER TO ENSURE FULL SPECTRUM ELECTROMAGNETIC SUPERIORITY.

(a) REPORT.—Not later than July 30, 2021, the Secretary of the Navy, in consultation with the Vice Chairman of the Joint Chiefs, shall submit to the congressional defense committees report with a strategy to ensure full spectrum electromagnetic superiority using the ALQ-249 Next Generation Jammer.

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

(1) A description of the current procurement strategy of the ALQ–249 and the analysis of its capability to meet the RF frequency ranges required in a National Defense Strategy (NDS) conflict.

(2) An assessment of the ALQ–249's compatibility and ability to synchronize non-kinetic fires using other Joint Electronic Warfare (EW) platforms.

(3) A future model of an interlinked/interdependent electronic warfare menu of options for commanders at tactical, operational, and strategic levels.

Subtitle D—Air Force Programs

SEC. 141. ECONOMIC ORDER QUANTITY CONTRACTING AUTHORITY FOR F–35 JOINT STRIKE FIGHTER PROGRAM.

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

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

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

(1) The use of such a contract will result in significant savings of the total anticipated costs of carrying out the program through annual contracts.

(2) The minimum need for the property to be procured is expected to remain substantially unchanged during the contemplated

contract period in terms of production rate, procurement rate, and total quantities.

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

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

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

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

(d) CERTIFICATION REQUIREMENT.—Except as provided in subsection (e), the Secretary of Defense may not enter into a contract under subsection (a) until 30 days after the Secretary certifies to the congressional defense committees, in writing, that each of the following conditions is satisfied:

(1) A sufficient number of end items of the system being acquired under such contract have been delivered at or within the most recently available estimates of the program acquisition unit cost or procurement unit cost for such system to determine that the estimates of the unit costs are realistic.

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

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

(4) The proposed contract provides for production at not less than minimum economic rates given the existing tooling and facilities.

(5) The Secretary has determined that each of the conditions described in paragraphs (1) through (6) of subsection (c) will be met by such contract and has provided the basis for such determination to the congressional defense committees.

(6) The determination under paragraph (5) was made after the completion of a cost analysis performed by the Director of Cost Assessment and Program Evaluation for the purpose of section 2334(f)(2) of title 10, United States Code, and the analysis supports that determination.

(e) EXCEPTION.—Notwithstanding subsection (d), the Secretary of Defense may enter into a contract under subsection (a) on or after December 1, 2020, if—

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

(2) the Secretary certifies to the congressional defense committees, in writing, that each of the conditions described in paragraphs (1) through (5) of subsection (d) is satisfied; and

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

SEC. 142. MINIMUM AIRCRAFT LEVELS FOR MAJOR MISSION AREAS.

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

(1) 1,182 Fighter aircraft.

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

(3) 92 Bomber aircraft.

(4) 412 Tanker aircraft.

(5) 230 Tactical airlift aircraft.

(6) 235 Strategic airlift aircraft.

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

(8) 106 Combat Search and Rescue (CSAR) aircraft.

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

(1) the Secretary certifies to the congressional defense committees that such reduction is justified by the results of the new capability and requirements studies; and

(2) a period of 30 days has elapsed following the date on which the certification is made to the congressional defense committees under paragraph (1).

(c) APPLICABILITY.—The limitation in subsection (a) shall not apply to 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.

SEC. 143. MINIMUM OPERATIONAL SQUADRON LEVEL.

As soon as practicable after the date of the enactment of this Act and subject to the availability of appropriations, the Secretary of the Air Force shall seek to achieve a minimum of not fewer than 386 available operational squadrons, or equivalent organizational units, within the Air Force. In addition to the operational squadrons, the Secretary shall strive to achieve the following primary mission aircraft inventory (PMAI) numbers:

(1) 1,680 Fighter aircraft.

(2) 199 Persist attack remotely piloted aircraft (RPA).

(3) 225 Bomber aircraft.

(4) 500 Air refueling aircraft.

(5) 286 Tactical airlift aircraft.

(6) 284 Strategic airlift aircraft.

(7) 55 Command and control aircraft.

(8) 105 Combat search and rescue (CSAR) aircraft.

(9) 30 Intelligence, surveillance, and reconnaissance (ISR) aircraft.

(10) 179 Special operations aircraft.

(11) 40 Electronic warfare (EW) aircraft.

SEC. 144. MINIMUM AIR FORCE BOMBER AIRCRAFT LEVEL.

The Secretary of Defense shall submit to the congressional defense committees recommendations for a minimum number of bomber aircraft, including penetrating bombers in addition to B–52H aircraft, to enable the Air Force to carry out its long-range penetrating strike capability.

SEC. 145. F–35 GUN SYSTEM.

The Secretary of the Air Force shall begin the procurement process for an alternate 25mm ammunition solution that provides a true full-spectrum target engagement capability for the F–35A aircraft.

SEC. 146. PROHIBITION ON FUNDING FOR CLOSE AIR SUPPORT INTEGRATION GROUP.

No funds authorized to be appropriated by this Act may be obligated or expended for the Close Air Support Integration Group (CIG) or its subordinate units at Nellis Air Force Base, Nevada, and the Air Force may not utilize personnel or equipment in support of the CIG or its subordinate units.

SEC. 147. LIMITATION ON DIVESTMENT OF KC–10 AND KC–135 AIRCRAFT.

The Secretary of Defense may not divest KC–10 and KC–135 aircraft in excess of the following amounts:

(1) In fiscal year 2021, 6 KC–10 aircraft, including only 3 from primary mission aircraft inventory (PMAI).

(2) In fiscal year 2022, 12 KC–10 aircraft.

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

SEC. 148. LIMITATION ON RETIREMENT OF U–2 AND RQ–4 AIRCRAFT.

(a) LIMITATION.—The Secretary of the Air Force may not take any action that would prevent the Air Force from maintaining the fleets of U–2 aircraft or RQ–4 aircraft in their current, or improved, configurations and capabilities until the Chairman of the Joint Requirements Oversight Council certifies in writing to the appropriate committees of Congress that the capability to be fielded at the same time or before the retirement of the U–2 aircraft or RQ–4 aircraft (as the case may be) 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.

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

(1) determines, after analyzing sufficient and relevant data, that a loss in capacity and capability will not prevent the combatant commanders from accomplishing their missions at acceptable levels of risk; and

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

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 149. LIMITATION ON DIVESTMENT OF F–15C AIRCRAFT IN THE EUROPEAN THEATER.

(a) IN GENERAL.—The Secretary of the Air Force may not divest F–15C aircraft in the European theater until the F–15EX aircraft is integrated into the Air Force and has begun bed down actions in the European theater.

(b) WAIVER.—The Secretary of Defense, after consultation with the Commander of the United States European Command (EUCOM), may waive the limitation under subsection (a) if the Secretary certifies to Congress the divestment is required for the national defense and that there exists sufficient resources at all times to meet NATO and EUCOM air superiority requirements for the European theater.

SEC. 150. AIR BASE DEFENSE DEVELOPMENT AND ACQUISITION STRATEGY.

(a) STRATEGY REQUIRED.—Not later than March 1, 2021, the Chief of Staff of the Air Force (CSAF), in consultation with the Chief of Staff of the Army (CSA), shall submit to the congressional defense committees a development and acquisition strategy to procure a capability to protect air bases and prepositioned sites in contested environments highlighted in the National Defense Strategy. The strategy should ensure a solution that is effective against current and emerging cruise missile and advanced hypersonic missile threats.

(b) LIMITATION ON USE OF OPERATION AND MAINTENANCE FUNDS.—Not more than 50 percent of the funds authorized to be appropriated by this Act for fiscal year 2021 for operation and maintenance for the Office of the Secretary of the Air Force and the Office of the Secretary of the Army may be obligated or expended until 15 days after submission of the strategy required under subsection (a).

SEC. 151. REQUIRED SOLUTION FOR KC–46 AIRCRAFT REMOTE VISUAL SYSTEM LIMITATIONS.

The Secretary of the Air Force shall develop and implement a complete, one-time

solution to the KC–46 aircraft remote visual system (RVS) operational limitations. Not later than October 1, 2020, the Secretary shall submit to the congressional defense committees an implementation strategy for the solution.

SEC. 152. ANALYSIS OF REQUIREMENTS AND ADVANCED BATTLE MANAGEMENT SYSTEM CAPABILITIES.

(a) ANALYSIS.—Not later than April 1, 2021, the Secretary of the Air Force, in consultation with the commanders of the combatant commands, shall develop an analysis of current and future moving target indicator requirements across the combatant commands and operational and tactical level command and control capabilities the Advanced Battle Management System (ABMS) will require when fielded.

(b) JROC REQUIREMENTS.—

(1) IN GENERAL.—Not later than 60 days after the Secretary of the Air Force develops the analysis under subsection (a), the Joint Requirements Oversight Council (JROC) shall certify that requirements for ABMS incorporate the findings of the analysis.

(2) CONGRESSIONAL NOTIFICATION.—The Joint Requirements Oversight Council (JROC) shall notify the congressional defense committees upon making the certification required under paragraph (1) and provide a briefing on the requirements and findings described in such paragraph not later than 30 days after such notification.

SEC. 153. STUDIES ON MEASURES TO ASSESS COST-PER-EFFECT FOR KEY MISSION AREAS.

(a) IN GENERAL.—Not later than January 1, 2021, the Secretary of the Air Force shall provide for the performance of two independent studies to devise new measures to assess cost-per-effect for key mission areas. One of the studies shall be conducted by an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, and one of the studies shall be conducted by a federally funded research and development center.

(b) SCOPE.—Each study conducted pursuant to subsection (a) shall address the following matters:

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

(2) Number of personnel required to meet a specified mission goal.

(3) Associated operation and maintenance costs necessary to facilitate respective operational constructs.

(4) Basing requirements for respective force constructs.

(5) Mission support elements required to facilitate specified operations.

(6) Defensive measures required to facilitate viable mission operations.

(7) Attrition due to enemy countermeasures and other loss factors associated with respective technologies.

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

(c) IMPLEMENTATION OF MEASURES.—The Secretary of the Air Force shall, as appropriate, incorporate the findings of the studies conducted pursuant to subsection (a) in the Air Force's future force development process. The measures—

(1) should be domain and platform agnostic;

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

(3) shall consider including harnessing cost-per-effect assessments as a key performance parameter within the Department of Defense's Joint Capabilities Integration and Development System (JCIDS) requirements process.

SEC. 154. PLAN FOR OPERATIONAL TEST AND UTILITY EVALUATION OF SYSTEMS FOR LOW-COST ATTRIBUTABLE AIRCRAFT TECHNOLOGY PROGRAM.

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

(a) submit to the congressional defense committees an executable plan for the operational test and utility evaluation of the systems of the Low-Cost Attributable Aircraft Technology (LCAAT) program of the Air Force; and

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

SEC. 155. PROHIBITION ON RETIREMENT OR DIVESTMENT OF A–10 AIRCRAFT.

The Secretary of Defense may not during fiscal year 2021 divest or retire any A–10 aircraft, in order to ensure ongoing capabilities to counter violent extremism and provide close air support and combat search and rescue in accordance with the National Defense Strategy.

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

SEC. 171. BUDGETING FOR LIFE-CYCLE COST OF AIRCRAFT FOR THE NAVY, ARMY, AND AIR FORCE: ANNUAL PLAN AND CERTIFICATION.

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

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

''(a) ANNUAL AIRCRAFT PROCUREMENT PLAN AND CERTIFICATION.—Not later than 45 days after the date on which the President submits to Congress the budget for a fiscal year, the Secretary of Defense shall submit to the congressional defense committees—

''(1) a plan for the procurement of the aircraft specified in subsection (b) for the Department of the Navy, the Department of the Army, and the Department of the Air Force developed in accordance with this section; and

''(2) a certification by the Secretary that both the budget for such fiscal year and the future years defense program submitted to Congress in relation to such budget under section 221 of this title provide for funding of the procurement of aircraft at a level that is sufficient for the procurement of the aircraft provided for in the plan under paragraph (1) on the schedule provided in the plan.

''(b) COVERED AIRCRAFT.—The aircraft specified in this subsection are the aircraft as follows:

''(1) Fighter aircraft.

''(2) Attack aircraft.

''(3) Bomber aircraft.

''(4) Intertheater lift aircraft.

''(5) Intratheater lift aircraft.

''(6) Intelligence, surveillance, and reconnaissance aircraft.

''(7) Tanker aircraft.

''(8) Remotely piloted aircraft.

''(9) Rotary-wing aircraft.

''(10) Operational support and executive lift aircraft.

''(11) Any other major support aircraft designated by the Secretary of Defense for purposes of this section.

''(c) ANNUAL AIRCRAFT PROCUREMENT PLAN.—(1) The annual aircraft procurement plan developed for a fiscal year for purposes of subsection (a)(1) should be designed so that the aviation force provided for under the plan is capable of supporting the national military strategy of the United States as set forth in the most recent National Defense Strategy submitted under section 113(g) of title 10, United States Code, and National Military Strategy submitted under section 153(b) of title 10, United States Code.

''(2) Each annual aircraft procurement plan shall include the following:

''(A) A detailed program for the procurement of the aircraft specified in subsection (b) for each of the Department of the Navy, the Department of the Army, and the Department of the Air Force over the next 30 fiscal years.

''(B) A description of the necessary aviation force structure to meet the requirements of the national military strategy of the United States or the most recent Quadrennial Defense Review, whichever is applicable under paragraph (1).

''(C) The estimated levels of annual investment funding necessary to carry out each aircraft program, together with a discussion of the procurement strategies on which such estimated levels of annual investment funding are based, set forth in aggregate for the Department of Defense and in aggregate for each military department.

''(D) The estimated level of annual funding necessary to operate, maintain, sustain, and support each aircraft program throughout the life-cycle of the program, set forth in aggregate for the Department of Defense and in aggregate for each military department.

''(E) For each of the cost estimates required by subparagraphs (C) and (D)—

''(i) a description of whether the cost estimate is derived from the cost estimate position of the military department or derived from the cost estimate position of the Office of Cost Analysis and Program Evaluation;

''(ii) if the cost estimate position of the military department and the cost estimate position of the Office of Cost Analysis and Program Evaluation differ by more than 5 percent for any aircraft program, an annotated cost estimate difference and sufficient rationale to explain the difference;

''(iii) the confidence or certainty level associated with the cost estimate for each aircraft program; and

''(iv) a certification that cost between different services and aircraft are based on similar components in the life-cycle cost of each program.

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

''(3) For any cost estimate required by paragraph (2)(C) or (D), for any aircraft program for which the Secretary is required to include in a report under section 2432 of this title, the source of the cost information used to prepare the annual aircraft plan, shall be sourced from the Selected Acquisition Report data that the Secretary plans to submit to the congressional defense committees in accordance with subsection (f) of that section for the year for which the annual aircraft plan is prepared.

''(4) The annual aircraft procurement plan shall be submitted in unclassified form and shall contain a classified annex. A summary version of the unclassified report shall be made available to the public.

''(d) ASSESSMENT WHEN AIRCRAFT PROCUREMENT BUDGET IS INSUFFICIENT TO MEET APPLICABLE REQUIREMENTS.—If the budget for a fiscal year provides for funding of the procurement of aircraft for the Department of the Navy, the Department of the Army, or the Department of the Air Force at a level that is not sufficient to sustain the aviation force structure specified in the aircraft procurement plan for such Department for that fiscal year under subsection (a), the Secretary shall include with the defense budget materials for that fiscal year an assessment that describes and discusses the risks associated with the reduced force structure of aircraft that will result from funding aircraft

procurement at such level. The assessment shall be coordinated in advance with the commanders of the combatant commands.

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

''(A) The total number of aircraft in the inventory.

''(B) The total number of the aircraft in the inventory that are active, stated in the following categories (with appropriate subcategories for mission aircraft, training aircraft, dedicated test aircraft, and other aircraft):

''(i) Primary aircraft.

''(ii) Backup aircraft.

''(iii) Attrition and reconstitution reserve aircraft.

''(C) The total number of the aircraft in the inventory that are inactive, stated in the following categories:

''(i) Bailment aircraft.

''(ii) Drone aircraft.

''(iii) Aircraft for sale or other transfer to foreign governments.

''(iv) Leased or loaned aircraft.

''(v) Aircraft for maintenance training.

''(vi) Aircraft for reclamation.

''(vii) Aircraft in storage.

''(D) The aircraft inventory requirements approved by the Joint Chiefs of Staff.

''(2) Each report submitted under this subsection shall set forth each item described in paragraph (1) separately for the regular component of each armed force and for each reserve component of each armed force and, for each such component, shall set forth each type, model, and series of aircraft provided for in the future-years defense program that covers the fiscal year for which the budget accompanying the plan, certification and report is submitted.

''(f) DEFINITION OF BUDGET.—In this section, the term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 of such title is amended by inserting after the item relating to section 231 the following new item:

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

SEC. 172. AUTHORITY TO USE F–35 AIRCRAFT WITHHELD FROM DELIVERY TO GOVERNMENT OF TURKEY.

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

SEC. 173. TRANSFER FROM COMMANDER OF UNITED STATES STRATEGIC COMMAND TO CHAIRMAN OF THE JOINT CHIEFS OF STAFF OF RESPONSIBILITIES AND FUNCTIONS RELATING TO ELECTROMAGNETIC SPECTRUM OPERATIONS.

(a) TRANSFER.—Not later than one year after the date of the enactment of this Act and subject to subsection (c), the Secretary of Defense shall transition to the Chairman of the Joint Chiefs of Staff as a Chairman's Controlled Activity all of the responsibilities and functions of the Commander of United States Strategic Command that are germane to electromagnetic spectrum operations, including—

(1) advocacy for joint electronic warfare capabilities,

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

(3) supporting combatant command joint training and planning related to electromagnetic spectrum operations.

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

(1) Executing the functions transitioned to the Chairman of the Joint Chiefs of Staff under subsection (a).

(2) Overseeing, with the Chief Information Officer of the Department of Defense, the development and implementation of the Electromagnetic Spectrum Superiority Strategy of the Department of Defense and subsequent Department-wide electromagnetic spectrum and electronic warfare strategies.

(3) Managing the Joint Electronic Warfare Center and the Joint Electromagnetic Preparedness for Advanced Combat organizations.

(4) Overseeing, through the Joint Requirements Oversight Council and the Electromagnetic Spectrum Operations cross-functional team, the acquisition activities of the military services as they relate to electromagnetic spectrum operations.

(5) Overseeing and, as appropriate, setting standards for the individual and unit training programs of the military services and the joint training and mission rehearsal programs of the combatant commands as they relate to electromagnetic spectrum operations.

(6) Overseeing the development of tactics, techniques, and procedures germane to electromagnetic spectrum operations.

(7) Overseeing the integration of electromagnetic spectrum operations into operation plans and contingency plans.

(8) Developing and integrating into the joint warfighting concept operational concepts for electromagnetic spectrum operations, including the following:

(A) The roles and responsibilities of each of the military services and their primary contributions to the joint force.

(B) The primary targets for offensive electromagnetic spectrum operations and their alignment to the military services and relevant capabilities.

(C) The armed forces' positioning, scheme of maneuver, kill chains, and tactics, techniques, and procedures, as appropriate, to conduct offensive electromagnetic spectrum operations.

(D) The armed forces' positioning, scheme of maneuver, kill chains, and tactics, techniques, and procedures, as appropriate, to detect, disrupt, avoid, or render ineffective adversary electromagnetic spectrum operations.

(c) PERIOD OF EFFECT OF TRANSFER.—

(1) IN GENERAL.—The transfer required by subsection (a) and the responsibilities specified in subsection (b) shall remain in effect until such date as the Chairman of the Joint Chiefs of Staff considers appropriate, except that such date shall not be earlier than the date that is 180 days after the date on which the Chairman submits to the congressional defense committees notice that—

(A) the Chairman has made a determination that—

(i) the military services', geographic combatant commands', and functional combatant commands' electromagnetic spectrum operations expertise, capabilities, and execution are sufficiently robust; and

(ii) an alternative arrangement described in paragraph (2) is justified; and

(B) the Chairman intends to transfer responsibilities and activities in order to carry out such alternative arrangement.

(2) ALTERNATIVE ARRANGEMENT DESCRIBED.—An alternative arrangement described in this paragraph is an arrangement in which certain oversight, advocacy, and coordination functions allotted to the Chairman or Vice Chairman of the Joint Chiefs of Staff by subsections (a) and (b) are performed either by a single combatant command or by the individual geographic and functional combatant commands responsible for executing electromagnetic spectrum operations with long-term supervision by the Chairman or Vice Chairman of the Joint Chiefs of Staff.

(d) EVALUATIONS OF ARMED FORCES.—

(1) IN GENERAL.—The Chief of Staff of the Army, the Chief of Naval Operations, the Chief of Staff of the Air Force, the Commandant of the Marine Corps, and the Chief of Space Operations shall each conduct and complete an evaluation of the armed forces for their respective military services and their ability to perform the electromagnetic spectrum operations missions required of them in—

(A) the Electromagnetic Spectrum Superiority Strategy;

(B) the Joint Staff-developed concept of operations; and

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

(2) ELEMENTS.—Each evaluation under paragraph (1) shall include assessment of the following:

(A) Current programs of record, including—

(i) the ability of weapon systems to perform missions in contested electromagnetic spectrum environments; and

(ii) the ability of electronic warfare capabilities to disrupt adversary operations.

(B) Future programs of record, including—

(i) the need for distributed or network-centric electronic warfare and signals intelligence capabilities; and

(ii) the need for automated and machine learning- or artificial intelligence-assisted electronic warfare capabilities.

(C) Order of battle.

(D) Individual and unit training.

(E) Tactics, techniques, and procedures, including—

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

(ii) integration of nonkinetic and kinetic fires.

(e) EVALUATION OF COMBATANT COMMANDS.—

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

(A) the Electromagnetic Spectrum Superiority Strategy; and

(B) the Joint Staff-developed concept of operations.

(2) ELEMENTS.—Each evaluation under paragraph (1) shall include assessment of the following:

(A) Operation and contingency plans.

(B) The manning, organizational alignment, and capability of joint electromagnetic spectrum operations cells.

(C) Mission rehearsal and exercises.

(D) Force positioning, posture, and readiness.

(f) SEMIANNUAL BRIEFING.—Not less frequently than twice each year until January 1, 2026, the Vice Chairman of the Joint Chiefs of Staff shall brief the Committee on Armed

Services of the Senate and the Committee on Armed Services of the House of Representatives on the implementation of this section by each of the Joint Staff, the military services, and the combatant commands.

SEC. 174. CRYPTOGRAPHIC MODERNIZATION SCHEDULES.

(a) CRYPTOGRAPHIC MODERNIZATION SCHEDULES REQUIRED.—Each of the Secretaries of the military departments and the heads of relevant defense agencies and field activities shall establish and maintain a cryptographic modernization schedule that specifies, for each pertinent weapon system, command and control system, or data link, including those that use commercial encryption technologies, as relevant, the following:

(1) The expiration date or cease key date for applicable cryptographic algorithms.

(2) Anticipated key extension requests for systems where cryptographic modernization is assessed to be overly burdensome and expensive or to provide limited operational utility.

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

(b) REQUIREMENTS FOR CHIEF INFORMATION OFFICER.—The Chief Information Officer of the Department of Defense shall—

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

(2) establish and maintain an integrated cryptographic modernization schedule for the entire Department, collating the cryptographic modernization schedules required under subsection (a); and

(3) in coordination with the Director of the National Security Agency and the Joint Staff Director for Command, Control, Communications, and Computers/Cyber, use the budget certification, standard-setting, and policy-making authorities provided in section 142 of title 10, United States Code, to amend military service and defense agency and field activity plans for key extension requests and cryptographic modernization funding and deployment that pose unacceptable risk to military operations.

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

(1) delays to or planned delays of military service and defense agency and field activity funding and deployment of modernized cryptographic algorithms, keys, and equipment over the previous year; and

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

(A) unscheduled or unanticipated key extension requests; and

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

SEC. 175. PROHIBITION ON PURCHASE OF ARMED OVERWATCH AIRCRAFT.

The Secretary of the Air Force may not purchase any aircraft for the Air Force Special Operations Command for the purpose of ''armed overwatch'' until such time as the Chief of Staff of the Air Force certifies to the congressional defense committees that general purpose forces of the Air Force do not have the skill or capacity to provide close air support and armed overwatch to United States forces deployed operationally.

SEC. 176. SPECIAL OPERATIONS ARMED OVERWATCH.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act for the Department of Defense may be used to acquire armed overwatch aircraft for the United States Special Operations Command, and the Department of Defense may not acquire armed overwatch aircraft for the United States Special Operations Command in fiscal year 2021.

(b) ANALYSIS REQUIRED.—

(1) IN GENERAL.—Not later than July 1, 2021, the Secretary of Defense, in coordination with the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict and the Commander of the United States Special Operations Command, shall conduct an analysis to define the special operations-peculiar requirements for armed overwatch aircraft and to determine whether acquisition of a new special operations-peculiar platform is the most cost effective means of fulfilling such requirements.

(2) ELEMENTS.—At a minimum, the analysis of alternatives required under paragraph (1) shall include—

(A) a description of the concept of operations for employing armed overwatch aircraft in support of ground forces;

(B) an identification of geographic regions in which armed overwatch aircraft could be deployed;

(C) an identification of the most likely antiaircraft threats in geographic areas where armed overwatch aircraft will be deployed and possible countermeasures to defeat such threats;

(D) a defined requirement for special operations-peculiar armed overwatch aircraft, including an identification of threshold and objective performance parameters for armed overwatch aircraft;

(E) an analysis of alternatives comparing various manned and unmanned aircraft in the current aircraft inventory of the United States Special Operations Command and a new platform for meeting requirements for the armed overwatch mission, including for each alternative considered;

(F) an identification of any necessary aircraft modifications and the associated cost;

(G) the annual cost of operating and sustaining such aircraft;

(H) an identification of any required military construction costs;

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

(J) an explanation of why existing Air Force and United States Special Operations Command close air support and airborne intelligence capabilities are insufficient for the armed overwatch mission; and

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

SEC. 177. AUTONOMIC LOGISTICS INFORMATION SYSTEM REDESIGN STRATEGY.

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

(1) submit to the congressional defense committees a report describing a program-wide process for measuring, collecting, and tracking information on how the Autonomic Logistics Information System (ALIS) is affecting the performance of the F–35 fleet, including its effects on mission capability rates; and

(2) implement a strategy for the redesign of ALIS, including the identification and assessment of goals, key risks or uncertainties, and costs of redesigning the system.

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

(a) IN GENERAL.—When the Department of Defense contracts for aviation services to be performed in a foreign country, or in airspace, in which a Special Federal Aviation Regulation issued by the Federal Aviation Administration would preclude operation of such aviation services by an air carrier or commercial operator of the United States, the Secretary of Defense (or a designee of the Secretary) shall—

(1) obtain approval from the Administrator of the Federal Aviation Administration (or a designee of the Administrator) for the air carrier or commercial operator of the United States to deviate from the Special Federal Aviation Regulation to the extent necessary to perform such aviation services;

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

(3) use organic aircraft to perform such aviation services in lieu of aircraft of an air carrier or commercial operator of the United States.

(b) CONSTRUCTION OF DESIGNATION.—The designation of aircraft of an air carrier or commercial operator of the United States as State Aircraft of the United States under subsection (a)(2) shall have no effect on Federal Aviation Administration requirements for—

(1) safety oversight responsibility for the operation of aircraft so designated, except for those activities prohibited or restricted by an applicable Special Federal Aviation Regulation; and

(2) any previously issued nonpremium aviation insurance or reinsurance policy issued to the air carrier or commercial operator of the United States for the duration of aviation services performed as a State Aircraft of the United States under that subsection.

SEC. 179. F–35 AIRCRAFT MUNITIONS.

The Secretary of the Air Force and the Secretary of the Navy shall qualify and certify, for the use of United States forces, additional munitions on the F–35 aircraft that are already qualified on NATO member F–35 partner aircraft.

SEC. 180. AIRBORNE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE ACQUISITION ROADMAP FOR UNITED STATES SPECIAL OPERATIONS COMMAND.

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

(b) ELEMENTS.—The roadmap required under subsection (a) shall include, at a minimum, the following:

(1) A description of the current platform requirements for manned and unmanned airborne intelligence, surveillance, and reconnaissance capabilities to support United States Special Operations Forces.

(2) An analysis of the remaining service life of existing manned and unmanned airborne intelligence, surveillance, and reconnaissance capabilities currently operated by United States Special Operations Forces.

(3) An identification of any current or anticipated special operations-peculiar capability gaps.

(4) A description of the future manned and unmanned intelligence, surveillance, and reconnaissance platform requirements of the United States Special Operations Forces, including range, payload, endurance, ability to operate in contested environments, and other requirements as appropriate.

(5) An explanation of the anticipated mix of manned and unmanned aircraft, number of

platforms, and associated aircrew and maintainers.

(6) An explanation of the extent to which service-provided manned and unmanned airborne intelligence, surveillance, and reconnaissance capabilities will be required in support of United States Special Operations Forces and how such capabilities will supplement and integrate with the organic capabilities possessed by United States Special Operations Forces.

(7) Any other matters deemed relevant by the Assistant Secretary and Commander.

SEC. 181. REQUIREMENT TO ACCELERATE THE FIELDING AND DEVELOPMENT OF COUNTER UNMANNED AERIAL SYSTEMS ACROSS THE JOINT FORCE.

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

(1) Select counter unmanned aerial systems that can be fielded as early as fiscal year 2021 to meet immediate operational needs in countering Group 1, 2, and 3 unmanned aerial systems with the potential to expand to other larger systems.

(2) Devise and execute a near-term plan to develop and field a select set of counter unmanned aerial systems to meet joint force requirements, beginning in fiscal year 2021.

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

(1) have undergone effective combat validations;

(2) meet the operational demands of deployed forces facing the most significant threats, especially unmanned aerial systems that are not remotely piloted or are not reliant on a command link; and

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

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

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

(2) reduces or accelerates the timeline for initial operational capability and full operational capability;

(3) utilizes a software-defined, family-of-systems approach that enables the flexible and continuous integration of different types of sensors and mitigation solutions based on the different demands of particular military installations and deployed forces, physical geographies, and threat profiles; and

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

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

(e) OVERSIGHT.—The Executive Agent shall—

(1) oversee the program management and execution of all counter unmanned aerial systems being developed within the military departments on the day before the date of the enactment of this Act; and

(2) ensure that the plan prioritized under subsection (a)(2) guides future programmatic and funding decisions for activities relating to counter unmanned aerial systems, including cancellation of such activities.

SEC. 182. JOINT ALL DOMAIN COMMAND AND CONTROL REQUIREMENTS.

(a) PRODUCTION OF REQUIREMENTS BY JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Not later than October 1, 2020, the Joint Requirements and Oversight Council (JROC) shall produce requirements for the Joint All Domain Command and Control (JADC2) program.

(b) AIR FORCE CERTIFICATION.—Immediately after the certification of requirements produced under subsection (a), the Chief of Staff of the Air Force shall submit to the congressional defense committees a certification that the current JADC2 effort, including programmatic and architecture efforts, being led by the Air Force will meet the requirements laid out by the JROC.

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

(d) BUDGETING.—The Secretary of Defense shall incorporate the expected costs for full development and implementation of the JADC2 program across the Department in the President's budget submission to Congress for fiscal year 2022 under section 1105 of title 31, United States Code.

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. DESIGNATION AND ACTIVITIES OF SENIOR OFFICIALS FOR CRITICAL TECHNOLOGY AREAS SUPPORTIVE OF THE NATIONAL DEFENSE STRATEGY.

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

(b) DUTIES.—The duties of the senior officials designated under subsection (a) shall include, within their respective technology areas—

(1) developing and continuously updating research and technology development roadmaps, associated funding strategies, and associated technology transition strategies to ensure effective and efficient development of new capabilities and operational use of appropriate technologies;

(2) annual assessments of workforce, infrastructure, and industrial base capabilities and capacity to support the roadmaps developed under paragraph (1) and the goals of the National Defense Strategy;

(3) reviewing the relevant research and engineering budgets of appropriate organizations within the Department of Defense, including the military services, and advising the Under Secretary on—

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

(B) any technical and programmatic risks to achieving the research and technology development goals of the National Defense Strategy; and

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

(4) coordinating research and engineering activities of the Department with appropriate international, interagency, and private sector organizations; and

(5) tasking the appropriate intelligence agencies to develop a direct comparison between the capabilities of the United States and the capabilities of adversaries of the United States.

(c) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than December 1, 2021, and not later than December 1 of each year thereafter until December 1, 2025, the Under Secretary shall submit to the congressional defense committees a report of successful examples of research and engineering activities that have—

(A) achieved significant technical progress;

(B) transitioned to formal acquisition programs;

(C) transitioned into operational use; or

(D) transferred for further commercial development or commercial sales.

(2) FORM.—Each report submitted under paragraph (1) shall be submitted in a publicly releasable format, but may include a classified annex.

(d) COORDINATION OF RESEARCH AND ENGINEERING ACTIVITIES.—The Service Acquisition Executive for each military services and the Director of the Defense Advanced Research Projects Agency shall each identify senior officials to ensure coordination of appropriate research and engineering activities with each of the senior officials designated under subsection (a).

SEC. 212. GOVERNANCE OF FIFTH-GENERATION WIRELESS NETWORKING IN THE DEPARTMENT OF DEFENSE.

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

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

(2) serve as the senior designated official for fifth-generation wireless networking (commonly known as ''5G'') policy, oversight, guidance, research, and coordination in the Department.

(b) RESPONSIBILITIES.—The Chief Information Officer shall have, with respect to authorities referenced in subsection (a), the following responsibilities:

(1) Proposing governance, management, and organizational policy for fifth-generation wireless networking to the Secretary of Defense, in consultation with the heads of the constituent organizations of the cross-functional team established pursuant to subsection (c).

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

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

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

(A) to advance the development and adoption of next generation wireless communication technologies, capabilities, security, and

applications in the Department of Defense, the defense industrial base, and the commercial sector; and

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

(2) PURPOSE.—The purpose of the cross-functional team established pursuant to paragraph (1) shall be the—

(A) oversight of the implementation of the strategy developed as required by section 254 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) for harnessing fifth-generation wireless networking technologies, coordinated across all relevant elements of the Department;

(B) coordination of research and development, implementation and acquisition activities, warfighting concept development, spectrum policy, industrial policy and commercial outreach and partnership relating to fifth-generation wireless networking in the Department of Defense, and interagency and international engagement;

(C) integration of the Department of Defense's fifth-generation wireless networking programs and policies with major Department initiatives, programs, and policies surrounding secure microelectronics and command and control; and

(D) oversight, coordination, execution, and leadership of, as appropriate, Department of Defense initiatives to advance the national deployment of fifth-generation wireless networks and associated applications in the Federal Government and relevant commercial partners.

(d) ROLES AND RESPONSIBILITIES.—The Secretary of Defense, through the cross-functional team established under subsection (c), shall define the roles of the organizations within the Office of the Secretary of Defense, Department of Defense intelligence components, military services, defense agencies and field activities, combatant commands, and the Joint Staff, for fifth-generation wireless networking policy and programs within the Department.

(e) BRIEFING.—Not later than March 15, 2021, the Secretary shall submit to the congressional defense committees a briefing on the establishment of the cross-functional team pursuant to subsection (c) and the roles and responsibilities defined pursuant to subsection (d).

(f) RULE OF CONSTRUCTION.—

(1) IN GENERAL.—Nothing in this section shall be construed as providing the Chief Information Officer immediate responsibility for the Department's activities in fifth-generation wireless networking experimentation and science and technology development.

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

SEC. 213. APPLICATION OF ARTIFICIAL INTELLIGENCE TO THE DEFENSE REFORM PILLAR OF THE NATIONAL DEFENSE STRATEGY.

(a) IDENTIFICATION OF USE CASES.—The Secretary of Defense, acting through such officers and employees of the Department of Defense as the Secretary considers appropriate, including the chief data officers and chief management officers of the military departments, shall identify a set of no fewer than five use cases of the application of existing artificial intelligence enabled systems to support improved management of enterprise acquisition, personnel, audit, or financial management functions, or other appropriate management functions, that are consistent with reform efforts that support the National Defense Strategy.

(b) PROTOTYPING ACTIVITIES ALIGNED TO USE CASES.—The Secretary, acting through the Under Secretary of Defense for Research and Engineering and in coordination with the Director of the Joint Artificial Intelligence Center and such other officers and employees as the Secretary considers appropriate, shall pilot technology development and prototyping activities that leverage commercially available technologies and systems to demonstrate new artificial intelligence enabled capabilities to support the use cases identified under subsection (a).

(c) BRIEFING.—Not later than October 1, 2021, the Secretary shall provide to the congressional defense committees a briefing summarizing the activities carried out under this section.

SEC. 214. EXTENSION OF AUTHORITIES TO ENHANCE INNOVATION AT DEPARTMENT OF DEFENSE LABORATORIES.

(a) EXTENSION OF PILOT PROGRAM FOR THE ENHANCEMENT OF THE RESEARCH, DEVELOPMENT, TEST, AND EVALUATION CENTERS OF THE DEPARTMENT OF DEFENSE.—Section 233(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2358 note) is amended by striking ''September 30, 2022'' and inserting ''September 30, 2025''.

(b) EXTENSION OF PILOT PROGRAM TO IMPROVE INCENTIVES FOR TECHNOLOGY TRANSFER FROM DEPARTMENT OF DEFENSE LABORATORIES.—Subsection (e) of section 233 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2514 note) is amended to read as follows:

''(e) SUNSET.—The pilot program under this section shall terminate on September 30, 2025.''.

SEC. 215. UPDATES TO DEFENSE QUANTUM INFORMATION SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT PROGRAM.

Section 234 of the John S. McCain National Defense Authorization Act for Fiscal year 2019 (Public Law 115–232; 10 U.S.C. 2358 note), as amended by section 220 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

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

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

''(e) USE OF QUANTUM COMPUTING CAPABILITIES.—The Secretary of each military department shall—

''(1) develop and annually update a list of technical problems and research challenges which are likely to be addressable by quantum computers available for use within in the next one to three years, with a priority for technical problems and challenges where quantum computing systems have performance advantages over traditional computing systems, in order to enhance the capabilities of such quantum computers and support the addressing of relevant technical problems and research challenges; and

''(2) establish programs and enter into agreements with appropriate medium and small businesses with functional quantum computing capabilities to provide such private sector capabilities to government, industry, and academic researchers working on relevant technical problems and research activities.''.

SEC. 216. PROGRAM OF PART-TIME AND TERM EMPLOYMENT AT DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF FACULTY AND STUDENTS FROM INSTITUTIONS OF HIGHER EDUCATION.

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

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

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

(b) NUMBER OF POSITIONS.—

(1) IN GENERAL.—Not later than one year after the date of the commencement of the program established under subsection (a), the Secretary shall, under such program, establish at least 10 positions of employment described in such subsection for faculty described in paragraph (1) of such subsection.

(2) ARTIFICIAL INTELLIGENCE AND MACHINE LEARNING.—Of the positions established under paragraph (1), at least five of such positions shall be for faculty conducting research in the area of artificial intelligence and machine learning.

(c) SELECTION.—The Secretary, acting through the directors of the laboratories described in subsection (a), shall select faculty described in paragraph (1) of such subsection for participation in the program established under such subsection on the basis of—

(1) the academic credentials and research experience of the faculty;

(2) the potential contribution to Department objectives by the research that will be conducted by the faculty under the program; and

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

(d) AUTHORITIES.—In carrying out the program established under subsection (a), the Secretary and the directors of the laboratories described in such subsection may—

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

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

(3) provide referral bonuses to program participants who identify students to assist in a research project under the program or to participate in laboratory internship programs and the Pathways Internship Program.

(e) ANNUAL REPORTS.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act and not less frequently than once each year thereafter until the date that is three years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the program established under subsection (a).

(2) CONTENTS OF FIRST REPORT.—The first report submitted under paragraph (1) shall address, at a minimum, the following:

(A) The number of faculty and students employed under the program.

(B) The laboratories employing such faculty and students.

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

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

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

(B) The number of interns and recent college graduates hired pursuant to referrals under subsection (d)(3).

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

(f) DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORY DEFINED.—In this section, the term ''Department of Defense science and technology reinvention laboratory'' means the entities designated by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

SEC. 217. IMPROVEMENTS TO TECHNOLOGY AND NATIONAL SECURITY FELLOWSHIP OF DEPARTMENT OF DEFENSE.

(a) MODIFICATION REGARDING BASIC PAY.—Subsection (a)(4)(A) of section 235 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by striking ''equivalent to'' and inserting ''not less than''; and

(2) by inserting ''and not more than the rate of basic pay payable for a position at level 15 of such schedule'' before the semicolon.

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

''(3) BACKGROUND CHECK REQUIREMENT.—No individual may participate in the fellows program without first undergoing a background check that the Secretary considers appropriate for participation in the fellows program.''.

SEC. 218. DEPARTMENT OF DEFENSE RESEARCH, DEVELOPMENT, AND DEPLOYMENT OF TECHNOLOGY TO SUPPORT WATER SUSTAINMENT.

(a) IN GENERAL.—The Secretary of Defense shall research, develop, and deploy advanced technologies that support water sustainment with technologies that capture ambient humidity and harvest, recycle, and reuse water.

(b) GOAL.—Under subsection (a), the Secretary shall seek to develop water systems that reduce weight and logistics support and transition such advanced technologies for use by expeditionary forces by January 1, 2025.

(c) MODULAR PLATFORMS.—In carrying out subsection (a), the Secretary shall develop the following:

(1) Modular platforms that are easily transportable.

(2) Trailer mounted systems that will reduce resupply.

(3) Storage requirements at forward operating bases.

(d) PARTNERSHIPS AND EXISTING TECHNIQUES AND TECHNOLOGIES.—In carrying out subsection (a), the Secretary shall seek—

(1) to enter into partnerships with foreign militaries and organizations that have proven they have the ability to operate in water constrained areas;

(2) to leverage existing techniques and technologies; and

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

(e) COMMERCIAL OFF-THE-SHELF TECHNOLOGIES.—In carrying out subsection (a), in addition to technology described in such subsection, the Secretary shall consider using commercial off-the-shelf technologies for cost savings and near ready deployment technologies to enable warfighters to be more self-sufficient.

(f) CROSS FUNCTIONAL TEAMS.—In carrying out subsection (a), the Secretary shall establish cross functional teams to determine regions where deployment of water harvesting technologies could reduce conflict and potentially eliminate the need for the presence of the Armed Forces.

SEC. 219. DEVELOPMENT AND TESTING OF HYPERSONIC CAPABILITIES.

(a) SENSE OF CONGRESS ON HYPERSONIC CAPABILITIES.—It is the sense of Congress that development of hypersonic capabilities is a key element of the National Defense Strategy.

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

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

(d) STRATEGY AND PLAN.—

(1) IN GENERAL.—Not later than December 30, 2020, the Under Secretary of Defense for Research and Engineering, in consultation with the Chief of Staff of the Air Force, shall submit to the congressional defense committees an executable strategy and plan to field air-launched and air-breathing hypersonic weapons capability before the date that is three years after the date of the enactment of this Act.

(2) TESTING AND INFRASTRUCTURE.—The strategy and plan submitted under paragraph (1) shall cover required investments in testing and infrastructure to address the need for both flight and ground testing.

SEC. 220. DISCLOSURE REQUIREMENTS FOR RECIPIENTS OF DEPARTMENT OF DEFENSE RESEARCH AND DEVELOPMENT GRANTS.

(a) DISCLOSURE REQUIREMENTS.—

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

''§ 2374b. Disclosure requirements for recipients of research and development grants

''An individual or entity (including a State or local government) that receives Department of Defense grant funds for research and development shall clearly state in any statement, press release, or other document describing the program, project, or activity funded through such grant funds, other than a communication containing not more than 280 characters, the dollar amount of Department grant funds made available for the program, project, or activity.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by adding at the end the following new item:

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

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2021, and shall apply with respect to grants for research and development that are awarded by the Department of Defense on or after that date.

Subtitle C—Plans, Reports, and Other Matters

SEC. 231. ASSESSMENT ON UNITED STATES NATIONAL SECURITY EMERGING BIOTECHNOLOGY EFFORTS AND CAPABILITIES AND COMPARISON WITH ADVERSARIES.

(a) ASSESSMENT AND COMPARISON REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Intelligence, shall conduct an assessment and direct comparison of capabilities in emerging biotechnologies for national security purposes, including applications in material, manufacturing, and health, between the capabilities of the United States and the capabilities of adversaries of the United States.

(2) ELEMENTS.—The assessment and comparison carried out under paragraph (1) shall include the following:

(A) An evaluation of the quantity, quality, and progress of United States fundamental and applied research for emerging biotechnology initiatives for national security purposes.

(B) An assessment of the resourcing of United States efforts to harness emerging biotechnology capabilities for national security purposes, including the supporting facilities, test infrastructure, and workforce.

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

(D) An assessment of the analytic and operational subject matter expertise necessary to assess rapidly-evolving foreign military developments in biotechnology, and the current state of the workforce in the intelligence community

(E) Recommendations to improve and accelerate United States capabilities in emerging biotechnologies and the associated intelligence community expertise.

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

(b) REPORT.—

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

(2) FORM.—The report submitted under paragraph (1) shall be submitted in the following formats—

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

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

(c) DEFINITION OF INTELLIGENCE COMMUNITY.—In this subsection, the term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 232. INDEPENDENT COMPARATIVE ANALYSIS OF EFFORTS BY CHINA AND THE UNITED STATES TO RECRUIT AND RETAIN RESEARCHERS IN NATIONAL SECURITY-RELATED FIELDS.

(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for the National Academies of Sciences, Engineering, and Medicine to perform the services covered by this section.

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

(b) REVIEW.—

(1) IN GENERAL.—Under an agreement between the Secretary and the National Academies of Sciences, Engineering, and Medicine under this section, the National Academies of Sciences, Engineering, and Medicine shall carry out a comparative analysis of efforts by China and the United States Government to recruit and retain domestic and foreign researchers and develop recommendations for the Department of Defense.

(2) ELEMENTS.—The comparative analysis carried out under paragraph (1) and the recommendations developed under such paragraph shall include the following:

(A) A list of the ''talent programs'' used by China and a list of the incentive programs used by the United States to recruit and retain relevant researchers.

(B) The types of researchers, scientists, other technical experts, and fields targeted

by each talent program listed under subparagraph (A).

(C) The number of researchers in academia, the Department of Defense Science and Technology Reinvention Laboratories, and national security science and engineering programs of the National Nuclear Security Administration targeted by the talent programs listed under subparagraph (A).

(D) The number of personnel currently participating in the talent programs listed under subparagraph (A) and the number of researchers currently participating in the incentive programs listed under such subparagraph.

(E) The incentives offered by each of the talent programs listed under subparagraph (A) and a description of the incentives offered through incentive programs under such subparagraph to recruit and retain researchers, scientists, and other technical experts.

(F) A characterization of the national security, economic, and scientific benefits China gains through the talent programs listed under subparagraph (A) and a description of similar gains accrued to the United States through incentive programs listed under such subparagraph.

(G) A list of findings and recommendations relating to policies that can be implemented by the United States, especially the Department of Defense, to improve the relative effectiveness of United States activities to recruit and retain researchers, scientists, and other technical experts relative to China.

(c) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of the execution of an agreement under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall submit to the congressional defense committees a report on the findings National Academies of Sciences, Engineering, and Medicine with respect to the review carried out under this section and the recommendations developed under this section.

(2) FORM.—The report submitted under paragraph (1) shall be submitted in a publicly releasable and unclassified formats, but may include a classified annex.

SEC. 233. DEPARTMENT OF DEFENSE DEMONSTRATION OF VIRTUALIZED RADIO ACCESS NETWORK AND MASSIVE MULTIPLE INPUT MULTIPLE OUTPUT RADIO ARRAYS FOR FIFTH GENERATION WIRELESS NETWORKING.

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

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

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

(2) one or more massive multiple input and multiple output radio arrays provided by United States companies that have the potential to compete favorably with radios produced by foreign companies in terms of cost, performance, and efficiency.

(c) LOCATION.—The Secretary shall carry out the demonstration under subsection (a) at at least one site where the Secretary of Defense plans to deploy a fifth-generation wireless network.

(d) COORDINATION.—The Secretary shall carry out the demonstration under subsection (a) in coordination with at least one major United States wireless network service provider.

SEC. 234. INDEPENDENT TECHNICAL REVIEW OF FEDERAL COMMUNICATIONS COMMISSION ORDER 20–48.

(a) AGREEMENT.—

(1) IN GENERAL.—The Secretary of Defense shall seek to enter into an agreement with the National Academies of Sciences, Engineering, and Medicine for the National Academies of Sciences, Engineering, and Medicine to perform the services covered by this section.

(2) TIMING.—The Secretary shall seek to enter into the agreement described in paragraph (1) not later than 30 days after the date of the enactment of this Act.

(b) INDEPENDENT TECHNICAL REVIEW.—

(1) IN GENERAL.—Under an agreement between the Secretary and the National Academies of Sciences, Engineering, and Medicine under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall carry out an independent technical review of the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48), to the extent that such order and authorization affects the devices, operations, or activities of the Department of Defense.

(2) ELEMENTS.—The independent technical review carried out under paragraph (1) shall include the following:

(A) Comparison of the two different approaches on which the Commission relied for the order and authorized described in paragraph (1) to evaluate the potential harmful interference concerns relating to Global Positioning System devices, with a recommendation on which method most effectively mitigates risks of harmful interference with Global Positioning System devices of the Department, or relating to or with the potential to affect the operations and activities of the Department.

(B) Assessment of the potential for harmful interference to mobile satellite services, including commercial services and Global Positioning System services of the Department, or relating to or with the potential to affect the operations and activities of the Department.

(C) Review of the feasibility, practicality, and effectiveness of the proposed mitigation measures relating to, or with the potential to affect, the devices, operations, or activities of the Department.

(D) Development of recommendations associated with the findings of the National Academies of Sciences, Engineering, and Medicine in carrying out the independent technical review.

(E) Such other matters as the National Academies of Sciences, Engineering, and Medicine determines relevant.

(c) REPORT.—

(1) IN GENERAL.—Under an agreement between the Secretary and the National Academies of Sciences, Engineering, and Medicine under subsection (a), the National Academies of Sciences, Engineering, and Medicine shall, not later than nine months after the date of the execution of such agreement, the National Academies of Sciences, Engineering, and Medicine shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the findings of the National Academies of Sciences, Engineering, and Medicine with respect to the independent technical review carried out under subsection (b) and the recommendations developed pursuant to such review.

(2) FORM.—The report submitted under paragraph (1) shall be submitted in a publicly releasable and unclassified formats, but may include a classified annex.

SEC. 235. REPORT ON AND LIMITATION ON EXPENDITURE OF FUNDS FOR MICRO NUCLEAR REACTOR PROGRAMS.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to the appropriate congressional committees a report on the micro nuclear reactor programs of the Department of Defense.

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

(1) Potential operational uses on United States and non-United States territory, including both mobile and fixed systems.

(2) Cost and schedule estimates for each new or ongoing program to reach initial operational capability, including the timeline for transition of any program currently funded using defense-wide funds to one or more military services and the identified transition partner in such military services.

(3) In consultation with the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense programs, an assessment of physical security requirements for use of such reactors on domestic military installations and non-United States nondomestic installations or locations, including fully permissive, semi-permissive, and remote environments, including a preliminary design basis threat analysis.

(4) In coordination with the Secretary of State—

(A) an assessment of any agreements or changes to agreements that would be required for use of such reactors on non-United States territory;

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

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

(5) In coordination with the Chairman of the Nuclear Regulatory Commission, a summary of licensing requirements for operation of such systems on United States territory.

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

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

(8) In coordination with the Secretary of State and the Secretary of Energy, a determination of whether development, production, and deployment of such systems would require unobligated enriched uranium fuel.

(9) If the determination in paragraph (8) is that unobligated fuel would be required, in coordination with the Administrator for Nuclear Security, an assessment of the availability of such unobligated enriched uranium fuel, by year, for the estimated life of the program, considered with other United States Government demands for such fuel, including tritium production, naval nuclear propulsion, and medical isotope production.

(10) Any other considerations the Secretary determines relevant.

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

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

(e) LIMITATION ON USE OF FUNDS.—Not more than 20 percent of the amounts authorized to be appropriated by this Act for fiscal year 2021 for Department of Defense micro nuclear reactor programs shall be obligated or expended until the Secretary submits the report required by subsection (a) to the appropriate congressional committees.

(f) RULE OF CONSTRUCTION.—Nothing in this provision shall be construed to limit or otherwise apply to the Naval Nuclear Propulsion program as established by Executive Order No. 12344, dated February 1, 1982 (42 U.S.C. 7158 note).

(g) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the Committee on Armed Services, the Committee on Appropriations, the Committee on Energy and Natural Resources, the Committee on Environment and Public Works, and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services, the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Natural Resources, and the Committee on Foreign Affairs of the House of Representatives.

(2) The term ''micro nuclear reactor''means a nuclear reactor with a production capacity of less than 20 megawatts.

SEC. 236. MODIFICATION TO TEST RESOURCE MANAGEMENT CENTER STRATEGIC PLAN REPORTING CYCLE AND CONTENTS.

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

(1) in subsections (c)(1)(C) and (e)(2)(B), by inserting ''quadrennial'' before ''strategic plan''; and

(2) in subsection (d)—

(A) in the heading, by inserting ''QUADRENNIAL'' before ''STRATEGIC PLAN''; and

(B) by inserting ''quadrennial'' before ''strategic plan'' each place it occurs.

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

(1) in the first sentence, by striking ''two fiscal years'' and inserting ''four fiscal years, and within one year after release of the National Defense Strategy,'' ; and

(2) in the second sentence, by striking ''thirty fiscal years'' and inserting ''15 fiscal years''.

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

(1) by striking subparagraph (B);

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

(3) in subparagraph (B), as redesignated by paragraph (2), by striking ''based on current'' and all that follows through the end and inserting ''for test and evaluation of the Department of Defense major weapon systems based on current and emerging threats.''.

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

''(5)(A) In addition to the quadrennial strategic plan completed under paragraph (1), the Director of the Department of Defense Test Resource Management Center shall also complete an annual update to the quadrennial strategic plan.

''(B) Each annual update completed under subparagraph (A) shall include the following:

''(i) A summary of changes to the assessment provided in the most recent quadrennial strategic plan.

''(ii) Comments and recommendations the Director considers appropriate.

''(iii) Test and evaluation challenges raised since the completion of the most recent quadrennial strategic plan.

''(iv) Actions taken or planned to address such challenges.''.

(e) TECHNICAL CORRECTION.—Subsection (d)(1) of such, as amended by subsections (a)(2) and (b), is further amended by striking ''Test Resources Management Center'' and inserting ''Test Resource Management Center''.

SEC. 237. LIMITATION ON CONTRACT AWARDS FOR CERTAIN UNMANNED VESSELS.

(a) LIMITATION.—None of the funds authorized to be appropriated for fiscal year 2021 by section 201 for research, development, test, and evaluation may be used for the award of a contract for a covered vessel until the date that is 30 days after the date on which the Under Secretary of Defense for Research and Engineering submits to the congressional defense committees a report and certification described in subsection (c) for such contract and covered vessel.

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

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

(2) A medium unmanned surface vehicle (MUSV).

(3) A large displacement unmanned undersea vehicle (LDUUV).

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

(c) REPORT AND CERTIFICATION DESCRIBED.—A report and certification described in this subsection regarding a contract for a covered vessel is—

(1) a report—

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

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

(2) a certification, submitted to the congressional defense committees with the report described in paragraph (1), that certifies that—

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

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

(ii) have achieved performance levels equal to or greater than applicable Department of Defense threshold requirements for such class of vessels; and

(B) such contract is necessary to meet Department research, development, test, and evaluation objectives for such covered vessel that cannot otherwise be met through further land-based subsystem prototyping or other demonstration approaches.

(d) CRITICAL MISSION, HULL, MECHANICAL, AND ELECTRICAL SUBSYSTEMS DEFINED.—In this section, the term ''critical mission, hull, mechanical, and electrical subsystems'', with respect to a covered vessel, includes the following subsystems:

(1) Command, control, communications, computers, intelligence, surveillance, and reconnaissance.

(2) Autonomous vessel navigation, vessel control, contact management, and contact avoidance.

(3) Communications security, including cryptopgraphy, encryption, and decryption.

(4) Main engines, including the lube oil, fuel oil, and other supporting systems.

(5) Electrical generation and distribution, including supporting systems.

(6) Military payloads.

(7) Any other subsystem identified as critical by the Senior Technical Authority designated under section 8669b(a)(1) of title 10, United States Code, for the class of naval vessels that includes the covered vessel.

SEC. 238. DOCUMENTATION RELATING TO THE ADVANCED BATTLE MANAGEMENT SYSTEM.

(a) DOCUMENTATION REQUIRED.—Immediately upon the enactment of this Act, the Secretary of the Air Force shall submit to the congressional defense committees the following documentation relating to the Advanced Battle Management System:

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

(2) The final analysis of alternatives for the Advanced Battle Management System.

(3) The requirements for the networked data architecture necessary for the Advanced Battle Management System to provide multidomain command and control and battle management capabilities and a development schedule for such architecture.

(b) LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2021 for operations and maintenance for the Office of the Secretary of the Air Force, not more than 25 percent may be obligated until the date that is 30 days after the date on which the Secretary of the Air Force submits to the congressional defense committees the documentation required by subsection (a) and the Vice Chairman of the Vice Chairman of the Joint Chiefs certifies the documentation.

(c) ADVANCED BATTLE MANAGEMENT SYSTEM.—In this section, the term ''Advanced Battle Management System'' means the Advanced Battle Management System of Systems capability of the Air Force, including each program, project, and activity that contributes to such capability.

SEC. 239. ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST SPECIAL PURPOSE ADJUNCT TO ADDRESS COMPUTATIONAL THINKING.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall establish a special purpose test adjunct to the Armed Services Vocational Aptitude Battery test to address computational thinking skills relevant to military applications, including problem decomposition, abstraction, pattern recognition, analytical ability, the identification of variables involved in data representation, and the ability to create algorithms and solution expressions.

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. MODIFICATIONS AND TECHNICAL CORRECTIONS TO ENSURE RESTORATION OF CONTAMINATION BY PERFLUOROOCTANE SULFONATE AND PERFLUOROOCTANOIC ACID.

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

''(4) The term 'perfluorooctane sulfonate' means perfluorooctane sulfonic acid or sulfonate (commonly referred to as 'PFOS') (Chemical Abstracts Service No. 1763-23-1)

and the salts associated with perfluorooctane sulfonic acid or sulfonate (Chemical Abstracts Service Nos. 2795–39–3, 29457–72–5, 56773–42–3, 29081–56–9, and 70225–14–8).

''(5) The term 'perfluorooctanoic acid' means perfluorooctanoic acid (commonly referred to as 'PFOA') (Chemical Abstracts Service No. 335-67-1) and the salts associated with perfluorooctanoic acid (Chemical Abstracts Service Nos. 3825-26-1, 335-95-5, and 68141-02-6).''.

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

(1) in subsection (e)(2), by striking ''environmental'';

(2) in subsection (f), by striking ''to the Environmental Restoration Account, Defense, or to any environmental restoration account of a military department,'' and inserting ''or transferred to an account established under subsection (a)'';

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

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

(4) in subsection (h)—

(A) in the subsection heading, by striking ''ENVIRONMENTAL REMEDIATION'' and inserting ''RESPONSES''; and

(B) by striking ''services procured under section 2701(d)(1) of this title'' and inserting ''a response''.

(c) MODIFICATION OF AUTHORITY FOR ENVIRONMENTAL RESTORATION PROJECTS OF NATIONAL GUARD.—

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

(A) by striking ''Notwithstanding'' and inserting ''(1) Notwithstanding'';

(B) by inserting ''where military activities are conducted by the National Guard of a State under title 32'' after ''facility''; and

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

''(2) The Secretary concerned may use the authority under section 2701(d) of this title to carry out environmental restoration projects under paragraph (1).''.

(2) CORRECTION OF DEFINITION OF FACILITY.—Paragraph (2) of section 2700 of such title is amended—

(A) in subparagraph (A), by striking ''(A) The terms'' and inserting ''The terms''; and

(B) by striking subparagraph (B).

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

(1) in paragraph (1), by striking ''fiscal years 1992 through 1996'' and inserting ''a period specified in paragraph (3)''; and

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

''(3) A period specified in this paragraph is—

''(A) the period of fiscal years 1992 through 1996; or

''(B) on or after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.''.

(e) TECHNICAL CONSISTENCY FOR MUNITIONS RESPONSE.—

(1) PROGRAM GOALS.—Section 2701(b)(2) of such title is amended by striking ''of unexploded ordnance'' and inserting ''of unexploded ordnance, discarded military munitions, and munitions constituents in a manner consistent with section 2710 of this title''.

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

(3) TRANSFER OF DEFINITIONS.—

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

(i) transferred to section 2700 of such title;

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

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

(B) REDESIGNATION OF DEFINITIONS.—Section 2710(e) of such title is amended by redesignating paragraphs (4) through (7) as paragraphs (2) through (5), respectively.

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

(A) in paragraph (2)—

(i) by striking '' 'discarded military munitions', 'munitions constituents', and 'defense sites' '' and inserting '' 'discarded military munitions' and 'munitions constituents' ''; and

(ii) by striking ''section 2710(e)'' and inserting ''section 2700''; and

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

''(3) The term 'defense site' has the meaning given such term in section 2710(e) of such title.''.

(f) TECHNICAL CORRECTION REGARDING COOPERATIVE AGREEMENTS.—Section 332(a)(2) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, in the matter preceding subparagraph (A), by striking ''shall meet or exceed the most stringent of the following'' and inserting ''relating to a response shall reflect application to the response of the most protective of the following''.

SEC. 312. READINESS AND ENVIRONMENTAL PROTECTION INTEGRATION PROGRAM TECHNICAL EDITS AND CLARIFICATION.

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

''(3) Funds obligated to carry out an agreement under this section shall be available for use with regard to any property in the geographic scope specified in the agreement—

''(A) at the time the funds are obligated; and

''(B) in any subsequent modification to the agreement.''.

(b) CLARIFICATION OF REFERENCES TO ELIGIBLE ENTITIES.—

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

(2) ACQUISITION OF PROPERTY AND INTERESTS.—Subsection (d)(1) of such section is amended by striking ''the entity or entities'' each place it appears and inserting ''an eligible entity or entities''.

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

SEC. 313. SURVEY AND MARKET RESEARCH OF TECHNOLOGIES FOR PHASE OUT BY DEPARTMENT OF DEFENSE OF USE OF FLUORINATED AQUEOUS FILM-FORMING FOAM.

(a) SURVEY OF TECHNOLOGIES AND MARKET RESEARCH.—

(1) IN GENERAL.—The Secretary of Defense shall conduct a survey and market research of relevant technologies, other than firefighting agent solutions, to determine whether any such technologies are available and can be adapted quickly for use by the Department of Defense to execute the phase-out by the Department of the use of fluorinated aqueous film-forming foam.

(2) TECHNOLOGIES INCLUDED.—The technologies surveyed or researched under paragraph (1) shall include the following:

(A) Hangar flooring systems.

(B) Liquid drainage flood assemblies.

(C) Fire-fighting agent delivery systems.

(D) Containment systems.

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

(b) BRIEFING.—

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

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

(A) A description of the technologies surveyed and researched under subsection (a).

(B) An identification of any such technologies that were considered for further testing or analysis.

(C) An identification of any other technologies useful for the phase-out by the Department of the use of fluorinated aqueous film-forming foam that are undergoing additional analysis for possible application within the Department.

SEC. 314. MODIFICATION OF AUTHORITY TO CARRY OUT MILITARY INSTALLATION RESILIENCE PROJECTS.

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

(1) in subsection (a), by inserting ''(except as provided in subsections (d)(3) and (e))'' before the period at the end;

(2) in subsection (c), by striking ''A project'' and inserting ''Except as provided in subsection (e)(2), a project'';

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

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

''(d) LOCATION OF PROJECTS.—Projects carried out pursuant to this section may be carried out—

''(1) on a military installation;

''(2) on a facility used by the Department of Defense that is owned and operated by a State, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands, even if the facility is not under the jurisdiction of the Department of Defense, if the Secretary of Defense determines that the facility is subject to significant use by the armed forces for testing or training; or

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

''(A) a military installation;

''(B) a facility described in paragraph (2); or

''(C) community infrastructure determined by the Secretary concerned to be necessary to maintain, improve, or rapidly reestablish installation mission assurance and mission-essential functions.

''(e) ALTERNATIVE FUNDING SOURCE.—(1) In carrying out a project under this section, the Secretary concerned may use amounts available for operation and maintenance for the military department concerned if the Secretary concerned submits a notification to the congressional defense committees of the decision to carry out the project using such amounts and includes in the notification—

''(A) the current estimate of the cost of the project;

''(B) the source of funds for the project; and

''(C) a certification that deferral of the project for inclusion in the next Military Construction Authorization Act would be inconsistent with national security or the protection of health, safety, or environmental quality, as the case may be.

''(2) A project carried out under this section using amounts under paragraph (1) may be carried out only after the end of the 7-day period beginning on the date on which a copy of the notification described in paragraph (1) is provided in an electronic medium pursuant to section 480 of this title.

''(3) The maximum aggregate amount that the Secretary concerned may obligate from amounts available to the military department concerned for operation and maintenance in any fiscal year for projects under the authority of this subsection is $100,000,000.''.

(b) CONSIDERATION OF MILITARY INSTALLATION RESILIENCE IN AGREEMENTS AND INTERAGENCY COOPERATION.—Section 2684a of such title is amended—

(1) in subsection (a)—

(A) in paragraph (2)(B)—

(i) by striking clause (ii); and

(ii) in clause (i)—

(I) by striking ''(i)''; and

(II) by striking ''; or'' and inserting a semicolon;

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

(C) by inserting after paragraph (2) the following new paragraph (3):

''(3) maintaining or improving military installation resilience; or''; and

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

''(h) INTERAGENCY COOPERATION IN CONSERVATION AND RESILIENCE PROGRAMS TO AVOID OR REDUCE ADVERSE IMPACTS ON MILITARY INSTALLATION RESILIENCE AND MILITARY READINESS ACTIVITIES.—In order to facilitate interagency cooperation and enhance the effectiveness of actions that will protect the environment, military installation resilience, and military readiness, the recipient of funds provided pursuant to an agreement under this section or under the Sikes Act (16 U.S.C. 670 et seq.) may, with regard to the lands and waters within the scope of the agreement, use such funds to satisfy any matching funds or cost-sharing requirement of any conservation or resilience program of any Federal agency notwithstanding any limitation of such program on the source of matching or cost-sharing funds.''.

SEC. 315. NATIVE AMERICAN INDIAN LANDS ENVIRONMENTAL MITIGATION PROGRAM.

(a) IN GENERAL.—Chapter 160 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2712. Native American lands environmental mitigation program

''(a) ESTABLISHMENT.—The Secretary of Defense may establish and carry out a program to mitigate the environmental effects of actions by the Department of Defense on Indian lands and culturally connected locations.

''(b) PROGRAM ACTIVITIES.—The activities that may be carried out under the program established under subsection (a) are the following:

''(1) Identification, investigation, and documentation of suspected environmental effects attributable to past actions by the Department of Defense.

''(2) Development of mitigation options for such environmental effects, including development of cost-to-complete estimates and a system for prioritizing mitigation actions.

''(3) Direct mitigation actions that the Secretary determines are necessary and appropriate to mitigate the adverse environmental effects of past actions by the Department.

''(4) Demolition and removal of unsafe buildings and structures used by, under the jurisdiction of, or formerly used by or under the jurisdiction of the Department.

''(5) Training, technical assistance, and administrative support to facilitate the meaningful participation of Indian tribes in mitigation actions under the program.

''(6) Development and execution of a policy governing consultation with Indian tribes that have been or may be affected by action by the Department, including training personnel of the Department to ensure compliance with the policy.

''(c) COOPERATIVE AGREEMENTS.—(1) In carrying out the program established under subsection (a), the Secretary of Defense may enter into a cooperative agreement with an Indian tribe or an instrumentality of tribal government.

''(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit of the United States Government.

''(3) A cooperative agreement under this section for the procurement of severable services may begin in one fiscal year and end in another fiscal year only if the total period of performance does not exceed two calendar years.

''(d) DEFINITIONS.—In this section:

''(1) The term 'Indian land' includes—

''(A) any land located within the boundaries and a part of an Indian reservation, pueblo, or rancheria;

''(B) any land that has been allotted to an individual Indian but has not been conveyed to such Indian with full power of alienation;

''(C) Alaska Native village and regional corporation lands; and

''(D) lands and waters upon which any Federally recognized Indian tribe has rights reserved by treaty, act of Congress, or action by the President.

''(2) The term 'Indian Tribe' means any Indian Tribe, band, nation, or other organized group or community, including any Native village, Regional Corporation, or Village Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

''(3) The term 'culturally connected location' means a location or place that has demonstrable significance to Indians or Alaska Natives based on its association with the traditional beliefs, customs, and practices of a living community, including locations or places where religious, ceremonial, subsistence, medicinal, economic, or other lifeways practices have historically taken place.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 160 of such title is amended by inserting after the item relating to section 2711 the following new item:

''2712. Native American lands environmental mitigation program.''.

SEC. 316. ENERGY RESILIENCE AND ENERGY SECURITY MEASURES ON MILITARY INSTALLATIONS.

(a) IN GENERAL.—Subchapter I of chapter 173 of title 10, United States Code, is amended by inserting after section 2919 the following new section:

''§ 2920. Energy resilience and energy security measures on military installations

''(a) ENERGY RESILIENCE MEASURES.—(1) The Secretary of Defense shall, by the end of fiscal year 2030, provide that 100 percent of the energy load required to maintain the critical missions of each installation have a minimum level of availability of 99.9 percent per fiscal year.

''(2) The Secretary of Defense shall issue standards establishing levels of availability relative to specific critical missions, with such standards providing a range of not less than 99.9 percent availability per fiscal year and not more than 99.9999 percent availability per fiscal year, depending on the criticality of the mission.

''(3) The Secretary may establish interim goals to take effect prior to fiscal year 2025 to ensure the requirements under this subsection are met.

''(4) The Secretary of each military department and the head of each Defense Agency shall ensure that their organizations meet the requirements of this subsection.

''(b) PLANNING.—(1) The Secretary of Defense shall require the Secretary of each military department and the head of each Defense Agency to plan for the provision of energy resilience and energy security for installations.

''(2) Planning under paragraph (1) shall—

''(A) promote the use of multiple and diverse sources of energy, with an emphasis favoring energy resources originating on the installation such as modular generation;

''(B) promote installing microgrids to ensure the energy security and energy resilience of critical missions; and

''(C) favor the use of full-time, installed energy sources rather than emergency generation.

''(c) DEVELOPMENT OF INFORMATION.—The planning required by subsection (b) shall identify each of the following for each installation:

''(1) The critical missions of the installation.

''(2) The energy requirements of those critical missions.

''(3) The duration that those energy requirements are likely to be needed in the event of a disruption or emergency.

''(4) The current source of energy provided to those critical missions.

''(5) The duration that the currently provided energy would likely be available in the event of a disruption or emergency.

''(6) Any currently available sources of energy that would provide uninterrupted energy to critical missions in the event of a disruption or emergency.

''(7) Alternative sources of energy that could be developed to provide uninterrupted energy to critical missions in the event of a disruption or emergency.

''(d) TESTING AND MEASURING.—(1)(A) The Secretary of Defense shall require the Secretary of each military department and head of each Defense Agency to conduct monitoring, measuring, and testing to provide the data necessary to comply with this section.

''(B) Any data provided under subparagraph (A) shall be made available to the Assistant Secretary of Defense for Sustainment upon request.

''(2)(A) The Secretary of Defense shall require that black start exercises be conducted to assess the energy resilience and energy security of installations for periods established to evaluate the ability of the installation to perform critical missions without access to off-installation energy resources.

''(B) A black start exercise conducted under subparagraph (A) may exclude, if technically feasible, housing areas, commissaries, exchanges, and morale, welfare, and recreation facilities.

''(C) The Secretary of Defense shall—

''(i) provide uniform policy for the military departments and the Defense Agencies with respect to conducting black start exercises; and

''(ii) establish a schedule of black start exercises for the military departments and the

Defense Agencies, with each military department and Defense Agency scheduled to conduct such an exercise on a number of installations each year sufficient to allow that military department or Defense Agency to meet the goals of this section, but in any event not fewer than five installations each year for each military department through fiscal year 2027.

''(D)(i) Except as provided in clause (ii), the Secretary of each military department shall, notwithstanding any other provision of law, conduct black start exercises in accordance with the schedule provided for in subparagraph (C)(ii), with any such exercise not to last longer than five days.

''(ii) The Secretary of a military department may conduct more black start exercises than those identified in the schedule provided for in subparagraph (C)(ii).

''(e) CONTRACT REQUIREMENTS.—For contracts for energy and utility services, the Secretary of Defense shall—

''(1) specify methods and processes to measure, manage, and verify compliance with subsection (a); and

''(2) ensure that such contracts include requirements appropriate to ensure energy resilience and energy security, including requirements for metering to measure, manage, and verify energy consumption, availability, and reliability consistent with this section and the energy resilience metrics and standards under section 2911(b) of this title.

''(f) EXCEPTION.—This section does not apply to fuels used in aircraft, vessels, or motor vehicles.

''(g) REPORT.—If by the end of fiscal year 2029, the Secretary determines that the Department will be unable to meet the requirements under subsection (a), not later than 90 days after the end of such fiscal year, the Secretary shall submit to the Committees on Armed Services of the Senate and House of Representatives a report detailing—

''(1) the projected shortfall;

''(2) reasons for the projected shortfall;

''(3) any statutory, technological, or monetary impediments to achieving such requirements;

''(4) any impact to readiness or ability to meet the national defense posture; and

''(5) any other relevant information as the Secretary considers appropriate.

''(h) DEFINITIONS.—In this section:

''(1) The term 'availability' means the availability of required energy at a stated instant of time or over a stated period of time for a specific purpose.

''(2) The term 'black start exercise' means an exercise in which delivery of energy provided from off an installation is terminated before backup generation assets on the installation are turned on. Such an exercise shall—

''(A) determine the ability of the backup systems to start independently, transfer the load, and carry the load until energy from off the installation is restored;

''(B) align organizations with critical missions to coordinate in meeting critical mission requirements;

''(C) validate mission operation plans, such as continuity of operations plans;

''(D) identify infrastructure interdependencies; and

''(E) verify backup electric power system performance.

''(3) The term 'critical mission'—

''(A) means those aspects of the missions of an installation, including mission essential operations, that are critical to successful performance of the strategic national defense mission;

''(B) may include operational headquarters facilities, airfields and supporting infrastructure, harbor facilities supporting naval vessels, munitions production and storage facilities, missile fields, radars, satellite control facilities, cyber operations facilities, space launch facilities, operational communications facilities, and biological defense facilities; and

''(C) does not include military housing (including privatized military housing), morale, welfare, and recreation facilities, exchanges, commissaries, or privately owned facilities.

''(4) The term 'energy' means electricity, natural gas, steam, chilled water, and heated water.

''(5) The term 'installation' has the meaning given the term 'military installation' in section 2801(c)(4) of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 173 of such title is amended by inserting after the item relating to section 2919 the following new item:

''2920. Energy resilience and energy security measures on military installations.''.

SEC. 317. MODIFICATION TO AVAILABILITY OF ENERGY COST SAVINGS FOR DEPARTMENT OF DEFENSE.

Section 2912(a) of title 10, United States Code, is amended by inserting ''and, in the case of operational energy, from both training and operational missions,'' after ''under section 2913 of this title,''.

SEC. 318. LONG-DURATION DEMONSTRATION INITIATIVE AND JOINT PROGRAM.

(a) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the Environmental Security Technology Certification Program of the Department of Defense.

(2) DIRECTOR OF ARPA–E.—The term ''Director of ARPA–E'' means the Director of the Advanced Research Projects Agency—Energy.

(3) INITIATIVE.—The term ''Initiative'' means the demonstration initiative established under subsection (b).

(4) JOINT PROGRAM.—The term ''Joint Program'' means the joint program established under subsection (d).

(b) ESTABLISHMENT OF INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director shall establish a demonstration initiative composed of demonstration projects focused on the development of long-duration energy storage technologies.

(c) SELECTION OF PROJECTS.—To the maximum extent practicable, in selecting demonstration projects to participate in the Initiative, the Director shall—

(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.

(d) JOINT PROGRAM.—

(1) ESTABLISHMENT.—As part of the Initiative, the Director, in consultation with the Director of ARPA–E, shall 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 shall enter into a memorandum of understanding with the Director of ARPA–E to administer the Joint Program.

(3) INFRASTRUCTURE.—In carrying out the Joint Program, the Director and the Director of ARPA–E shall—

(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 Director of ARPA–E shall 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 Director of ARPA–E shall—

(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, higher-cost projects; and

(II) smaller, lower-cost projects.

(B) PRIORITY.—In carrying out the Joint Program, the Director and the Director of ARPA–E shall 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 in the field.

SEC. 319. PILOT PROGRAM ON ALTERNATIVE FUEL VEHICLE PURCHASING.

(a) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of Energy and the Administrator of the General Services Administration, shall carry out a pilot program under which the Secretary of Defense may, notwithstanding section 400AA of the Energy Policy and Conservation Act (42 U.S.C. 6374), purchase new alternative fuel vehicles for which the initial cost of such vehicles exceeds the initial cost of a comparable gasoline or diesel fueled vehicle by not more than 10 percent.

(b) LOCATIONS.—

(1) IN GENERAL.—The Secretary of Defense shall carry out the pilot program under subsection (a) at not fewer than 2 facilities or installations of the Department of Defense in the continental United States that—

(A) have the largest total number of attached noncombat vehicles as compared to other facilities or installations of the Department of Defense; and

(B) are located within 20 miles of public or private refueling or recharging stations.

(2) AIR FORCE LOGISTICS CENTER.—One of the facilities or installations selected under paragraph (1) shall be an Air Force Logistics Center.

(c) ALTERNATIVE FUEL VEHICLE DEFINED.—In this section, the term ''alternative fuel vehicle'' includes a vehicle that uses—

(1) fuels derived from renewable biomass, as defined in section 211(o)(1)(I) of the Clean Air Act (42 U.S.C. 7545(o)(1)(I));

(2) natural gas (including compressed and liquefied natural gas); or

(3) propane.

Subtitle C—Logistics and Sustainment

SEC. 331. REPEAL OF STATUTORY REQUIREMENT FOR NOTIFICATION TO DIRECTOR OF DEFENSE LOGISTICS AGENCY THREE YEARS PRIOR TO IMPLEMENTING CHANGES TO ANY UNIFORM OR UNIFORM COMPONENT.

Section 356 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 771 note prec.) is amended—

(1) by striking subsection (a);

(2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively; and

(3) in subsections (a) and (b), as so redesignated, by striking ''Commander'' each place it appears and inserting ''Director''.

SEC. 332. CLARIFICATION OF LIMITATION ON LENGTH OF OVERSEAS FORWARD DEPLOYMENT OF CURRENTLY DEPLOYED NAVAL VESSELS.

Section 323(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1720; 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''.

Subtitle D—Reports

SEC. 351. REPORT ON IMPACT OF PERMAFROST THAW ON INFRASTRUCTURE, FACILITIES, AND OPERATIONS OF THE DEPARTMENT OF DEFENSE.

(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 congressional defense committees a comprehensive report on the impact of permafrost thaw on the infrastructure, facilities, assets, and operations of the Department of Defense.

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

(1) An identification of the infrastructure, facilities, and assets of the Department of Defense that could be impacted by permafrost thaw.

(2) For each element of infrastructure and each facility and asset identified pursuant to paragraph (1)—

(A) an assessment of the threat posed by permafrost thaw; and

(B) an estimate of potential damage in the event of likely permafrost thaw.

(3) A description of the threats and impacts posed by permafrost thaw to military and other national security operations.

(c) CONSULTATION.—In preparing the report under subsection (a), the Secretary may consult with other Federal agencies, agencies of State and local governments, and academic institutions with expertise or experience in the effects of permafrost thaw on infrastructure, facilities, and operations.

(d) ASSET DEFINED.—In this section, the term ''asset'' means the following:

(1) Any aircraft, weapon system, vehicle, equipment, or gear of the Department of Defense or the Armed Forces.

(2) Any other item of the Department or the Armed Forces that the Secretary considers appropriate for purposes of this section.

SEC. 352. PLANS AND REPORTS ON EMERGENCY RESPONSE TRAINING FOR MILITARY INSTALLATIONS.

(a) PLANS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall ensure that each military installation under the jurisdiction of the Secretary that does not conduct live emergency response training on an annual basis or more frequently with the civilian law enforcement and emergency response agencies responsible for responding to an emergency at the installation develops a plan to conduct such training.

(2) ELEMENTS.—Each plan developed under paragraph (1) with respect to an installation—

(A) shall include—

(i) the cost of implementing training described in paragraph (1) at the installation;

(ii) a description of any obstacles to the implementation of such training; and

(iii) recommendations for mitigating any such obstacles; and

(B) shall be designed to ensure that the civilian law enforcement and emergency response agencies described in paragraph (1) are familiar with—

(i) the physical features of the installation, including gates, buildings, armories, headquarters, command and control centers, and medical facilities; and

(ii) the emergency response personnel and procedures of the installation.

(3) SUBMITTAL OF PLANS.—

(A) SUBMITTAL TO SECRETARY.—Not later than 90 days after the date of the enactment of this Act, the commander of each military installation required to develop a plan under paragraph (1) shall submit such plan to the Secretary of Defense.

(B) SUBMITTAL TO CONGRESS.—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 Senate and the House of Representatives a summary of the plans submitted to the Secretary under subparagraph (A).

(b) REPORTS ON TRAINING CONDUCTED.—

(1) LIST OF INSTALLATIONS.—Not later than March 1, 2021, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a list of all military installations under the jurisdiction of the Secretary that conduct live emergency response training on an annual basis or more frequently with the civilian law enforcement and emergency response agencies responsible for responding to an emergency at the installation.

(2) ANNUAL REPORTS.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter, the commander of each military installation under the jurisdiction of the Secretary shall submit to the Secretary a report on each live emergency response training conducted during the year covered by the report with the civilian law enforcement and emergency response agencies responsible for responding to an emergency at the installation.

(B) ELEMENTS.—Each report submitted under subparagraph (A) shall include, with respect to each training exercise, the following:

(i) The date and duration of the exercise.

(ii) A detailed description of the exercise.

(iii) An identification of all military and civilian personnel who participated in the exercise.

(iv) Any recommendations resulting from the exercise.

(v) The actions taken, if any, to implement such recommendations.

(C) INCLUSION IN ANNUAL BUDGET SUBMISSION.—

(i) IN GENERAL.—The Secretary shall include in the budget submitted to Congress by the President pursuant to section 1105(a) of title 31, United States Code, a summary of any report submitted to the Secretary under subparagraph (A) during the one-year period preceding the submittal of the budget.

(ii) CLASSIFIED FORM.—The summary submitted under clause (i) may be submitted in classified form.

(D) SUNSET.—The requirement to submit annual reports under subparagraph (A) shall terminate upon the submittal of the budget described in subparagraph (C)(i) for fiscal year 2024.

SEC. 353. REPORT ON IMPLEMENTATION BY DEPARTMENT OF DEFENSE OF REQUIREMENTS RELATING TO RENEWABLE FUEL PUMPS.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to Congress a report on the implementation by the Department of Defense of the requirements under section 246(a) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17053(a)).

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

(1) An estimate of the cost to the Department of fully implementing the requirements under section 246(a) of the Energy Independence and Security Act of 2007; and

(2) An assessment of any problems or issues the Department is having in complying with the requirements under such section.

(c) EXCEPTION.—The report required by subsection (a) shall not apply to a fueling center of the Department with a fuel turnover rate of less than 100,000 gallons of fuel per year.

SEC. 354. REPORT ON EFFECTS OF EXTREME WEATHER ON DEPARTMENT OF DEFENSE.

(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 vulnerabilities to military installations and combatant commander requirements resulting from extreme weather that builds upon the report submitted under section 335(c) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1358).

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

(1) An explanation of the underlying methodology that the Department uses to assess the effects of extreme weather in the report, including through the use of a climate vulnerability and risk assessment tool as directed under section 326 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(2) An assessment of how extreme weather affects low-lying military installations, military installations of the Navy and the Marine Corps, and military installations outside the United States.

(3) An assessment of how extreme weather affects access of members of the Armed Forces to training ranges.

(4) With respect to a military installation in a country outside the United States, an assessment of the collaboration between the Department of Defense and the military or civilian agencies of the government of that country or nongovernmental organizations operating in that country to adapt to risks from extreme weather.

(5) An assessment of how extreme weather affects housing safety and food security on military installations.

(6) An assessment of the strategic benefits derived from isolating infrastructure of the Department of Defense in the United States from the national electric grid and the use of energy-efficient, distributed, and smart power grids by the Armed Forces in the United States and overseas to ensure affordable access to electricity.

(7) A list of ten military installation resilience projects conducted within each military department.

(8) An overview of mitigations, in addition to current efforts undertaken by the Department, that may be necessary to ensure the continued operational viability and to increase the resilience of military installations, and the estimated costs of those mitigations.

(c) CONSULTATION.—In developing the report required by subsection (a), the Secretary of Defense shall consult with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Administrator of the National Oceanic and Atmospheric Administration, the Administrator of the Federal Emergency Management Agency, the Commander of the Army Corps of Engineers, the Administrator of the National Aeronautics and Space Administration, a federally funded research and development center, and the heads of such other relevant Federal agencies as the Secretary of Defense determines appropriate.

(d) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form but may contain a classified annex if necessary.

(e) PUBLICATION.—Upon submittal of the report required by subsection (a), the Secretary of Defense shall publish the unclassified portion of the report on an Internet website of the Department of Defense that is available to the public.

(f) DEFINITIONS.—In this section:

(1) EXTREME WEATHER.—The term ''extreme weather'' means recurrent flooding, drought, desertification, wildfires, and thawing permafrost.

(2) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, and any territory or possession of the United States.

Subtitle E—Other Matters

SEC. 371. PROHIBITION ON DIVESTITURE OF MANNED INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE AIRCRAFT OPERATED BY UNITED STATES SPECIAL OPERATIONS COMMAND.

No funds authorized to be appropriated by this Act may be used to divest any manned intelligence, surveillance, and reconnaissance aircraft operated by the United States Special Operations Command, and the Department of Defense may not divest any manned intelligence, surveillance, and reconnaissance aircraft operated by the United States Special Operations Command in fiscal year 2021.

SEC. 372. INFORMATION ON OVERSEAS CONSTRUCTION PROJECTS IN SUPPORT OF CONTINGENCY OPERATIONS USING FUNDS FOR OPERATION AND MAINTENANCE.

(a) ANNUAL BUDGET JUSTIFICATION DISPLAY.—Section 2805(c) of title 10, United States Code, is amended—

(1) by striking ''The Secretary concerned'' and inserting ''(1) The Secretary concerned''; and

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

''(2) The Secretary of each military department, the Director of each Defense Agency, and the head of any other relevant component of the Department of Defense shall track and report to the Under Secretary of Defense (Comptroller) relevant data regarding all overseas construction projects funded with amounts appropriated or otherwise made available for operation and maintenance in support of contingency operations.

''(3)(A) The Secretary of Defense shall prepare, for inclusion in the annual budget submission by the President to Congress under section 1105 of title 31, a consolidated budget justification display, in classified and unclassified form, that identifies all overseas construction projects funded with amounts appropriated or otherwise made available for operation and maintenance in support of contingency operations.

''(B) The display prepared under subparagraph (A) shall include a list of all construction projects described in such subparagraph that were completed in the prior fiscal year, that are ongoing, or that are expected for the next five fiscal years, and shall identify for each project—

''(i) the component of the Department of Defense involved in the project;

''(ii) the location of the project;

''(iii) a brief description of the purpose of the project; and

''(iv) the actual or estimated cost of the project.''.

(b) REPORT ON CONSTRUCTION PROJECTS IN SUPPORT OF CONTINGENCY OPERATIONS.—

(1) IN GENERAL.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on ways to improve the development, funding, and execution of construction projects in support of overseas contingency operations, including those funded with amounts appropriated or otherwise made available for operation and maintenance and those funded with amounts appropriated or otherwise made available for military construction.

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

(A) An examination and comparison of the time required to plan, approve, and execute construction projects funded with operation and maintenance amounts versus those funded with military construction amounts, in support of contingency operations, including construction projects in support of recent operations in Afghanistan, Iraq, Syria, and Eastern Europe.

(B) A description of any challenges associated with the processes of the Department of Defense for planning, approving, and executing such projects.

(C) A description of any ongoing or planned efforts to improve such processes to promote efficiency and expediency in the development and execution of such projects.

(D) Any recommendations with respect to improving such processes, including those from the commanders of the combatant commands and the Secretaries of the military departments.

SEC. 373. PROVISION OF PROTECTION TO THE NATIONAL MUSEUM OF THE MARINE CORPS, THE NATIONAL MUSEUM OF THE UNITED STATES ARMY, THE NATIONAL MUSEUM OF THE UNITED STATES NAVY, AND THE NATIONAL MUSEUM OF THE UNITED STATES AIR FORCE.

Section 2465(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) A contract for the performance of onsite armed security guard functions to be performed—

''(A) at the Marine Corps Heritage Center at Marine Corps Base Quantico, Virginia, including the National Museum of the Marine Corps;

''(B) at the Heritage Center for the National Museum of the United States Army at Fort Belvoir, Virginia;

''(C) at the Heritage Center for the National Museum of the United States Navy at Washington, District of Columbia; or

''(D) at the Heritage Center for the National Museum of the United States Air Force at Wright-Patterson Air Force Base, Ohio.''.

SEC. 374. INAPPLICABILITY OF CONGRESSIONAL NOTIFICATION AND DOLLAR LIMITATION REQUIREMENTS FOR ADVANCE BILLINGS FOR CERTAIN BACKGROUND INVESTIGATIONS.

Section 2208(l) of title 10, United States Code, is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph (4):

''(4) This subsection shall not apply to advance billing for background investigation and related services performed by the Defense Counterintelligence and Security Agency.''.

SEC. 375. REPEAL OF SUNSET FOR MINIMUM ANNUAL PURCHASE AMOUNT FOR CARRIERS PARTICIPATING IN THE CIVIL RESERVE AIR FLEET.

Section 9515 of title 10, United States Code, is amended by striking subsection (k).

SEC. 376. IMPROVEMENT OF THE OPERATIONAL ENERGY CAPABILITY IMPROVEMENT FUND OF THE DEPARTMENT OF DEFENSE.

(a) MANAGEMENT OF THE OPERATIONAL ENERGY CAPABILITY IMPROVEMENT FUND.—The Assistant Secretary of Defense for Sustainment shall exercise authority, direction, and control over the Operational Energy Capability Improvement Fund of the Department of Defense (in this section referred to as the ''OECIF'').

(b) ALIGNMENT AND COORDINATION WITH RELATED PROGRAMS.—

(1) REALIGNMENT OF OECIF.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall realign the OECIF under the Assistant Secretary of Defense for Sustainment, with such realignment to include personnel positions adequate for the mission of the OECIF.

(2) BETTER COORDINATION WITH RELATED PROGRAMS.—The Assistant Secretary shall ensure that the placement under the authority of the Assistant Secretary of the OECIF along with the Strategic Environmental Research Program, the Environmental Security Technology Certification Program, and the Operational Energy Prototyping Program is utilized to advance common goals of the Department, promote organizational synergies, and avoid unnecessary duplication of effort.

(c) PROGRAM FOR OPERATIONAL ENERGY PROTOTYPING.—

(1) IN GENERAL.—Commencing not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, through the Assistant Secretary of Defense for 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.

(5) LOCATIONS.—

(A) IN GENERAL.—The Secretary shall carry out the testing and evaluation phase of the program under paragraph (1) at installations of the Department of Defense or in conjunction with exercises conducted by the Joint Staff, a combatant command, or a military department.

(B) FORMAL DEMONSTRATIONS.—The Secretary shall carry out any formal demonstrations under the program under paragraph (1) at installations of the Department or in operational settings to document and validate improved warfighting performance and cost savings.

SEC. 377. COMMISSION ON THE NAMING OF ITEMS OF THE DEPARTMENT OF DEFENSE THAT COMMEMORATE THE CONFEDERATE STATES OF AMERICA OR ANY PERSON WHO SERVED VOLUNTARILY WITH THE CONFEDERATE STATES OF AMERICA.

(a) REMOVAL.—Not later than three years after the date of the enactment of this Act, the Secretary of Defense shall implement the plan submitted by the commission described in paragraph (b) and remove all names, symbols, displays, monuments, and paraphernalia that honor or commemorate the Confederate States of America (commonly referred to as the ''Confederacy'') or any person who served voluntarily with the Confederate States of America from all assets of the Department of Defense.

(b) IN GENERAL.—The Secretary of Defense shall establish a commission relating to assigning, modifying, or removing of names, symbols, displays, monuments, and paraphernalia to assets of the Department of Defense that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America.

(c) DUTIES.—The Commission shall—

(1) assess the cost of renaming or removing names, symbols, displays, monuments, or paraphernalia that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America;

(2) develop procedures and criteria to assess whether an existing name, symbol, monument, display, or paraphernalia commemorates the Confederate States of America or person who served voluntarily with the Confederate States of America;

(3) recommend procedures for renaming assets of the Department of Defense to prevent commemoration of the Confederate States of America or any person who served voluntarily with the Confederate States of America;

(4) develop a plan to remove names, symbols, displays, monuments, or paraphernalia that commemorate the Confederate States of America or any person who served voluntarily with the Confederate States of America from assets of the Department of Defense, within the timeline established by this Act; and

(5) include in the plan procedures and criteria for collecting and incorporating local sensitivities associated with naming or renaming of assets of the Department of Defense.

(d) MEMBERSHIP.—The Commission shall be composed of eight members, of whom—

(1) four shall be appointed by the Secretary of Defense;

(2) one shall be appointed by the Chairman of the Committee on Armed Services of the Senate;

(3) one shall be appointed by the Ranking Member of the Committee on Armed Services of the Senate;

(4) one shall be appointed by the Chairman of the Committee on Armed Services of the House of Representatives; and

(5) one shall be appointed by the Ranking Member of the Committee on Armed Services of the House of Representatives.

(e) APPOINTMENT.—Members of the Commission shall be appointed not later than 45 days after the date of the enactment of this Act.

(f) INITIAL MEETING.—The Commission shall hold its initial meeting on the date that is 60 days after the enactment of this Act.

(g) BRIEFINGS AND REPORTS.—Not later than October 1, 2021, the Commission shall brief the Committees on Armed Services of the Senate and House of Representatives detailing the progress of the requirements under subsection (c). Not later than October 1, 2022, and not later than 90 days before the implementation of the plan in subsection (c)(4), the Commission shall present a briefing and written report detailing the results of the requirements under subsection (c), including:

(1) A list of assets to be removed or renamed.

(2) Costs associated with the removal or renaming of assets in subsection (g)(1).

(3) Criteria and requirements used to nominate and rename assets in subsection (g)(1).

(4) Methods of collecting and incorporating local sensitivities associated with the removal or renaming of assets in subsection (g)(1).

(h) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $2,000,000 to carry out this section.

(2) OFFSET.—The amount authorized to be appropriated by the Act for fiscal year 2021 for Operations and Maintenance, Army, sub activity group 434 - other personnel support is hereby reduced by $2,000,000.

(i) ASSETS DEFINED.—In this section, the term ''assets'' includes any base, installation, street, building, facility, aircraft, ship, plane, weapon, equipment, or any other property owned or controlled by the Department of Defense.

(j) EXEMPTION FOR GRAVE MARKERS.—Shall not cover monuments but shall exempt grave markers. Congress expects the commission to further define what constitutes a grave marker.

SEC. 378. MODIFICATIONS TO REVIEW OF PROPOSED ACTIONS BY MILITARY AVIATION AND INSTALLATION ASSURANCE CLEARINGHOUSE.

Section 183a(c)(2) of title 10, United States Code, is amended—

(1) by striking ''If the Clearinghouse'' and inserting ''(A) If the Clearinghouse''; and

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

''(B) After the Clearinghouse issues a notice under subparagraph (A) with respect to an energy project, the parties should seek to identify feasible and affordable actions that can be taken by the Department, the developer of such energy project, or others to mitigate any adverse impact on military operations and readiness.

''(C) If the Secretary determines within a reasonable period of time after the issuance of a notice under subparagraph (A) with respect to an energy project that the concerns identified in the preliminary review conducted under paragraph (1) with respect to such project have been mitigated to the extent that such project does not pose an unacceptable level of risk to military operations and readiness, the Clearinghouse shall timely issue a mission compatibility letter to the applicant of such project, the governor of the State in which such project is located, and the Secretary of the finding of the Clearinghouse.''.

SEC. 379. ADJUSTMENT IN AVAILABILITY OF APPROPRIATIONS FOR UNUSUAL COST OVERRUNS AND FOR CHANGES IN SCOPE OF WORK.

Section 8683 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c) TREATMENT OF AMOUNTS APPROPRIATED AFTER END OF PERIOD OF OBLIGATION.—In the application of section 1553(c) of title 31 to funds appropriated in the Operation and Maintenance, Navy account that are available for ship overhaul, the Secretary of the Navy—

''(1) may treat the limitation specified in paragraph (1) of such section to be '$10,000,000' rather than '$4,000,000'; and

''(2) may treat the limitation specified in paragraph (2) of such section to be '$30,000,000' rather than '$25,000,000'.''.

SEC. 380. REQUIREMENT THAT SECRETARY OF DEFENSE IMPLEMENT SECURITY AND EMERGENCY RESPONSE RECOMMENDATIONS RELATING TO ACTIVE SHOOTER OR TERRORIST ATTACKS ON INSTALLATIONS OF DEPARTMENT OF DEFENSE.

(a) REQUIREMENT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall implement the applicable security and emergency response recommendations relating to active shooter or terrorist attacks on installations of the Department of Defense made in the following reports:

(1) The report by the Government Accountability Office dated July 2015 entitled, ''Insider Threats: DOD Should Improve Information Sharing and Oversight to Protect U.S. Installations'' (GAO-15-543).

(2) The report prepared by the Department of the Navy relating to the Washington Navy Yard shooting in 2013.

(3) The report by the Department of the Army dated August 2010 entitled ''Fort Hood, Army Internal Review Team: Final Report''.

(4) The independent review by the Department of Defense dated January 2010 entitled ''Protecting the Force: Lessons from Fort Hood''.

(5) The report by the Department of the Air Force dated October 2010 entitled ''Air Force Follow-On Review: Protecting the Force: Lessons from Fort Hood''.

(b) NOTIFICATION OF INAPPLICABLE RECOMMENDATIONS.—

(1) IN GENERAL.—If the Secretary determines that a recommendation described in subsection (a) is outdated, is no longer applicable, or has been superseded by more recent separate guidance or recommendations set forth by the Government Accountability Office, the Department of Defense, or another entity in related contracted review, the Secretary shall notify the Committees on Armed Services of the Senate and the House of Representatives not later than 45 days after the date of the enactment of this Act.

(2) IDENTIFICATION AND JUSTIFICATION.—The notification under paragraph (1) shall include an identification, set forth by report specified in subsection (a), of each recommendation that the Secretary determines should not be implemented, with a justification for each such determination.

SEC. 381. CLARIFICATION OF FOOD INGREDIENT REQUIREMENTS FOR FOOD OR BEVERAGES PROVIDED BY THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Before making any final rule, statement, or determination regarding the limitation or prohibition of any food or beverage ingredient in military food service, military medical foods, commissary food, or commissary food service, the Secretary of Defense shall publish in the Federal Register a notice of a preliminary rule, statement, or determination (in this section referred to as a ''proposed action'') and provide opportunity for public comment.

(b) MATTERS TO BE INCLUDED.—The Secretary shall include in any notice published under subsection (a) the following:

(1) The date of the notice.

(2) Contact information for the appropriate office at the Department of Defense.

(3) A summary of the notice.

(4) A date for comments to be submitted and specific methods for submitting comments.

(5) A description of the substance of the proposed action.

(6) Findings and a statement of reasons supporting the proposed action.

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, 485,000.

(2) The Navy, 346,730.

(3) The Marine Corps, 180,000.

(4) The Air Force, 333,475.

SEC. 402. END STRENGTH LEVEL MATTERS.

(a) STRENGTH LEVELS TO SUPPORT TWO MAJOR REGIONAL CONTINGENCIES.—

(1) IN GENERAL.—Section 691 of title 10, United States Code, is repealed.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 39 of such title is amended by striking the item relating to section 691.

(b) CERTAIN ACTIVE-DUTY AND SELECTED RESERVE STRENGTHS.—Section 115 of such title is amended—

(1) in subsection (f)(1), by striking ''increase'' and inserting ''vary''; and

(2) in subsection (g)(1)(A), by striking ''increase'' and inserting ''vary''.

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).

(a) IN GENERAL.—The authorized 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.

(b) LIMITATION.—Under no circumstances may a military technician (dual status) employed under the authority of this section be coerced by a State into accepting an offer of realignment or conversion to any other military status, including as a member of the Active, Guard, and Reserve program of a reserve component. If a military technician (dual status) declines to participate in such realignment or conversion, no further action will be taken against the individual or the individual's position.

SEC. 414. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 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.

SEC. 415. SEPARATE AUTHORIZATION BY CONGRESS OF MINIMUM END STRENGTHS FOR NON-TEMPORARY MILITARY TECHNICIANS (DUAL STATUS) AND MAXIMUM END STRENGTHS FOR TEMPORARY MILITARY TECHNICIANS (DUAL STATUS).

(a) IN GENERAL.—Section 115(d) of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''the end strength for military technicians (dual status)'' and inserting ''both the minimum end strength for non-temporary military technicians (dual status) and the maximum end strength for temporary military technicians (dual status)''; and

(2) in the third sentence, by striking ''the end strength requested for military technicians (dual status)'' and inserting ''the minimum end strength for non-temporary military technicians (dual status), and the maximum end strength for temporary military technicians (dual status), requested''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the day after the date of the enactment of this Act. The amendment made by subsection (a)(2) shall apply with respect to budgets submitted by the President to Congress under section 1105 of title 31, United States Code, after such effective date.

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 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. REPEAL OF CODIFIED SPECIFICATION OF AUTHORIZED STRENGTHS OF CERTAIN COMMISSIONED OFFICERS ON ACTIVE DUTY.

Effective as of October 1, 2021, the text of section 523 of title 10, United States Code, is amended to read as follows:

''The total number of commissioned officers serving on active duty in the Army, Air Force, or Marine Corps in each of the grades of major, lieutenant colonel, or colonel, or in the Navy in each of the grades of lieutenant commander, commander, or captain, at the end of any fiscal year shall be as specifically authorized by Act of Congress for such fiscal year.''.

SEC. 502. TEMPORARY EXPANSION OF AVAILABILITY OF ENHANCED CONSTRUCTIVE SERVICE CREDIT IN A PARTICULAR CAREER FIELD UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.

(a) REGULAR OFFICERS.—Subparagraph (D) of section 533(b)(1) of title 10, United States Code, is amended to read as follows:

''(D) Additional credit as follows:

''(i) For special training or experience in a particular officer field as designated by the Secretary concerned, if such training or experience is directly related to the operational needs of the armed force concerned.

''(ii) During fiscal years 2021 through 2025, for advanced education in an officer field so designated, if such education is directly related to the operational needs of the armed force concerned.''.

(b) RESERVE OFFICERS.—Section 12207(b)(1) of such title is amended—

(1) in the matter preceding subparagraph (A), ''or a designation in'' and all that follows through ''education or training,'' and inserting ''and who has special training or experience, or advanced education (if applicable),''; and

(2) by striking subparagraph (D) and inserting the following new subparagraph:

''(D) Additional credit as follows:

''(i) For special training or experience in a particular officer field as designated by the Secretary concerned, if such training or experience is directly related to the operational needs of the armed force concerned.

''(ii) During fiscal years 2021 through 2025, for advanced education in an officer field so designated, if such education is directly related to the operational needs of the armed force concerned.''.

(c) ANNUAL REPORT.—

(1) IN GENERAL.—Not later than February 1, 2022, and every four years thereafter, each Secretary of a military department shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the use of the authorities in subparagraph (D) of section 553(b)(1) of title 10, United States Code (as amended by subsection (a)), and subparagraph (D) of section 12207(b)(1) of such title

(as amended by subsection (b)) (each referred to in this subsection as a ''constructive credit authority'') during the preceding fiscal year for the Armed Forces under the jurisdiction of such Secretary.

(2) ELEMENTS.—Each report under paragraph (1) shall include, for the fiscal year and Armed Forces covered by such report, the following:

(A) The manner in which constructive service credit was calculated under each constructive credit authority.

(B) The number of officers credited constructive service credit under each constructive credit authority.

(C) A description and assessment of the utility of the constructive credit authorities in meeting the operational needs of the Armed Force concerned.

(D) Such other matters in connection with the constructive credit authorities as the Secretary of the military department concerned considers appropriate.

SEC. 503. REQUIREMENT FOR PROMOTION SELECTION BOARD RECOMMENDATION OF HIGHER PLACEMENT ON PROMOTION LIST OF OFFICERS OF PARTICULAR MERIT.

(a) IN GENERAL.—Section 616(g) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by inserting '', pursuant to guidelines and procedures prescribed by the Secretary,'' after ''officers of particular merit''; and

(2) in paragraph (3), by inserting '', pursuant to guidelines and procedures prescribed by the Secretary concerned,'' after ''shall recommend''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to officers recommended for promotion by promotion selection boards convened on or after that date.

SEC. 504. SPECIAL SELECTION REVIEW BOARDS FOR REVIEW OF PROMOTION OF OFFICERS SUBJECT TO ADVERSE INFORMATION IDENTIFIED AFTER RECOMMENDATION FOR PROMOTION AND RELATED MATTERS.

(a) REGULAR OFFICERS.—

(1) IN GENERAL.—Subchapter III of chapter 36 of title 10, United States Code, is amended by inserting after section 628 the following new section:

''§ 628a. Special selection review boards

''(a) IN GENERAL.—(1) If the Secretary of the military department concerned determines that a person recommended by a promotion board for promotion to a grade at or below the grade of major general, rear admiral in the Navy, or an equivalent grade in the Space Force is the subject of credible information of an adverse nature, including any substantiated adverse finding or conclusion described in section 615(a)(3)(A) of this title, that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by such section, the Secretary shall convene a special selection review board under this section to review the person and recommend whether the recommendation for promotion of the person should be sustained.

''(2) If a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person—

''(A) shall not be disseminated or publicly released on the list of officers recommended for promotion by the promotion board recommending the promotion of the person; and

''(B) shall not be forwarded to the Secretary of Defense, the President, or the Senate, as applicable, or included on a promotion list under section 624(a) of this title.

''(b) CONVENING.—(1) Any special selection review board convened under this section shall be convened in accordance with the provisions of section 628(f) of this title.

''(2) Any special selection review board convened under this section may review such number of persons, and recommendations for promotion of such persons, as the Secretary of the military department concerned shall specify in convening such special selection review board.

''(c) INFORMATION CONSIDERED.—(1) In reviewing a person and recommending whether the recommendation for promotion of the person should be sustained under this section, a special selection review board convened under this section shall be furnished and consider the following:

''(A) The record and information concerning the person furnished in accordance with section 615(a)(2) of this title to the promotion board that recommended the person for promotion.

''(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry described in section 615(a)(3)(A) of this title.

''(2) The furnishing of information to a special selection review board under paragraph (1)(B) shall be governed by the standards and procedures referred to in paragraph (3)(C) of section 615(a) of this title applicable to the furnishing of information described in paragraph (3)(A) of such section to selection boards in accordance with that section.

''(3)(A) Before information on a person described in paragraph (1)(B) is furnished to a special selection review board for purposes of this section, the Secretary of the military department concerned shall ensure that—

''(i) such information is made available to the person; and

''(ii) subject to subparagraphs (C) and (D), the person is afforded a reasonable opportunity to submit comments on such information to the special selection review board before its review of the person and the recommendation for promotion of the person under this section.

''(B) If information on a person described in paragraph (1)(B) is not made available to the person as otherwise required by subparagraph (A)(i) due to the classification status of such information, the person shall, to the maximum extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

''(C)(i) An opportunity to submit comments on information is not required for a person under subparagraph (A)(ii) if—

''(I) such information was made available to the person in connection with the furnishing of such information under section 615(a) of this title to the promotion board that recommended the promotion of the person subject to review under this section; and

''(II) the person submitted comments on such information to that promotion board.

''(ii) The comments on information of a person described in clause (i)(II) shall be furnished to the special selection review board.

''(D) A person may waive either or both of the following:

''(i) The right to submit comments to a special selection review board under subparagraph (A)(ii).

''(ii) The furnishing of comments to a special selection review board under subparagraph (C)(ii).

''(d) CONSIDERATION.—(1) In considering the record and information on a person under this section, the special selection review board shall compare such record and information with an appropriate sampling of the records of those officers of the same competitive category who were recommended for promotion by the promotion board that recommended the person for promotion, and an appropriate sampling of the records of those officers who were considered by and not recommended for promotion by that promotion board.

''(2) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

''(3) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, apply standards used by the promotion board that recommended the person for promotion.

''(4) The recommendation for promotion of a person may be sustained under this section only if the special selection review board determines that the person—

''(A) ranks on an order of merit created by the special selection review board as better qualified for promotion than the sample officer highest on the order of merit list who was considered by and not recommended for promotion by the promotion board concerned; and

''(B) is comparable in qualification for promotion to those sample officers who were recommended for promotion by that promotion board.

''(5) A recommendation for promotion of a person may be sustained under this section only by a vote of a majority of the members of the special selection review board.

''(6) If a special selection review board does not sustain a recommendation for promotion of a person under this section, the person shall be considered to have failed of selection for promotion.

''(e) REPORTS.—(1) Each special selection review board convened under this section shall submit to the Secretary of the military department concerned a written report, signed by each member of the board, containing the name of each person whose recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

''(2) The provisions of sections 617(b) and 618 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to the report and proceedings of a promotion board convened under section 611(a) of this title.

''(f) APPOINTMENT OF PERSONS.—(1) If the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with subsections (b) and (c) of section 624 of this title.

''(2) A person who is appointed to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the same position on the active-duty list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

''(g) REGULATIONS.—(1) The Secretary of Defense shall prescribe regulations to carry out this section. Such regulations shall apply uniformly across the military departments.

''(2) Any regulation prescribed by the Secretary of a military department to supplement the regulations prescribed pursuant to paragraph (1) may not take effect without the approval of the Secretary of Defense, in writing.

''(h) PROMOTION BOARD DEFINED.—In this section, the term 'promotion board 'means a selection board convened by the Secretary of a military department under section 611(a) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 36 of such title is amended by inserting after the item relating to section 628 the following new item:

''628a. Special selection review boards.''.

(3) DELAY IN PROMOTION.—Section 624(d) of such title is amended—

(A) in paragraph (1)—

(i) in subparagraph (D), by striking ''or'' at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting ''; or''; and

(iii) by inserting after subparagraph (E) the following new subparagraph (F):

''(F) the Secretary of the military department concerned determines that credible information of an adverse nature, including a substantiated adverse finding or conclusion described in section 615(a)(3)(A) of this title, with respect to the officer will result in the convening of a special selection review board under section 628a of this title to review the officer and recommend whether the recommendation for promotion of the officer should be sustained.'';

(B) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(C) by inserting after paragraph (2) the following new paragraph (3):

''(3) In the case of an officer whose promotion is delayed pursuant to paragraph (1)(F) and whose recommendation for promotion is sustained, authorities for the promotion of the officer are specified in section 628a(f) of this title.''; and

(D) in paragraph (4), as redesignated by subparagraph (B)—

(i) by striking ''The appointment'' and inserting ''(A) Except as provided in subparagraph (B), the appointment''; and

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

''(B) In the case of an officer whose promotion is delayed pursuant to paragraph (1)(F), requirements applicable to notice and opportunity for response to such delay are specified in section 628a(c)(3) of this title.''.

(b) RESERVE OFFICERS.—

(1) IN GENERAL.—Chapter 1407 of title 10, United States Code, is amended by inserting after section 14502 the following new section:

''§ 14502a. Special selection review boards

''(a) IN GENERAL.—(1) If the Secretary of the military department concerned determines that a person recommended by a promotion board for promotion to a grade at or below the grade of major general or rear admiral in the Navy is the subject of credible information of an adverse nature, including any substantiated adverse finding or conclusion described in section 14107(a)(3)(A) of this title, that was not furnished to the promotion board during its consideration of the person for promotion as otherwise required by such section, the Secretary shall convene a special selection review board under this section to review the person and recommend whether the recommendation for promotion of the person should be sustained.

''(2) If a person and the recommendation for promotion of the person is subject to review under this section by a special selection review board convened under this section, the name of the person—

''(A) shall not be disseminated or publicly released on the list of officers recommended for promotion by the promotion board recommending the promotion of the person; and

''(B) shall not be forwarded to the Secretary of Defense, the President, or the Senate, as applicable, or included on a promotion list under section 14308(a) of this title.

''(b) CONVENING.—(1) Any special selection review board convened under this section shall be convened in accordance with the provisions of section 14502(b)(2) of this title.

''(2) Any special selection review board convened under this section may review such number of persons, and recommendations for promotion of such persons, as the Secretary of the military department concerned shall specify in convening such special selection review board.

''(c) INFORMATION CONSIDERED.—(1) In reviewing a person and recommending whether the recommendation for promotion of the person should be sustained under this section, a special selection review board convened under this section shall be furnished and consider the following:

''(A) The record and information concerning the person furnished in accordance with section 14107(a)(2) of this title to the promotion board that recommended the person for promotion.

''(B) Any credible information of an adverse nature on the person, including any substantiated adverse finding or conclusion from an officially documented investigation or inquiry described in section 14107(a)(3)(A) of this title.

''(2) The furnishing of information to a special selection review board under paragraph (1)(B) shall be governed by the standards and procedures referred to in paragraph (3)(B) of section 14107(a) of this title applicable to the furnishing of information described in paragraph (3)(A) of such section to promotion boards in accordance with that section.

''(3)(A) Before information on person described in paragraph (1)(B) is furnished to a special selection review board for purposes of this section, the Secretary of the military department concerned shall ensure that—

''(i) such information is made available to the person; and

''(ii) subject to subparagraphs (C) and (D), the person is afforded a reasonable opportunity to submit comments on such information to the special selection review board before its review of the person and the recommendation for promotion of the person under this section.

''(B) If information on an officer described in paragraph (1)(B) is not made available to the person as otherwise required by subparagraph (A)(i) due to the classification status of such information, the person shall, to the maximum extent practicable, be furnished a summary of such information appropriate to the person's authorization for access to classified information.

''(C)(i) An opportunity to submit comments on information is not required for a person under subparagraph (A)(ii) if—

''(I) such information was made available to the person in connection with the furnishing of such information under section 14107(a) of this title to the promotion board that recommended the promotion of the person subject to review under this section; and

''(II) the person submitted comments on such information to that promotion board.

''(ii) The comments on information of a person described in clause (i)(II) shall be furnished to the special selection review board.

''(D) A person may waive either or both of the following:

''(i) The right to submit comments to a special selection review board under subparagraph (A)(ii).

''(ii) The furnishing of comments to a special selection review board under subparagraph (C)(ii).

''(d) CONSIDERATION.—(1) In considering the record and information on a person under this section, the special selection review board shall compare such record and information with an appropriate sampling of the records of those officers of the same competitive category who were recommended for promotion by the promotion board that recommended the person for promotion, and an appropriate sampling of the records of those officers who were considered by and not recommended for promotion by that promotion board.

''(2) Records and information shall be presented to a special selection review board for purposes of paragraph (1) in a manner that does not indicate or disclose the person or persons for whom the special selection review board was convened.

''(3) In considering whether the recommendation for promotion of a person should be sustained under this section, a special selection review board shall, to the greatest extent practicable, apply standards used by the promotion board that recommended the person for promotion.

''(4) The recommendation for promotion of a person may be sustained under this section only if the special selection review board determines that the person—

''(A) ranks on an order of merit created by the special selection review board as better qualified for promotion than the sample officer highest on the order of merit list who was considered by and not recommended for promotion by the promotion board concerned; and

''(B) is comparable in qualification for promotion to those sample officers who were recommended for promotion by that promotion board.

''(5) A recommendation for promotion of a person may be sustained under this section only by a vote of a majority of the members of the special selection review board.

''(6) If a special selection review board does not sustain a recommendation for promotion of a person under this section, the person shall be considered to have failed of selection for promotion.

''(e) REPORTS.—(1) Each special selection review board convened under this section shall submit to the Secretary of the military department concerned a written report, signed by each member of the board, containing the name of each person whose recommendation for promotion it recommends for sustainment and certifying that the board has carefully considered the record and information of each person whose name was referred to it.

''(2) The provisions of sections 14109(c), 14110, and 14111 of this title apply to the report and proceedings of a special selection review board convened under this section in the same manner as they apply to the report and proceedings of a promotion board convened under section 14101(a) of this title.

''(f) APPOINTMENT OF PERSONS.—(1) If the report of a special selection review board convened under this section recommends the sustainment of the recommendation for promotion to the next higher grade of a person whose name was referred to it for review under this section, and the President approves the report, the person shall, as soon as practicable, be appointed to that grade in accordance with section 14308 of this title.

''(2) A person who is appointed to the next higher grade as described in paragraph (1) shall, upon that appointment, have the same date of rank, the same effective date for the pay and allowances of that grade, and the same position on the reserve active-status list as the person would have had pursuant to the original recommendation for promotion of the promotion board concerned.

''(g) REGULATIONS.—(1) The Secretary of Defense shall prescribe regulations to carry

out this section. Such regulations shall apply uniformly across the military departments.

''(2) Any regulation prescribed by the Secretary of a military department to supplement the regulations prescribed pursuant to paragraph (1) may not take effect without the approval of the Secretary of Defense, in writing.

''(h) PROMOTION BOARD DEFINED.—In this section, the term 'promotion board 'means a selection board convened by the Secretary of a military department under section 14101(a) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1407 of such title is amended by inserting after the item relating to section 14502 the following new item:

''14502a. Special selection review boards.''.

(3) DELAY IN PROMOTION.—Section 14311 of such title is amended—

(A) in subsection (a)—

(i) in paragraph (1), by adding at the end the following new subparagraph:

''(F) The Secretary of the military department concerned determines that credible information of adverse nature, including a substantiated adverse finding or conclusion described in section 14107(a)(3)(A) of this title, with respect to the officer will result in the convening of a special selection review board under section 14502a of this title to review the officer and recommend whether the recommendation for promotion of the officer should be sustained.''; and

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

''(2) In the case of an officer whose promotion is delayed pursuant to paragraph (1)(F) and whose recommendation for promotion is sustained, authorities for the promotion of the officer are specified in section 14502a(f) of this title.''; and

(B) in subsection (c), by adding at the end the following new paragraph:

''(3) Notwithstanding paragraphs (1) and (2), in the case of an officer whose promotion is delayed pursuant to subsection (a)(1)(F), requirements applicable to notice and opportunity for response to such delay are specified in section 14502a(c)(3) of this title.''.

(c) REQUIREMENTS FOR FURNISHING ADVERSE INFORMATION ON REGULAR OFFICERS TO PROMOTION SELECTION BOARDS.—

(1) EXTENSION OF REQUIREMENTS TO SPACE FORCE REGULAR OFFICERS.—Subparagraph (B)(i) of section 615(a)(3) of title 10, United States Code, is amended by striking ''or, in the case of the Navy, lieutenant'' and inserting '', in the case of the Navy, lieutenant, or in the case of the Space Force, the equivalent grade''.

(2) SATISFACTION OF REQUIREMENTS THROUGH SPECIAL SELECTION REVIEW BOARDS.—Such section is further amended by adding at the end the following new subparagraph:

''(D) With respect to the consideration of an officer for promotion to a grade at or below major general, in the case of the Navy, rear admiral, or, in the case of the Space Force, the equivalent grade, the requirements in subparagraphs (A) and (C) may be met through the convening and actions of a special selection review board with respect to the officer under section 628a of this title.''.

(3) DELAYED APPLICABILITY OF REQUIREMENTS TO BOARDS FOR PROMOTION OF OFFICERS TO NON-GENERAL AND FLAG OFFICER GRADES.—Subsection (c) of section 502 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended to read as follows:

''(c) EFFECTIVE DATE AND APPLICABILITY.—

''(1) EFFECTIVE DATE.—The amendments made by this section shall take effect on December 20, 2019, and shall, except as provided in paragraph (2), apply with respect to the proceedings of promotion selection boards convened under section 611(a) of title 10, United States Code, after that date.

''(2) DELAYED APPLICABILITY FOR BOARDS FOR PROMOTION TO NON-GENERAL AND FLAG OFFICER GRADES.—The amendments made this section shall apply with respect to the proceedings of promotion selection boards convened under section 611(a) of title 10, United States Code, for consideration of officers for promotion to a grade below the grade of brigadier general or, in the case of the Navy, rear admiral (lower half), only if such boards are so convened after January 1, 2021.''.

(d) REQUIREMENTS FOR FURNISHING ADVERSE INFORMATION ON RESERVE OFFICERS TO PROMOTION SELECTION BOARDS.—Section 14107(a)(3) of title 10, United States Code, is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) in subparagraph (A), as designated by paragraph (1), by striking ''colonel, or, in the case of the Navy, captain'' and inserting ''lieutenant colonel, or, in the case of the Navy, commander''; and

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

''(B) The standards and procedures referred to in subparagraph (A) shall require the furnishing to the selection board, and to each individual member of the board, the information described in that subparagraph with regard to an officer in a grade specified in that subparagraph at each stage or phase of the selection board, concurrent with the screening, rating, assessment, evaluation, discussion, or other consideration by the board or member of the official military personnel file of the officer, or of the officer.

''(C) With respect to the consideration of an officer for promotion to a grade at or below major general or, in the Navy, rear admiral, the requirements in subparagraphs (A) and (B) may be met through the convening and actions of a special selection board with respect to the officer under section 14502a of this title.''.

SEC. 505. NUMBER OF OPPORTUNITIES FOR CONSIDERATION FOR PROMOTION UNDER ALTERNATIVE PROMOTION AUTHORITY.

Section 649c of title 10, United States Code, is amended—

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

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

''(d) INAPPLICABILITY OF REQUIREMENT RELATING TO OPPORTUNITIES FOR CONSIDERATION FOR PROMOTION.—Section 645(1)(A)(i)(I) of this title shall not apply to the promotion of officers described in subsection (a) to the extent that such section is inconsistent with a number of opportunities for promotion specified pursuant to section 649d of this title.''.

SEC. 506. MANDATORY RETIREMENT FOR AGE.

(a) GENERAL RULE.—Subsection (a) of section 1251 of title 10, United States Code, is amended—

(1) by inserting ''Space Force,'' after ''or Marine Corps,''; and

(2) by inserting ''or separated, as specified in subsection (e),'' after ''shall be retired''.

(b) DEFERRED RETIREMENT OR SEPARATION OF HEALTH PROFESSIONS OFFICERS.—Subsection (b) of such section is amended—

(1) in the subsection heading, by inserting ''OR SEPARATION'' after ''RETIREMENT''; and

(2) in paragraph (1), by inserting ''or separation'' after ''retirement''.

(c) DEFERRED RETIREMENT OR SEPARATION OF OTHER OFFICERS.—Subsection (c) of such section is amended—

(1) in the subsection heading, by striking ''OF CHAPLAINS'' and inserting ''OR SEPARATION OF OTHER OFFICERS'';

(2) by inserting ''or separation'' after ''retirement''; and

(3) by striking ''an officer who is appointed or designated as a chaplain'' and inserting ''any officer other than a health professions officer described in subsection (b)(2)''.

(d) RETIREMENT OR SEPARATION BASED ON YEARS OF CREDITABLE SERVICE.—Such section is further amended by adding at the end the following new subsection:

''(e) RETIREMENT OR SEPARATION BASED ON YEARS OF CREDITABLE SERVICE.—The following rules shall apply to a regular commissioned officer who is to be retired or separated under subsection (a):

''(1) If the officer has at least 6 but fewer than 20 years of creditable service, the officer shall be separated, with separation pay computed under section 1174(d)(1) of this title.

''(2) If the officer has fewer than 6 years of creditable service, the officer shall be separated under subsection (a).''.

SEC. 507. CLARIFYING AND IMPROVING RESTATEMENT OF RULES ON THE RETIRED GRADE OF COMMISSIONED OFFICERS.

(a) RESTATEMENT.—

(1) IN GENERAL.—Chapter 69 of title 10, United States Code, is amended by striking section 1370 and inserting the following new sections:

''§ 1370. Regular commissioned officers

''(a) RETIREMENT IN HIGHEST GRADE IN WHICH SERVED SATISFACTORILY.—

''(1) IN GENERAL.—Unless entitled to a different retired grade under some other provision of law, a commissioned officer (other than a commissioned warrant officer) of the Army, Navy, Air Force, Marine Corps, or Space Force who retires under any provision of law other than chapter 61 or 1223 of this title shall be retired in the highest permanent grade in which such officer is determined to have served on active duty satisfactorily.

''(2) DETERMINATION OF SATISFACTORY SERVICE.—The determination of satisfactory service of an officer in a grade under paragraph (1) shall be made as follows:

''(A) By the Secretary of the military department concerned, if the officer is serving in a grade at or below the grade of major general, rear admiral in the Navy, or the equivalent grade in the Space Force.

''(B) By the Secretary of Defense, if the officer is serving or has served in a grade above the grade of major general, rear admiral in the Navy, or the equivalent grade in the Space Force.

''(3) EFFECT OF MISCONDUCT IN LOWER GRADE IN DETERMINATION.—If the Secretary of a military department or the Secretary of Defense, as applicable, determines that an officer committed misconduct in a lower grade than the retirement grade otherwise provided for the officer by this section—

''(A) such Secretary may deem the officer to have not served satisfactorily in any grade equal to or higher than such lower grade for purposes of determining the retirement grade of the officer under this section; and

''(B) the grade next lower to such lower grade shall be the retired grade of the officer under this section.

''(4) NATURE OF RETIREMENT OF CERTAIN RESERVE OFFICERS AND OFFICERS IN TEMPORARY GRADES.—A reserve officer, or an officer appointed to a position under section 601 of this title, who is notified that the officer will be released from active duty without the officer's consent and thereafter requests retirement under section 7311, 8323, or 9311 of this title and is retired pursuant to that request is considered for purposes of this section to have been retired involuntarily.

''(5) NATURE OF RETIREMENT OF CERTAIN REMOVED OFFICERS.—An officer retired pursuant to section 1186(b)(1) of this title is considered for purposes of this section to have been retired voluntarily.

''(b) RETIREMENT OF OFFICERS RETIRING VOLUNTARILY.—

''(1) SERVICE-IN-GRADE REQUIREMENT.—In order to be eligible for voluntary retirement under any provision of this title in a grade above the grade of captain in the Army, Air Force, or Marine Corps, lieutenant in the Navy, or the equivalent grade in the Space Force, a commissioned officer of the Army, Navy, Air Force, Marine Corps, or Space Force must have served on active duty in that grade for a period of not less than three years, except that—

''(A) subject to subsection (c), the Secretary of Defense may reduce such period to a period of not less than two years for any officer; and

''(B) in the case of an officer to be retired in a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force, the Secretary of Defense may authorize the Secretary of the military department concerned to reduce such period to a period of not less than two years.

''(2) LIMITATION ON DELEGATION.—The authority of the Secretary of Defense in subparagraph (A) of paragraph (1) may not be delegated. The authority of the Secretary of a military department in subparagraph (B) of paragraph (1), as delegated to such Secretary pursuant to such subparagraph, may not be further delegated.

''(3) WAIVER OF REQUIREMENT.—Subject to subsection (c), the President may waive the application of the service-in-grade requirement in paragraph (1) to officers covered by that paragraph in individual cases involving extreme hardship or exceptional or unusual circumstances. The authority of the President under this paragraph may not be delegated.

''(4) LIMITATION ON REDUCTION OR WAIVER OF REQUIREMENT FOR OFFICERS UNDER INVESTIGATION OR PENDING MISCONDUCT.—In the case of an officer to be retired in a grade above the grade of colonel in the Army, Air Force, or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force, the service-in-grade requirement in paragraph (1) may not be reduced pursuant to that paragraph, or waived pursuant to paragraph (3), while the officer is under investigation for alleged misconduct or while there is pending the disposition of an adverse personnel action against the officer.

''(5) GRADE AND FISCAL YEAR LIMITATIONS ON REDUCTION OR WAIVER OF REQUIREMENTS.—The aggregate number of members of an armed force in a grade for whom reductions are made under paragraph (1), and waivers are made under paragraph (3), in a fiscal year may not exceed—

''(A) in the case of officers to be retired in a grade at or below the grade of major in the Army, Air Force, or Marine Corps, lieutenant commander in the Navy, or the equivalent grade in the Space Force, the number equal to two percent of the authorized active-duty strength for that fiscal year for officers of that armed force in that grade;

''(B) in the case of officers to be retired in the grade of lieutenant colonel or colonel in the Army, Air Force, or Marine Corps, commander or captain in the Navy, or an equivalent grade in the Space Force, the number equal to four percent of the authorized active-duty strength for that fiscal year for officers of that armed force in the applicable grade; or

''(C) in the case of officers to be retired in the grade of brigadier general or major general in the Army, Air Force, or Marine Corps, rear admiral (lower half) or rear admiral in the Navy, or an equivalent grade in the Space Force, the number equal to 10 percent of the authorized active-duty strength for that fiscal year for officers of that armed force in the applicable grade.

''(6) NOTICE TO CONGRESS ON REDUCTION OR WAIVER OF REQUIREMENTS FOR GENERAL, FLAG, AND EQUIVALENT OFFICER GRADES.—In the case of an officer to be retired in a grade that is a general or flag officer grade, or an equivalent grade in the Space Force, who is eligible to retire in that grade only by reason of an exercise of the authority in paragraph (1) to reduce the service-in-grade requirement in that paragraph, or the authority in paragraph (3) to waive that requirement, the Secretary of Defense or the President, as applicable, shall, not later than 60 days prior to the date on which the officer will be retired in that grade, notify the Committees on Armed Services of the Senate and the House of Representatives of the exercise of the applicable authority with respect to that officer.

''(7) RETIREMENT IN NEXT LOWEST GRADE FOR OFFICERS NOT MEETING REQUIREMENT.—An officer described in paragraph (1) whose length of service in the highest grade held by the officer while on active duty does not meet the period of the service-in-grade requirement applicable to the officer under this subsection shall, subject to subsection (c), be retired in the next lower grade in which the officer served on active duty satisfactorily, as determined by the Secretary of the military department concerned or the Secretary of Defense, as applicable.

''(c) OFFICERS IN O–9 AND O–10 GRADES.—

''(1) IN GENERAL.—An officer of the Army, Navy, Air Force, Marine Corps, or Space Force who is serving or has served in a position of importance and responsibility designated by the President to carry the grade of lieutenant general or general in the Army, Air Force, or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force under section 601 of this title may be retired in such grade under subsection (a) only after the Secretary of Defense certifies in writing to the President and the Committees on Armed Services of the Senate and the House of Representatives that the officer served on active duty satisfactorily in such grade.

''(2) PROHIBITION ON DELEGATION.—The authority of the Secretary of Defense to make a certification with respect to an officer under paragraph (1) may not be delegated.

''(3) REQUIREMENTS IN CONNECTION WITH CERTIFICATION.—A certification with respect to an officer under paragraph (1) shall—

''(A) be submitted by the Secretary of Defense such that it is received by the President and the Committees on Armed Services of the Senate and the House of Representatives not later than 60 days prior to the date on which the officer will be retired in the grade concerned;

''(B) include an up-to-date copy of the military biography of the officer; and

''(C) include the statement of the Secretary as to whether or not potentially adverse, adverse, or reportable information regarding the officer was considered by the Secretary in making the certification.

''(4) CONSTRUCTION WITH OTHER NOTICE.—In the case of an officer under paragraph (1) to whom a reduction in the service-in-grade requirement under subsection (b)(1) or waiver under subsection (b)(3) applies, the requirement for notification under subsection (b)(6) is satisfied if the notification is included in the certification submitted by the Secretary of Defense under paragraph (1).

''(d) CONDITIONAL RETIREMENT GRADE AND RETIREMENT FOR OFFICERS PENDING INVESTIGATION OR ADVERSE ACTION.—

''(1) IN GENERAL.—When an officer serving in a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force is under investigation for alleged misconduct or pending the disposition of an adverse personnel action at the time of retirement, the Secretary of the military department concerned may—

''(A) conditionally determine the highest permanent grade of satisfactory service on active duty of the officer pending completion of the investigation or resolution of the personnel action, as applicable; and

''(B) retire the officer in that conditional grade, subject to subsection (e).

''(2) OFFICERS IN O–9 AND O–10 GRADES.—When an officer described by subsection (c)(1) is under investigation for alleged misconduct or pending the disposition of an adverse personnel action at the time of retirement, the Secretary of Defense may—

''(A) conditionally determine the highest permanent grade of satisfactory service on active duty of the officer, pending completion of the investigation or personnel action, as applicable; and

''(B) retire the officer in that conditional grade, subject to subsection (e).

''(3) REDUCTION OR WAIVER OF SERVICE-IN-GRADE REQUIREMENT PROHIBITED FOR GENERAL, FLAG, AND EQUIVALENT OFFICER GRADES.—In conditionally determining the retirement grade of an officer under paragraph (1)(A) or (2)(A) of this subsection to be a grade above the grade of colonel in the Army, Air Force, or Marine Corps, captain in the Navy, or the equivalent grade in the Space Force, the service-in-grade requirement in subsection (b)(1) may not be reduced pursuant to subsection (b)(1) or waived pursuant to subsection (b)(3).

''(4) PROHIBITION ON DELEGATION.—The authority of the Secretary of a military department under paragraph (1) may not be delegated. The authority of the Secretary of Defense under paragraph (2) may not be delegated.

''(e) FINAL RETIREMENT GRADE FOLLOWING RESOLUTION OF PENDING INVESTIGATION OR ADVERSE ACTION.—

''(1) NO CHANGE FROM CONDITIONAL RETIREMENT GRADE.—If the resolution of an investigation or personnel action with respect to an officer who has been retired in a conditional retirement grade pursuant to subsection (d) results in a determination that the conditional retirement grade in which the officer was retired will not be changed, the conditional retirement grade of the officer shall, subject to paragraph (3), be the final retired grade of the officer.

''(2) CHANGE FROM CONDITIONAL RETIREMENT GRADE.—If the resolution of an investigation or personnel action with respect to an officer who has been retired in a conditional retirement grade pursuant to subsection (d) results in a determination that the conditional retirement grade in which the officer was retired should be changed, the changed retirement grade shall be the final retired grade of the officer under this section, except that if the final retirement grade provided for an officer pursuant to this paragraph is the grade of lieutenant general or general in the Army, Air Force, or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force, the requirements in subsection (c) shall apply in connection with the retirement of the officer in such final retirement grade.

''(3) RECALCULATION OF RETIRED PAY.—

''(A) IN GENERAL.—If the final retired grade of an officer is as a result of a change under

paragraph (2), the retired pay of the officer under chapter 71 of this title shall be recalculated accordingly, with any modification of the retired pay of the officer to go into effect as of the date of the retirement of the officer.

''(B) PAYMENT OF HIGHER AMOUNT FOR PERIOD OF CONDITIONAL RETIREMENT GRADE.—If the recalculation of the retired pay of an officer results in an increase in retired pay, the officer shall be paid the amount by which such increased retired pay exceeded the amount of retired pay paid the officer for retirement in the officer's conditional grade during the period beginning on the date of the retirement of the officer in such conditional grade and ending on the effective date of the change of the officer's retired grade. For an officer whose retired grade is determined pursuant to subsection (c), the effective date of the change of the officer's retired grade for purposes of this subparagraph shall be the date that is 60 days after the date on which the Secretary of Defense submits to the Committees on Armed Services of the Senate and the House of Representatives the certification required by subsection (c) in connection with the retired grade of the officer.

''(C) RECOUPMENT OF OVERAGE DURING PERIOD OF CONDITIONAL RETIREMENT GRADE.—If the recalculation of the retired pay of an officer results in a decrease in retired pay, there shall be recouped from the officer the amount by which the amount of retired pay paid the officer for retirement in the officer's conditional grade exceeded such decreased retired pay during the period beginning on the date of the retirement of the officer in such conditional grade and ending on the effective date of the change of the officer's retired grade.

''(f) FINALITY OF RETIRED GRADE DETERMINATIONS.—

''(1) IN GENERAL.—Except for a conditional determination authorized by subsection (d), a determination of the retired grade of an officer pursuant to this section is administratively final on the day the officer is retired, and may not be reopened, except as provided in paragraph (2).

''(2) REOPENING.—A final determination of the retired grade of an officer may be reopened as follows:

''(A) If the retirement or retired grade of the officer was procured by fraud.

''(B) If substantial evidence comes to light after the retirement that could have led to determination of a different retired grade under this section if known by competent authority at the time of retirement.

''(C) If a mistake of law or calculation was made in the determination of the retired grade.

''(D) If the applicable Secretary determines, pursuant to regulations prescribed by the Secretary of Defense, that good cause exists to reopen the determination of retired grade.

''(3) APPLICABLE SECRETARY.—For purposes of this subsection, the applicable Secretary for purposes of a determination or action specified in this subsection is—

''(A) the Secretary of the military department concerned, in the case of an officer retired in a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, rear admiral in the Navy, or the equivalent grade in the Space Force; or

''(B) the Secretary of Defense, in the case of an officer retired in a grade of lieutenant general or general in the Army, Air Force, or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force.

''(4) NOTICE AND LIMITATION.—If a final determination of the retired grade of an officer is reopened in accordance with paragraph (2), the applicable Secretary—

''(A) shall notify the officer of the reopening; and

''(B) may not make an adverse determination on the retired grade of the officer until the officer has had a reasonable opportunity to respond regarding the basis for the reopening of the officer's retired grade.

''(5) ADDITIONAL NOTICE ON REOPENING FOR OFFICERS RETIRED IN O–9 AND O–10 GRADES.—If the determination of the retired grade of an officer whose retired grade was provided for pursuant to subsection (c) is reopened, the Secretary of Defense shall also notify the President and the Committees on Armed Services of the Senate and the House of Representatives.

''(6) MANNER OF MAKING OF CHANGE.—If the retired grade of an officer is proposed to be changed through the reopening of the final determination of an officer's retired grade under this subsection, the change in grade shall be made—

''(A) in the case of an officer whose retired grade is to be changed to a grade at or below the grade of major general in the Army, Air Force or Marine Corps, rear admiral in the Navy, or the equivalent grade in the Space Force, in accordance with subsections (a) and (b)—

''(i) by the Secretary of Defense (who may delegate such authority only as authorized by clause (ii)); or

''(ii) if authorized by the Secretary of Defense, by the Secretary of the military department concerned (who may not further delegate such authority);

''(B) in the case of an officer whose retired grade is to be changed to the grade of lieutenant general or general in the Army, Air Force, or Marine Corps, vice admiral or admiral in the Navy, or an equivalent grade in the Space Force, by the President, by and with the advice and consent of the Senate.

''(7) RECALCULATION OF RETIRED PAY.—If the final retired grade of an officer is changed through the reopening of the officer's retired grade under this subsection, the retired pay of the officer under chapter 71 of this title shall be recalculated. Any modification of the retired pay of the officer as a result of the change shall go into effect on the effective date of the change of the officer's retired grade, and the officer shall not be entitled or subject to any changed amount of retired pay for any period before such effective date. An officer whose retired grade is changed as provided in paragraph (6)(B) shall not be entitled or subject to a change in retired pay for any period before the date on which the Senate provides advice and consent for the retirement of the officer in such grade.

''(g) HIGHEST PERMANENT GRADE DEFINED.—In this section, the term 'highest permanent grade' means a grade at or below the grade of major general in the Army, Air Force, or Marine Corps, rear admiral in the Navy, or an equivalent grade in the Space Force.

''§ 1370a. Officers entitled to retired pay for non-regular service

''(a) RETIREMENT IN HIGHEST GRADE HELD SATISFACTORILY.—Unless entitled to a different grade, or to credit for satisfactory service in a different grade under some other provision of law, a person who is entitled to retired pay under chapter 1223 of this title shall, upon application under section 12731 of this title, be credited with satisfactory service in the highest permanent grade in which that person served satisfactorily at any time in the armed forces, as determined by the Secretary of the military department concerned in accordance with this section.

''(b) SERVICE-IN-GRADE REQUIREMENT FOR OFFICERS IN GRADES BELOW O–5.—In order to be credited with satisfactory service in an officer grade (other than a warrant officer grade) below the grade of lieutenant colonel or commander (in the case of the Navy), a person covered by subsection (a) must have served satisfactorily in that grade (as determined by the Secretary of the military department concerned) as a reserve commissioned officer in an active status, or in a retired status on active duty, for not less than six months.

''(c) SERVICE-IN-GRADE REQUIREMENT FOR OFFICES IN GRADES ABOVE O–4.—

''(1) IN GENERAL.—In order to be credited with satisfactory service in an officer grade above major or lieutenant commander (in the case of the Navy), a person covered by subsection (a) must have served satisfactorily in that grade (as determined by the Secretary of the military department concerned) as a reserve commissioned officer in an active status, or in a retired status on active duty, for not less than three years.

''(2) SATISFACTION OF REQUIREMENT BY CERTAIN OFFICERS NOT COMPLETING THREE YEARS.—A person covered by paragraph (1) who has completed at least six months of satisfactory service in grade may be credited with satisfactory service in the grade in which serving at the time of transfer or discharge, notwithstanding failure of the person to complete three years of service in that grade, if the person is transferred from an active status or discharged as a reserve commissioned officer—

''(A) solely due to the requirements of a nondiscretionary provision of law requiring that transfer or discharge due to the person's age or years of service; or

''(B) because the person no longer meets the qualifications for membership in the Ready Reserve solely because of a physical disability, as determined, at a minimum, by a medical evaluation board and at the time of such transfer or discharge the person (pursuant to section 12731b of this title or otherwise) meets the service requirements established by section 12731(a) of this title for eligibility for retired pay under chapter 1223 of this title, unless the disability is described in section 12731b of this title.

''(3) REDUCTION IN SERVICE-IN-GRADE REQUIREMENTS.—

''(A) OFFICERS IN GRADES BELOW GENERAL AND FLAG OFFICER GRADES.—In the case of a person to be retired in a grade below brigadier general or rear admiral (lower half) in the Navy, the Secretary of Defense may authorize the Secretary of a military department to reduce, subject to subparagraph (B), the three-year period of service-in-grade required by paragraph (1) to a period not less than two years. The authority of the Secretary of a military department under this subparagraph may not be delegated.

''(B) LIMITATION.—The number of reserve commissioned officers of an armed force in the same grade for whom a reduction is made under subparagraph (A) during any fiscal year in the period of service-in-grade otherwise required by paragraph (1) may not exceed the number equal to 2 percent of the strength authorized for that fiscal year for reserve commissioned officers of that armed force in an active status in that grade.

''(C) OFFICERS IN GENERAL AND FLAG OFFICERS GRADES.—The Secretary of Defense may reduce the three-year period of service-in-grade required by paragraph (1) to a period not less than two years for any person, including a person who, upon transfer to the Retired Reserve or discharge, is to be credited with satisfactory service in a general or flag officer grade under that paragraph. The authority of the Secretary of Defense under this subparagraph may not be delegated.

''(D) NOTICE TO CONGRESS ON REDUCTION IN SERVICE-IN-GRADE REQUIREMENTS FOR GENERAL AND FLAG OFFICER GRADES.—In the case of a person to be credited under this section with satisfactory service in a grade that is a general or flag officer grade who is eligible to be credited with such service in that grade only by reason of an exercise of authority in subparagraph (C) to reduce the three-year service-in-grade requirement otherwise applicable under paragraph (1), the Secretary of Defense shall, not later than 60 days prior to the date on which the person will be credited with such satisfactory service in that grade, notify the Committees on Armed Services of the Senate and the House of Representatives of the exercise of authority in subparagraph (C) with respect to that person.

''(4) OFFICERS SERVING IN GRADES ABOVE O–6 INVOLUNTARILY TRANSFERRED FROM ACTIVE STATUS.—A person covered by paragraph (1) who has completed at least six months of satisfactory service in a grade above colonel or (in the case of the Navy) captain and, while serving in an active status in such grade, is involuntarily transferred (other than for cause) from active status may be credited with satisfactory service in the grade in which serving at the time of such transfer, notwithstanding failure of the person to complete three years of service in that grade.

''(5) ADJUTANTS AND ASSISTANT ADJUTANTS GENERAL.—If a person covered by paragraph (1) has completed at least six months of satisfactory service in grade, the person was serving in that grade while serving in a position of adjutant general required under section 314 of title 32 or while serving in a position of assistant adjutant general subordinate to such a position of adjutant general, and the person has failed to complete three years of service in that grade solely because the person's appointment to such position has been terminated or vacated as described in section 324(b) of such title, the person may be credited with satisfactory service in that grade, notwithstanding the failure of the person to complete three years of service in that grade.

''(6) OFFICERS RECOMMENDED FOR PROMOTION SERVING IN CERTAIN GRADE BEFORE PROMOTION.—To the extent authorized by the Secretary of the military department concerned, a person who, after having been recommended for promotion in a report of a promotion board but before being promoted to the recommended grade, served in a position for which that grade is the minimum authorized grade may be credited for purposes of paragraph (1) as having served in that grade for the period for which the person served in that position while in the next lower grade. The period credited may not include any period before the date on which the Senate provides advice and consent for the appointment of that person in the recommended grade.

''(7) OFFICERS QUALIFIED FOR FEDERAL RECOGNITION SERVING IN CERTAIN GRADE BEFORE APPOINTMENT.—To the extent authorized by the Secretary of the military department concerned, a person who, after having been found qualified for Federal recognition in a higher grade by a board under section 307 of title 32, serves in a position for which that grade is the minimum authorized grade and is appointed as a reserve officer in that grade may be credited for the purposes of paragraph (1) as having served in that grade. The period of the service for which credit is afforded under the preceding sentence may be only the period for which the person served in the position after the Senate provides advice and consent for the appointment.

''(8) RETIREMENT IN NEXT LOWEST GRADE FOR OFFICERS NOT MEETING SERVICE-IN-GRADE REQUIREMENTS.—A person whose length of service in the highest grade held does not meet the service-in-grade requirements specified in this subsection shall be credited with satisfactory service in the next lower grade in which that person served satisfactorily (as determined by the Secretary of the military department concerned) for not less than six months.

''(d) OFFICERS IN O–9 AND O–10 GRADES.—

''(1) IN GENERAL.—A person covered by this section in the Army, Navy, Air Force, or Marine Corps who is serving or has served in a position of importance and responsibility designated by the President to carry the grade of lieutenant general or general in the Army, Air Force, or Marine Corps, or vice admiral or admiral in the Navy under section 601 of this title may be retired in such grade under subsection (a) only after the Secretary of Defense certifies in writing to the President and the Committees on Armed Services of the Senate and the House of Representatives that the officer served satisfactorily in such grade.

''(2) PROHIBITION ON DELEGATION.—The authority of the Secretary of Defense to make a certification with respect to an officer under paragraph (1) may not be delegated.

''(3) REQUIREMENTS IN CONNECTION WITH CERTIFICATION.—A certification with respect to an officer under paragraph (1) shall—

''(A) be submitted by the Secretary of Defense such that it is received by the President and the Committees on Armed Services of the Senate and the House of Representatives not later than 60 days prior to the date on which the officer will be retired in the grade concerned;

''(B) include an up-to-date copy of the military biography of the officer; and

''(C) include the statement of the Secretary as to whether or not potentially adverse, adverse, or reportable information regarding the officer was considered by the Secretary in making the certification.

''(4) CONSTRUCTION WITH OTHER NOTICE.—In the case of an officer under paragraph (1) who is eligible to be credited with service in a grade only by reason of the exercise of the authority in subsection (c)(3)(C) to reduce the three-year service-in-grade requirement under subsection (c)(1), the requirement for notification under subsection (c)(3)(D) is satisfied if the notification is included in the certification submitted by the Secretary of Defense under paragraph (1).

''(e) CONDITIONAL RETIREMENT GRADE AND RETIREMENT FOR OFFICERS UNDER INVESTIGATION FOR MISCONDUCT OR PENDING ADVERSE PERSONNEL ACTION.—The retirement grade, and retirement, of a person covered by this section who is under investigation for alleged misconduct or pending the disposition of an adverse personnel action at the time of retirement is as provided for by section 1370(d) of this title. In the application of such section 1370(d) for purposes of this subsection, any reference 'active duty' shall be deemed not to apply, and any reference to a provision of section 1370 of this title shall be deemed to be a reference to the analogous provision of this section.

''(f) FINAL RETIREMENT GRADE FOLLOWING RESOLUTION OF PENDING INVESTIGATION OR ADVERSE ACTION.—The final retirement grade under this section of a person described in subsection (e) following resolution of the investigation or personnel action concerned is the final retirement grade provided for by section 1370(e) of this title. In the application of such section 1370(e) for purposes of this subsection, any reference to a provision of section 1370 of this title shall be deemed to be a reference to the analogous provision of this section. In the application of paragraph (3) of such section 1370e(e) for purposes of this subsection, the reference to 'chapter 71' of this title shall be deemed to be a reference to 'chapter 1223 of this title'.

''(g) FINALITY OF RETIRED GRADE DETERMINATIONS.—

''(1) IN GENERAL.—Except for a conditional determination authorized by subsection (e), a determination of the retired grade of a person pursuant to this section is administratively final on the day the person is retired, and may not be reopened.

''(2) REOPENING.—A determination of the retired grade of a person may be reopened in accordance with applicable provisions of section 1370(f) of this title. In the application of such section 1370(f) for purposes of this subsection, any reference to a provision of section 1370 of this title shall be deemed to be a reference to the analogous provision of this section. In the application of paragraph (7) of such section 1370(f) for purposes of this paragraph, the reference to 'chapter 71 of this title' shall be deemed to be a reference to 'chapter 1223 of this title'.

''(h) HIGHEST PERMANENT GRADE DEFINED.—In this section, the term 'highest permanent grade' means a grade at or below the grade of major general in the Army, Air Force, or Marine Corps or rear admiral in the Navy.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 69 of title 10, United States Code, is amended by striking the item relating to section 1370 and inserting the following new items:

''1370. Regular commissioned officers.
''1370a. Officers entitled to retired pay for non-regular service.''.

(b) CONFORMING AND TECHNICAL AMENDMENTS TO RETIRED GRADE RULES FOR THE ARMED FORCES.—

(1) RETIRED PAY.—Title 10, United States Code, is amended as follows:

(A) In section 1406(b)(2), by striking ''section 1370(d)'' and inserting ''section 1370a''.

(B) In section 1407(f)(2)(B), by striking ''by reason of denial of a determination or certification under section 1370'' and inserting ''pursuant to section 1370 or 1370a''.

(2) ARMY.—Section 7341 of such title is amended—

(A) by striking subsection (a) and inserting the following new subsection (a):

''(a)(1) The retired grade of a regular commissioned officer of the Army who retires other than for physical disability is determined under section 1370 of this title.

''(2) The retired grade of a reserve commissioned officer of the Army who retires other than for physical disability is determined under section 1370a of this title.''; and

(B) in subsection (b)—

(i) by striking ''he'' and inserting ''the member''; and

(ii) by striking ''his'' and inserting ''the member's''.

(3) NAVY AND MARINE CORPS.—Such title is further amended as follows:

(A) In section 8262(a), by striking ''sections 689 and 1370'' and inserting ''section 689, and section 1370 or 1370a (as applicable),''.

(B) In section 8323(c), by striking ''section 1370 of this title'' and inserting ''section 1370 or 1370a of this title, as applicable''.

(4) AIR FORCE AND SPACE FORCE.—Section 9341 of such title is amended—

(A) by striking subsection (a) and inserting the following new subsection (a):

''(a)(1) The retired grade of a regular commissioned officer of the Air Force or the Space Force who retires other than for physical disability is determined under section 1370 of this title.

''(2) The retired grade of a reserve commissioned officer of the Air Force or the Space Force who retires other than for physical disability is determined under section 1370a of this title.''; and

(B) in subsection (b)—

(i) by inserting ''or a Regular or Reserve of the Space Force'' after ''Air Force'';

(ii) by striking ''he'' and inserting ''the member''; and

(iii) by striking ''his'' and inserting ''the member's''.

(5) RESERVE OFFICERS.—Section 12771 of such title is amended—

(A) in subsection (a), by striking ''section 1370(d)'' and inserting ''section 1370a of this title''; and

(B) in subsection (b)(1), by striking ''section 1370(d)'' and inserting ''section 1370a''.

(c) OTHER REFERENCES.—In the determination of the retired grade of a commissioned officer of the Armed Forces entitled to retired pay under chapter 1223 of title 10, United States Code, who retires after the date of the enactment of this Act, any reference in a provision of law or regulation to section 1370 of title 10, United States Code, in such determination with respect to such officer shall be deemed to be a reference to section 1370a of title 10, United States Code (as amended by subsection (a)).

SEC. 508. REPEAL OF AUTHORITY FOR ORIGINAL APPOINTMENT OF REGULAR NAVY OFFICERS DESIGNATED FOR ENGINEERING DUTY, AERONAUTICAL ENGINEERING DUTY, AND SPECIAL DUTY.

(a) REPEAL.—Section 8137 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 815 of such title is amended by striking the item relating to section 8137.

Subtitle B—Reserve Component Management

SEC. 511. EXCLUSION OF CERTAIN RESERVE GENERAL AND FLAG OFFICERS ON ACTIVE DUTY FROM LIMITATIONS ON AUTHORIZED STRENGTHS.

(a) DUTY FOR CERTAIN RESERVE OFFICERS UNDER JOINT DUTY LIMITED EXCLUSION.—Subsection (b) of section 526a of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) DUTY FOR CERTAIN RESERVE OFFICERS.—Of the officers designated pursuant to paragraph (1), the Chairman of the Joint Chiefs of Staff may designate up to 15 general and flag officer positions in the unified and specified combatant commands, and up to three general and flag officer positions on the Joint Staff, as positions to be held only by reserve officers who are in a general or flag officer grade below lieutenant general or vice admiral. Each position so designated shall be considered to be a joint duty assignment position for purposes of chapter 38 of this title.''.

(b) RESERVE OFFICERS ON ACTIVE DUTY FOR TRAINING OR FOR LESS THAN 180 DAYS.—Such section is further 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) RESERVE OFFICERS ON ACTIVE DUTY FOR TRAINING OR FOR LESS THAN 180 DAYS.—The limitations of this section do not apply to a reserve general or flag officer who—

''(1) is on active duty for training; or

''(2) is on active duty under a call or order specifying a period of less than 180 days.''.

Subtitle C—General Service Authorities

SEC. 516. INCREASED ACCESS TO POTENTIAL RECRUITS.

(a) SECONDARY SCHOOLS.—Section 503(c)(1) of title 10, United States Code, is amended—

(1) in subparagraph (A)—

(A) in clause (i), by striking ''and'' at the end;

(B) in clause (ii), by striking ''and telephone listings,'' and all that follows through the period at the end and inserting ''electronic mail addresses, home telephone numbers, and mobile telephone numbers, notwithstanding subsection (a)(5)(B) or (b) of section 444 of the General Education Provisions Act (20 U.S.C. 1232g); and''; and

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

''(iii) shall provide information requested pursuant to clause (ii) within a reasonable period of time, but in no event later than 60 days after the date of the request.''; and

(2) in subparagraph (B), by striking ''and telephone listing'' and inserting ''electronic mail address, home telephone number, or mobile telephone number''.

(b) INSTITUTIONS OF HIGHER EDUCATION.—Section 983(b) of such title is amended—

(1) in paragraph (1), by striking ''or'' at the end;

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''and telephone listings'' and inserting ''electronic mail addresses, home telephone numbers, and mobile telephone numbers, which information shall be made available not later than 60 days after the start of classes for the current semester or not later than 60 days after the date of a request, whichever is later''; and

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

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

''(3) access by military recruiters for purposes of military recruiting to lists of students (who are 17 years of age or older) not returning to the institution after having been enrolled during the previous semester, together with student recruiting information and the reason why the student did not return, if collected by the institution.''.

SEC. 517. 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):

''(g) EXCEPTIONS DURING PERIODS OF WAR OR NATIONAL EMERGENCY.—The limitations in subsections (c) and (f) shall not apply during a time of war or of national emergency declared by Congress or the President.''.

SEC. 518. CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214) MATTERS.

(a) REDESIGNATION AS CERTIFICATE OF MILITARY SERVICE.—

(1) IN GENERAL.—Department of Defense Form DD 214, the Certificate of Release or Discharge from Active Duty, is hereby redesignated as the Certificate of Military Service.

(2) CONFORMING AMENDMENT.—Section 1168(a) of title 10, United States Code, is amended by striking ''discharge certificate or certificate of release from active duty, respectively,'' and inserting ''Certificate of Military Serve''.

(3) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to Department of Defense Form DD 214, the Certificate of Release or Discharge from Active Duty, shall be deemed to be a reference to the Certificate of Military Service.

(4) TECHNICAL AMENDMENTS.—Such section 1168(a) is further amended—

(A) by striking ''until his'' and inserting ''until the member's'';

(B) by striking ''his final pay'' and inserting ''the member's final pay''; and

(C) by striking ''him or his next of kin'' and inserting ''the member or the member's next of kin''.

(5) EFFECTIVE DATES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), this subsection and the amendments made by this subsection shall take effect on the date provided for in subsection (d) of section 569 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), as redesignated by subsection (b)(1)(B) of this section.

(B) TECHNICAL AMENDMENTS.—The amendments made by paragraph (4) of this subsection shall take effect on the date of the enactment of this Act.

(b) ADDITIONAL REQUIREMENTS.—

(1) IN GENERAL.—Section 569 of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(A) in subsection (a)—

(i) by redesignating paragraphs (1) and (2) as paragraphs (2) and (4), respectively;

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following new paragraph (1);

''(1) redesignate such form as the Certificate of Military Service;''.

(iii) in paragraph (2), as so redesignated, by striking ''and'' at the end; and

(iv) by inserting after paragraph (2), as so redesignated, the following new paragraph:

''(3) provide for a standard total force record of military service for all members of the Armed Forces, including member of the reserve components, that summarizes the record of service for each member; and'';

(B) by redesignating subsections (b) and (c) as subsections (d) and (e), respectively;

(C) by inserting after subsection (a) the following new subsections:

''(b) ISSUANCE TO RESERVES.—The Secretary of Defense shall provide for the issuance of the Certificate of Military Service, as modified pursuant to subsection (a), to members of the reserve components of the Armed Forces at such times during their military service as is appropriate to facilitate their access to benefits under the laws administered by the Secretary of Veterans Affairs.

''(c) COORDINATION.—In carrying out this section, the Secretary of Defense shall coordinate with the Secretary of Veterans Affairs to ensure that the Certificate of Military Service, as modified pursuant to subsection (a), is recognized as the Certificate of Military Service referred to in section 1168(a) of title 10, United States Code, and for the purposes of establishing eligibility for applicable benefits under the laws administered by the Secretary of Veterans Affairs.''; and

(D) in subsection (d), as redesignated by subparagraph (B), by striking ''a revised Certificate of Release or Discharge from Active Duty (DD Form 214), modified'' and inserting ''the Certificate of Military Service, as modified''.

(2) CONFORMING AMENDMENT.—The heading of such section 569 is amended to read as follows:

''SEC. 569. CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214) MATTERS.''.

(3) REPEAL OF SUPERSEDED REQUIREMENTS.—Section 570 of the National Defense Authorization Act for Fiscal Year 2020 is repealed.

SEC. 519. EVALUATION OF BARRIERS TO MINORITY PARTICIPATION IN CERTAIN UNITS OF THE ARMED FORCES.

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

(1) In 1999, the RAND Corporation issued a report entitled ''Barriers to Minority Participation in Special Operations Forces'' that was sponsored by United States Special Operations Command.

(2) In 2018, the RAND Corporation issued a report entitles ''Understanding Demographic Differences in Undergraduate Pilot Training Attrition'' that was sponsored by the Air Force.

(3) No significant independent study has been performed by a federally funded research and development center into increasing minority participation in the special operations forces since 1999.

(b) STUDY REQUIRED.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall, acting through the Under Secretary of Defense for Personnel and Readiness, seek to enter into an agreement with a federally funded research and development center.

(2) ELEMENTS.—The evaluation 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 participation rates of the general population as members and as officers of the Armed Forces.

(C) A comparison of the percentage of minority officers in the grade of O–7 or higher who have served in each covered unit to such percentage for all such officers in the Armed Force of that covered unit.

(D) An identification of barriers to minority participation in the accession, assessment, and training processes.

(E) The status and effectiveness of the response to the recommendations contained in the report referred to in subsection (a)(1) and any follow-up recommendations.

(F) Recommendations to increase the numbers of minority officers in the Armed Forces.

(G) Recommendations to increase minority participation in covered units.

(H) Any other matters the Secretary determines appropriate.

(3) REPORT TO CONGRESS.—The Secretary 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.

(c) DESIGNATION.—The study conducted under subsection (b) shall be known as the ''Study on Reducing Barriers to Minority Participation in Elite Units in the Armed Services''.

(d) IMPLEMENTATION PLAN.—The Secretary shall submit to the congressional defense committees a report setting forth an implementation plan for the recommendations that the Secretary implements under this section, including—

(1) the response of the Secretary to each such recommendation;

(2) a summary of actions the Secretary has carried out, or intends to carry out, to implement such recommendations, as appropriate; and

(3) a schedule, with specific milestones, for completing the implementation of such recommendations.

(e) COVERED UNITS DEFINED.—In this section, the term ''covered units'' means the following:

(1) Any forces designated by the Secretary as special operations forces.

(2) Air Force Combat Control Teams.

(3) Air Force Pararescue.

(4) Marine Corps Force Reconnaissance.

(5) Coast Guard Deployable Operations Group.

(6) Pilot and navigator military occupational specialties.

Subtitle D—Military Justice and Related Matters

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

SEC. 521. MODIFICATION OF TIME REQUIRED FOR EXPEDITED DECISIONS IN CONNECTION WITH APPLICATIONS FOR CHANGE OF STATION OR UNIT TRANSFER OF MEMBERS WHO ARE VICTIMS OF SEXUAL ASSAULT OR RELATED OFFENSES.

(a) IN GENERAL.—Section 673(b) of title 10, United States Code, is amended by striking ''72 hours'' both places it appears and inserting ''five calendar days''.

(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 decisions on applications for permanent change of station or unit transfer made under section 673 of title 10, United States Code, on or after that date.

SEC. 522. DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

Section 550B of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (c)(1)(B), by inserting '', including the United States Coast Guard Academy,'' after ''academy'';

(2) by redesignating subsections (d), (e), and (f) as subsections (e), (f), and (g), respectively;

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

''(d) ADVISORY DUTIES ON COAST GUARD ACADEMY.—In providing advice under subsection (c)(1)(B), the Advisory Committee shall also advise the Secretary of the Department in which the Coast Guard is operating in accordance with this section on policies, programs, and practices of the United States Coast Guard Academy.''; and

(4) in subsection (e) and paragraph (2) of subsection (g), as redesignated by paragraph (2) of this section, by striking ''the Committees on Armed Services of the Senate and the House of Representatives'' each place it appears and inserting ''the Committees on Armed Services and Commerce, Science, and Transportation of the Senate and the Committees on Armed Services and Transportation and Infrastructure of the House of Representatives''.

SEC. 523. REPORT ON ABILITY OF SEXUAL ASSAULT RESPONSE COORDINATORS AND SEXUAL ASSAULT PREVENTION AND RESPONSE VICTIM ADVOCATES TO PERFORM DUTIES.

(a) SURVEY.—

(1) IN GENERAL.—Not later than June 30, 2021, the Secretary of Defense shall conduct a survey regarding the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to perform their duties.

(2) ELEMENTS.—The survey required under paragraph (1) shall assess—

(A) the current state of support provided to Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates, including—

(i) perceived professional or other reprisal or retaliation; and

(ii) access to sufficient physical and mental health services as a result of the nature of their work;

(B) the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to contact and access their installation commander or unit commander;

(C) the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to contact and access the immediate commander of victims and alleged offenders;

(D) the responsiveness and receptiveness of commanders to the Sexual Assault Response Coordinators;

(E) the support and services provided to victims of sexual assault;

(F) the understanding of others of the process and their willingness to assist;

(G) the adequacy of the training received by Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to effectively perform their duties; and

(H) any other factors affecting the ability of Sexual Assault Response Coordinators and Sexual Assault Prevention and Response Victim Advocates to perform their duties.

(b) REPORT.—Upon completion of the survey required 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 results of the survey and any actions to be taken as a result of the survey.

SEC. 524. BRIEFING ON SPECIAL VICTIMS' COUNSEL PROGRAM.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Judge Advocates General of the Army, the Navy, the Air Force, and the Coast Guard, and the Staff Judge Advocate to the Commandant of the Marine Corps shall each provide to the congressional defense committees a briefing on the status of the Special Victims' Counsel program of the Armed Force concerned.

(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the Special Victims Counsel program of the Armed Force concerned, the following:

(1) An assessment of whether the Armed Force is in compliance with the provisions of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) relating to the Special Victims Counsel program and, if not, what steps have been taken to achieve compliance with such provisions.

(2) An estimate of the average caseload of each Special Victims' Counsel.

(3) A description of any staffing shortfalls in the Special Victims' Counsel program or other programs of the Armed Force resulting from the additional responsibilities required of the Special Victims' Counsel program under the National Defense Authorization Act for Fiscal Year 2020.

(4) An explanation of the ability of Special Victims' Counsel to adhere to requirement that a counsel respond to a request for services within 72 hours of receiving such request.

(5) An assessment of the feasibility of providing cross-service Special Victims' Counsel representation in instances where a Special Victims' Counsel from a different Armed Force is co-located with a victim at a remote base.

SEC. 525. ACCOUNTABILITY OF LEADERSHIP OF THE DEPARTMENT OF DEFENSE FOR DISCHARGING THE SEXUAL HARASSMENT POLICIES AND PROGRAMS OF THE DEPARTMENT.

(a) STRATEGY ON HOLDING LEADERSHIP ACCOUNTABLE REQUIRED.—The Secretary of Defense shall develop and implement Department of Defense-wide a strategy to hold individuals in positions of leadership in the Department (including members of the Armed Forces and civilians) accountable for the promotion, support, and enforcement of the policies and programs of the Department on sexual harassment.

(b) OVERSIGHT FRAMEWORK.—

(1) IN GENERAL.—The strategy required by subsection (a) shall provide for an oversight framework for the efforts of the Department of Defense to promote, support, and enforce the policies and programs of the Department on sexual harassment.

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

(A) Long-term goals, objectives, and milestones in connection with the policies and programs of the Department on sexual harassment.

(B) Strategies to achieve the goals, objectives, and milestones referred to in subparagraph (A).

(C) Criteria for assessing progress toward the achievement of the goals, objectives, and milestones referred to in subparagraph (A).

(D) Criteria for assessing the effectiveness of the policies and programs of the Department on sexual harassment.

(E) Mechanisms to ensure that adequate resources are available to the Office to develop and discharge the oversight framework.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the actions taken to carry out this section, including the strategy developed and implemented pursuant to subsection, and the oversight framework developed and implemented pursuant to subsection (b).

SEC. 526. 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 Armed Forces (including members of the reserve components of the 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 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 ''Armed Forces'' has the meaning given that term 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. 527. 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. 528. ADDITIONAL MATTERS FOR REPORTS OF THE DEFENSE ADVISORY COMMITTEE FOR THE PREVENTION OF SEXUAL MISCONDUCT.

Section 550B(d) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following: ''The report shall include the following:

''(1) A description and assessment of the extent and effectiveness of the inclusion by the Armed Forces of sexual assault prevention and response training in leader professional military education (PME), especially in such education for personnel in junior noncommissioned officer grades.

''(2) An assessment of the feasibility of—

''(A) the screening of recruits before entry into military service for prior incidents of sexual assault and harassment, including through background checks; and

''(B) the administration of screening tests to recruits to assess recruit views and beliefs on equal opportunity, and whether such views and beliefs are compatible with military service.

''(3) An assessment of the feasibility of conducting exit interviews of members of the Armed Forces upon their discharge release from the Armed Forces in order to determine whether they experienced or witnessed sexual assault or harassment during military service and did not report it, and an assessment of the feasibility of combining such exit interviews with the Catch a Serial Offender (CATCH) Program of the Department of Defense.

''(4) An assessment whether the sexual assault reporting databases of the Department are sufficiently anonymized to ensure privacy while still providing military leaders with the information as follows:

''(A) The approximate length of time the victim and the assailant had been at the duty station at which the sexual assault occurred.

''(B) The percentage of sexual assaults occurring while the victim or assailant were on temporary duty, leave, or otherwise away from their permanent duty station.

''(C) The number of sexual assaults that involve an abuse of power by a commander or supervisor.''.

SEC. 529. POLICY ON SEPARATION OF VICTIM AND ACCUSED AT MILITARY SERVICE ACADEMIES AND DEGREE-GRANTING MILITARY EDUCATIONAL INSTITUTIONS.

(a) IN GENERAL.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, the Superintendent of each military service academy, and the head of each degree-granting military educational institution, prescribe in regulations a policy under which association between a cadet or midshipman of a military service academy, or a member of the Armed Forces enrolled in a degree-granting military educational institution, who is the alleged victim of a sexual assault and the accused is minimized while both parties complete their course of study at the academy or institution concerned.

(b) ELEMENTS.—The Secretary of Defense shall ensure that the policy developed under subsection (a)—

(1) is fair to the both the alleged victim and the accused;

(2) provides for the confidentiality of the parties involved;

(3) provide that notice of the policy, including the elements of the policy and the right to opt out of coverage by the policy, is provided to the alleged victim upon the making of an allegation of a sexual assault covered by the policy; and

(4) provide an alleged victim the right to opt out of coverage by the policy in connection with such sexual assault.

(c) MILITARY SERVICE ACADEMY DEFINED.—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.

(4) The United States Coast Guard Academy.

SEC. 530. BRIEFING 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 brief the Committees on Armed Services of the Senate and the House of Representatives 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.

PART II—OTHER MILITARY JUSTICE MATTERS

SEC. 531. RIGHT TO NOTICE OF VICTIMS OF OFFENSES UNDER THE UNIFORM CODE OF MILITARY JUSTICE REGARDING CERTAIN POST-TRIAL MOTIONS, FILINGS, AND HEARINGS.

Section 806b(a)(2) of title 10, United States Code (article 6b(a)(2)) of the Uniform Code of Military Justice), is amended—

(1) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(2) by inserting after subparagraph (C) the following new subparagraph (D):

''(D) A post-trial motion, filing, or hearing that may address the finding or sentence of a court-martial with respect to the accused, unseal privileged or private information of the victim, or result in the release of the accused.''.

SEC. 532. CONSIDERATION OF THE EVIDENCE BY COURTS OF CRIMINAL APPEALS.

(a) IN GENERAL.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), is amended—

(1) by redesignating subsections (e) through (j) as subsections (f) through (k), respectively; and

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

''(e) CONSIDERATION OF THE EVIDENCE.—

''(1) IN GENERAL.—In an appeal of a finding of guilty under subsection (b), the Court of Criminal Appeals, upon request of the accused, may consider the weight of the evidence upon a specific showing by the accused of deficiencies in proof. The Court may set aside and dismiss a finding if clearly convinced that the finding was against the weight of the evidence. The Court may affirm a lesser finding. A rehearing may not be ordered.

''(2) DEFERENCE IN CONSIDERATION.—When considering a case under subsection (b), the Court may weigh the evidence and determine controverted questions of fact, subject to—

''(A) appropriate deference to the fact that the court-martial saw and heard the witnesses and other evidence; and

''(B) appropriate deference to findings of fact entered into the record by the military judge.''.

(b) ADDITIONAL QUALIFICATIONS OF APPELLATE MILITARY JUDGES.—Subsection (a) of such section (article) is amended—

(1) by inserting ''(1)'' before ''Each judge''; and

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

''(2)(A) In addition to any other qualifications specified in paragraph (1), any commissioned officer assigned as an appellate military judge to a Court of Criminal Appeals shall have not fewer than 12 years of experience in military justice assignments before such assignment, and any civilian so assigned shall have not fewer than 12 years as a judge or criminal trial attorney before such assignment.

''(B) A Judge Advocate General may waive the requirement in subparagraph (A) in connection with the assignment of an officer or civilian as an appellate military judge of a Court of Criminal Appeals if the Judge Advocate General determines that compliance with the requirement in the assignment of appellate military judges to a Court of Criminal Appeals will impair the ability of the Court to hear and decide appeals in a timely manner.

''(C) Not later than 120 days after waiving the requirement in subparagraph (A) pursuant to subparagraph (B), the Judge Advocate General shall notify the congressional defense committees of the waiver, and include with the notice an explanation for the shortage of appellate military judges and a plan for addressing such shortage.''.

(c) REVIEW BY FULL COURT OF FINDING OF CONVICTION AGAINST WEIGHT OF EVIDENCE.—Subsection (e) of such section (article), as amended by subsection (a) of this section, is further is amended by adding at the end the following new paragraph:

''(3) REVIEW BY FULL COURT OF FINDING OF CONVICTION AGAINST WEIGHT OF EVIDENCE.—Any determination by the Court that a finding was clearly against the weight of the evidence under paragraph (1) shall be reviewed by the Court sitting as a whole.''.

SEC. 533. PRESERVATION OF RECORDS OF THE MILITARY JUSTICE SYSTEM.

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 RECORDS WITHOUT REGARD TO OUTCOME.—The standards and criteria prescribed established by the Secretary of Defense under subsection (a) shall provide for the preservation of records, without regard to the outcome of the proceeding concerned, for not fewer than 15 years.''.

SEC. 534. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON IMPLEMENTATION BY THE ARMED FORCES OF RECENT GAO RECOMMENDATIONS AND STATUTORY REQUIREMENTS ON ASSESSMENT OF RACIAL, ETHNIC, AND GENDER DISPARITIES IN THE MILITARY JUSTICE SYSTEM.

(a) REPORT REQUIRED.—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, in writing, on a study, conducted by the Comptroller General for purposes of the report, on the implementation by the Armed Forces of the following:

(1) The recommendations in the May 2019 report of the General Accountability Office entitled ''Military Justice: DOD and the Coast Guard Need to Improve Their Capabilities to Assess Racial and Gender Disparities'' (GAO–19–344).

(2) Requirements in section 540I(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), relating to assessments covered by such recommendations.

(b) ELEMENTS.—The report required by subsection (a) shall include, for each recommendation and requirement specified in that subsection, the following:

(1) A description of the actions taken or planned by the Department of Defense, the military department concerned, or the Armed Force concerned to implement such recommendation or requirement.

(2) An assessment of the extent to which the actions taken to implement such recommendation or requirement, as described pursuant to paragraph (1), are effective or meet the intended objective.

(3) Any other matters in connection with such recommendation or requirement, and the implementation of such recommendation or requirement by the Armed Forces, that the Comptroller General considers appropriate.

(c) BRIEFINGS.—Not later than May 1, 2021, the Comptroller General shall provide the committees referred to in subsection (a) one or more briefings on the status of the study required by that subsection, including any preliminary findings and recommendations of the Comptroller General as a result of the study as of the date of such briefing.

SEC. 535. BRIEFING ON MENTAL HEALTH SUPPORT FOR VICARIOUS TRAUMA FOR CERTAIN PERSONNEL IN THE MILITARY JUSTICE SYSTEM.

(a) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Judge Advocates General of the Army, the Navy, and the Air Force and the Staff Judge Advocate to the Commandant of the Marine Corps shall jointly brief the Committees on Armed Services of the Senate and the House of Representatives on the mental health support for vicarious trauma provided to personnel in the military justice system specified in subsection (b).

(b) PERSONNEL.—The personnel specified in this subsection are the following:

(1) Trial counsel.

(2) Defense counsel.

(3) Special Victims' Counsel.

(4) Military investigative personnel.

(c) ELEMENTS.—The briefing required by subsection (a) shall include the following:

(1) A description and assessment of the mental health support for vicarious trauma provided to personnel in the military justice system specified in subsection (b), including a description of the support services available and the support services being used.

(2) A description and assessment of mechanisms to eliminate or reduce stigma in the pursuit by such personnel of such mental health support.

(3) An assessment of the feasibility and advisability of providing such personnel with breaks between assignments or cases as part of such mental health support in order to reduce the effects of vicarious trauma.

(4) A description and assessment of the extent, if any, to which duty of such personnel on particular types of cases, or in particular caseloads, contributes to vicarious trauma, and of the extent, if any, to which duty on such cases or caseloads has an effect on retention of such personnel in the Armed Forces.

(5) A description of the extent, if any, to which such personnel are screened or otherwise assessed for vicarious trauma before discharge or release from the Armed Forces.

(6) Such other matters in connection with the provision of mental health support for vicarious trauma to such personnel as the Judge Advocates General and the Staff Judge Advocate jointly consider appropriate.

SEC. 536. GUARDIAN AD LITEM PROGRAM FOR MINOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES.

Section 540L(b)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1373) is amended by adding before the period at the end the following: '', including an assessment of the feasibility and advisability of establishing a guardian ad litem program for military dependents living outside the United States''.

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

SEC. 541. TRAINING ON RELIGIOUS ACCOMMODATION FOR MEMBERS OF THE ARMED FORCES.

(a) IN GENERAL.—As recommended on page 149 of the Report of the Committee on Armed Services of the Senate to Accompany S. 1519 (115th Congress) (Senate Report 115–125), the Secretary of Defense shall develop and implement training on Federal statutes, Department of Defense instructions, and the regulations of each Armed Force regarding religious liberty and accommodation for members of the Armed Forces, including the responsibility of commanders to maintain good order and discipline.

(b) CONSULTATION.—The Secretary develop and implement the training required by subsection (a) in consultation with the following:

(1) The General Counsel of the Department of Defense.

(2) The Judge Advocate General of the Army, the Judge Advocate General of the Navy, and the Judge Advocate General of the Air Force.

(3) The Chief of Chaplains of the Army, the Chief of Chaplains of the Navy, and the Chief of Chaplains of the Air Force.

(c) CONTENTS.—The content of the training shall be consistent with and include coverage of each of the following:

(1) The Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.).

(2) Section 533 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. prec. 1030 note).

(3) Section 528 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 814).

(d) IMPLEMENTATION.—

(1) RECIPIENTS.—The recipients of training developed under subsection (a) shall include the following at all levels of command:

(A) Commanders

(B) Chaplains.

(C) Judge advocates.

(D) Such other members of the Armed Forces as the Secretary considers appropriate.

(2) COMMENCEMENT.—The provision of training developed under subsection (a) shall commence not later than one year after the date of the enactment of this Act.

SEC. 542. ADDITIONAL ELEMENTS WITH 2021 CERTIFICATIONS ON THE READY, RELEVANT LEARNING INITIATIVE OF THE NAVY.

(a) ADDITIONAL ELEMENTS.—In submitting to Congress in 2021 the certifications required by section 545 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1396; 10 U.S.C. 8431 note prec.), relating to the Ready, Relevant Learning initiative of the Navy, the Secretary of the Navy shall also submit each of the following:

(1) A life cycle sustainment plan for the Ready, Relevant Learning initiative meeting the requirements in subsection (b).

(2) A report on the use of readiness assessment teams in training addressing the elements specified in subsection (c).

(b) LIFE CYCLE SUSTAINMENT PLAN.—The life cycle sustainment plan required by subsection (a)(1) shall include a description of the approved life cycle sustainment plan for the Ready, Relevant Learning initiative, including with respect to each of the following:

(1) Product support management.

(2) Supply support.

(3) Packaging, handling, storage, and transportation.

(4) Maintenance planning and management.

(5) Design interface.

(6) Sustainment engineering.

(7) Technical data.

(8) Computer resources.

(9) Facilities and infrastructure.

(10) Manpower and personnel.

(11) Support equipment.

(12) Training and training support.

(13) Governance, including the acquisition and program management structure.

(14) Such other elements in the life cycle sustainment of the Ready, Relevant Learning initiative as the Secretary considers appropriate.

(c) REPORT ON USE OF READINESS ASSESSMENT TEAMS.—The report required by subsection (a)(2) shall set forth the following:

(1) A description and assessment of the extent to which the Navy is currently using Engineering Readiness Assessment Teams (ERAT) and Combat Systems Readiness Assessment Teams (CSRAT) to conduct unit-level training and assistance in each capacity as follows:

(A) To augment non-Ready, Relevant Learning initiative training.

(B) As part of Ready, Relevant Learning initiative training.

(C) To train students on legacy, obsolete, one of a kind, or unique systems that are still widely used by the Navy.

(D) To train students on military-specific systems that are not found in the commercial maritime world.

(2) A description and assessment of potential benefits, and anticipated timelines and costs, in expanding Engineering Readiness Assessment Team and Combat Systems Readiness Assessment Team training in the capacities specified in paragraph (1).

(3) Such other matters in connection with the use of readiness assessment teams in connection with the Ready, Relevant Learning initiative as the Secretary considers appropriate.

SEC. 543. REPORT ON STANDARDIZATION AND POTENTIAL MERGER OF LAW ENFORCEMENT TRAINING FOR MILITARY AND CIVILIAN PERSONNEL ACROSS THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—Not later than June 8, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the standardization and potential merger of law enforcement training for military and civilian personnel across the Department of Defense, including training of military or civilian personnel of the Department designated in accordance with section 2762 of title 10, United States Code, to protect buildings, grounds, and property under the jurisdiction, custody, or control of the Department and the persons on such property.

(b) ELEMENTS.—In developing the report required by subsection (a), the Secretary shall do, and include in the report the results of, the following:

(1) Identify and assess current law enforcement training courses, schools, and programs of the Armed Forces that have the flexibility and capacity to support the training referred to in subsection (a) through common training standards.

(2) Identify and assess current Department law enforcement training courses, schools, and programs that are affiliated with or accredited by third parties (including both governmental and private entities), including an assessment of the value derived from such affiliation or accreditation to the training referred to in subsection (a).

(3) Identify emerging law enforcement training requirements that are common among the Armed Forces and other Department law enforcement components and are currently unmet by the Armed Forces or such components.

(4) Assess the feasibility, advisability, and suitability of incorporating standardized and merged field and operational training in military law enforcement mission areas, including area security operations, law and order operations, internment and resettlement operations, and police intelligence operations, in the training provided to all Armed Forces and other Department law enforcement components.

(5) Identify and assess Department courses, programs, or institutions with the capability to support law enforcement training or information sharing between Department military and civilian law enforcement components and State, county, and local law enforcement agencies, with the capability to support law enforcement components of the National Guard and other reserve components of the Armed Forces, or with both such capabilities.

(6) Assess the feasibility, advisability, and suitability of standardizing and merging the training referred to in subsection (a) across the Department, including an assessment of the costs of such standardization and merger.

(7) Any other matters the Secretary considers appropriate.

SEC. 544. QUARTERLY REPORTS ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPREHENSIVE REVIEW OF SPECIAL OPERATIONS FORCES CULTURE AND ETHICS.

(a) QUARTERLY REPORTS REQUIRED.—Not later than March 1, 2021, and every 90 days thereafter through March 1, 2024, the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict shall, in coordination with the Commander of the United States Special Operations Command, submit to the congressional defense committees a report on the current status of the implementation of the actions recommended as a result of the Comprehensive Review of Special Operations Forces Culture and Ethics.

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

(1) A list of the actions required as of the date of such report to complete full implementation of each of the 16 actions recommended by the Comprehensive Review referred to in subsection (a).

(2) An identification of the office responsible for completing each action listed pursuant to paragraph (1), and an estimated timeline for completion of such action.

(3) If completion of any action listed pursuant to paragraph (1) requires resources or actions for which authorization by statute is required, a recommendation for legislative action for such authorization.

(4) Any other matters the Assistant Secretary or the Commander considers appropriate.

SEC. 545. INFORMATION ON NOMINATIONS AND APPLICATIONS FOR MILITARY SERVICE ACADEMIES.

(a) REPORT ON CONGRESSIONAL NOMINATIONS PORTAL.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall, in consultation with the Superintendents of the military service academies, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth an assessment of the feasibility and advisability of 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.—For purposes of preparing the report required by paragraph (1), the Secretary shall treat the online portal described in that paragraph as permitting the collection, from each Member of Congress, of the demographic information described in subsection (b) for each individual nominated by the Member.

(3) AVAILABILITY OF INFORMATION.—For purposes of preparing the report, the Secretary shall treat the online portal as permitting Members of Congress and their designees to view past nomination records for all application cycles.

(4) MATTERS IN CONNECTION WITH ESTABLISHMENT OF PORTAL.—If the Secretary determines that the online portal is feasible and advisable, the report shall include—

(A) a comprehensive description of the online portal; and

(B) such recommendations for legislative and administrative action as the Secretary considers appropriate to establish and maintain the online portal.

(b) STANDARD CLASSIFICATIONS FOR COLLECTION OF DEMOGRAPHIC DATA.—

(1) STANDARDS REQUIRED.—The Secretary of Defense shall, in consultation with the Superintendents of the military service academies, 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 one year 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) MILITARY SERVICE ACADEMY DEFINED.—In this section, the term ''military service academy'' means—

(1) the United States Military Academy;

(2) the United States Naval Academy; and

(3) the United States Air Force Academy.

SEC. 546. PILOT PROGRAMS IN CONNECTION WITH SENIOR RESERVE OFFICERS' TRAINING CORPS UNITS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of Defense may carry out either or both of the 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) 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 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 authorized 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 authorized by 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 authorized by 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 Corp of the covered institution concerned.

(4) PARTNERSHIP ACTIVITIES.—The activities conducted under the pilot program authorized by 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 MEMBERS FOR FLIGHT TRAINING.—

(1) ELIGIBILITY FOR PARTICIPATION BY SROTC MEMBERS.—A member of a Senior Reserve Officers' Training Corps unit at a covered institution may participate in the pilot program authorized by 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 authorized by 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 who participates in the pilot program authorized by 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.

(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 under 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 under subsection (a)(2), the following:

(i) The number of members of Senior Reserve Officers' Training Corps units 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.

(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.

SEC. 547. EXPANSION OF JUNIOR RESERVE OFFICERS' TRAINING CORPS PROGRAM.

(a) EXPANSION OF JROTC CURRICULUM.—Section 2031(a)(2) of title 10, United States Code, is amended by inserting after ''service to the United States'' the following: ''(including an introduction to service opportunities in military, national, and public service)''.

(b) PLAN TO INCREASE NUMBER OF JROTC UNITS.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, develop and implement a plan to establish and support not fewer than 6,000 units of the Junior Reserve Officers' Training Corps by September 30, 2031.

SEC. 548. 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''.

Subtitle F—Decorations and Awards

SEC. 551. AWARD OR PRESENTATION OF DECORATIONS FAVORABLY RECOMMENDED FOLLOWING DETERMINATION ON MERITS OF PROPOSALS FOR DECORATIONS NOT PREVIOUSLY SUBMITTED IN A TIMELY FASHION.

(a) AWARD OR PRESENTATION AUTHORIZED.—Section 1130 of title 10, United States Code, is amended—

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

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

''(d)(1) A decoration may be awarded or presented following the submission of a favorable recommendation for the award or presentation of the decoration under subsection (b).

''(2) An award or presentation of a decoration under paragraph (1) may not occur before the end of the 60-day period beginning on the date of the submission under subsection (b) of the favorable recommendation regarding the award or presentation of the decoration.

''(3) The authority to make an award or presentation of a decoration under this subsection shall apply notwithstanding any limitation described in subsection (a).''.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 1130 of such title is amended to read as follows:

''§ 1130. Consideration of proposals for decorations not previously submitted in timely fashion: procedures for review and award or presentation''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 57 of such title is amended by striking the item relating to section 1130 and inserting the following new item:

''1130. Consideration of proposals for decorations not previously submitted in timely fashion: procedures for review and award or presentation.''.

SEC. 552. HONORARY PROMOTION MATTERS.

(a) HONORARY PROMOTIONS ON INITIATIVE OF DOD.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1563 the following new section:

''§ 1563a. Honorary promotions on the initiative of the Department of Defense

''(a) IN GENERAL.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary may make an honorary promotion (whether or not posthumous) of a former member or retired member of the armed forces to any grade not exceeding the grade of major general, rear admiral (upper half), or an equivalent grade in the Space Force if the Secretary determines that the promotion is merited.

''(2) The authority to make an honorary promotion under this subsection shall apply notwithstanding that the promotion is not otherwise authorized by law.

''(b) NOTICE TO CONGRESS.—The Secretary may not make an honorary promotion pursuant to subsection (a) until 60 days after the date on which the Secretary submits to the Committees on Armed Services of the Senate and the House of Representatives a notice of the determination to make the promotion, including a detailed discussion of the rationale supporting the determination.

''(c) NOTICE OF PROMOTION.—Upon making an honorary promotion pursuant to subsection (a), the Secretary shall expeditiously notify the former member or retired member concerned, or the next of kin of such former member or retired member if such former member or retired member is deceased, of the promotion.

''(d) NATURE OF PROMOTION.—Any promotion pursuant to this section is honorary, and shall not affect the pay, retired pay, or other benefits from the United States to which the former member or retired member concerned is entitled or would have been entitled based on the military service of such former member or retired member, nor affect any benefits to which any other person is or may become entitled based on the military service of such former member or retired member.''.

(b) MODIFICATION OF AUTHORITIES ON REVIEW OF PROPOSALS FROM CONGRESS.—

(1) STANDARDIZATION OF AUTHORITIES WITH AUTHORITIES ON DOD INITIATIVE.—Section 1563 of title 10, United States Code, is amended—

(A) in subsection (a)—

(i) in the first sentence, by striking ''the posthumous or honorary promotion or appointment of a member or former member of the armed forces, or any other person considered qualified,'' and inserting ''the honorary promotion (whether or not posthumous) of a former member or retired member of the armed forces''; and

(ii) in the second sentence, by striking ''the posthumous or honorary promotion or appointment'' and inserting ''the promotion''; and

(B) in subsection (b), by striking ''the posthumous or honorary promotion or appointment'' and inserting ''the honorary promotion''.

(2) AUTHORITY TO MAKE HONORARY PROMOTIONS FOLLOWING REVIEW OF PROPOSALS.—Such section is further amended—

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

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

''(c) AUTHORITY TO MAKE.—(1) Under regulations prescribed by the Secretary of Defense, the Secretary of Defense may make an honorary promotion (whether or not posthumous) of a former member or retired member of the armed forces to any grade not exceeding the grade of major general, rear admiral (upper half), or an equivalent grade in the Space Force following the submittal of the determination of the Secretary concerned under subsection (b) in connection with the proposal for the promotion if the determination is to approve the making of the promotion.

''(2) The Secretary of Defense may not make an honorary promotion under this subsection until 60 days after the date on which the Secretary concerned submits the determination in connection with the proposal for the promotion under subsection (b), and the detailed rationale supporting the determination as described in that subsection, to the Committees on Armed Services of the Senate and the House of Representatives and the requesting Member in accordance with that subsection.

''(3) The authority to make an honorary promotion under this subsection shall apply notwithstanding that the promotion is not otherwise authorized by law.

''(4) Any promotion pursuant to this subsection is honorary, and shall not affect the pay, retired pay, or other benefits from the United States to which the former member or retired member concerned is or would have been entitled based upon the military service of such former member or retired member, nor affect any benefits to which any other person may become entitled based on the military service of such former member or retired member.''.

(3) HEADING AMENDMENT.—The heading of such section is amended to read as follows:

''§ 1563. Consideration of proposals from Members of Congress for honorary promotions: procedures for review and promotion''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 80 of such title is amended by striking the item relating to section 1563 and inserting the following new items:

''1563. Consideration of proposals from Members of Congress for honorary promotions: procedures for review and promotion.

''1563a. Honorary promotions on the initiative of the Department of Defense.''.

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

PART I—DEFENSE DEPENDENTS' EDUCATION MATTERS

SEC. 561. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2021 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $50,000,000 shall be available only for the purpose of providing assistance to local educational agencies under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 20 U.S.C. 7703b).

(b) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 562. IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES.

(a) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2021 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for payments under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by Public Law 106–398; 114 Stat. 1654A–77; 20 U.S.C. 7703a).

(b) ADDITIONAL AMOUNT.—Of the amount authorized to be appropriated for fiscal year 2021 pursuant to section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in section 4301, $10,000,000 shall be available for use by the Secretary of Defense to make payments to local educational agencies determined by the Secretary to have higher concentrations of military children with severe disabilities.

(c) REPORT.—Not later than March 1, 2021, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the Department's evaluation of each local educational agency with higher concentrations of military children with severe disabilities and subsequent determination of the amounts of impact aid each such agency shall receive.

SEC. 563. STAFFING OF DEPARTMENT OF DEFENSE EDUCATION ACTIVITY SCHOOLS TO MAINTAIN MAXIMUM STUDENT-TO-TEACHER RATIOS.

(a) IN GENERAL.—The Department of Defense Education Activity (DoDEA) shall staff elementary and secondary schools operated by the Activity so as to maintain, to the extent practicable, student-to-teacher ratios that do not exceed the maximum student-to-teacher ratios specified in subsection (b).

(b) MAXIMUM STUDENT-TO-TEACHER RATIOS.—The maximum student-to-teacher ratios specified in this subsection are the following:

(1) For each of grades kindergarten through 3, a ratio of 18 students to 1 teacher (18:1).

(2) For each of grades 4 through 12, a ratio equal to the average student-to-teacher ratio for such grade among all Department of Defense Education Activity schools during the 2019-2020 academic year.

(c) SUNSET.—The requirement to staff schools in accordance with subsection (a) shall expire at the end of the 2023-2024 academic year of the Department of Defense Education Activity.

SEC. 564. MATTERS IN CONNECTION WITH FREE APPROPRIATE PUBLIC EDUCATION FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES WITH SPECIAL NEEDS.

(a) INFORMATION ON DISPUTES REGARDING RECEIPT OF FREE APPROPRIATE PUBLIC EDUCATION BY SPECIAL NEEDS DEPENDENTS.—

(1) IN GENERAL.—Each Secretary of a military department shall collect and maintain information on special education disputes

filed by members of the Armed Forces under the jurisdiction of such Secretary.

(2) INFORMATION.—The information collected and maintained pursuant to this subsection shall include the following:

(A) The number of special education disputes filed.

(B) The outcome or disposition of the disputes.

(3) SOURCE OF INFORMATION.—The information collected and maintained pursuant to this subsection shall be derived from the following:

(A) Records and reports of case managers and navigators under the Exceptional Family Member Program (EFMP) of the Department of Defense.

(B) Reports of members of the Armed Forces concerned to installation or other military leadership.

(C) Such other sources as the Secretary of the military department concerned considers appropriate.

(4) ANNUAL REPORTS.— Each Secretary of a military department shall submit each year to the Office of Special Needs of the Department of Defense a report on the information collected by such Secretary pursuant to this subsection during the preceding year.

(b) COMPTROLLER GENERAL OF THE UNITED STATES STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the following:

(A) The consequences for a State or local educational agency of a finding of failure to provide a free appropriate public education to a military dependent.

(B) The manner in which local educational agencies with military families use the following:

(i) Funds received under section 7003(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(d)).

(ii) Funds authorized to be appropriated by annual national defense authorization Acts and made available for impact aid for child with severe disabilities under section 363 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (20 U.S.C. 7703a).

(iii) Funds authorized to be appropriated by annual national defense authorization Acts and made available for assistance to schools with significant number of military dependent students under subsection (a) of section 572 of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b).

(C) The efficacy of attorney and other legal support for military families in special education disputes.

(D) The standardization of policies and guidance for School Liaison Officers between the Office of Special Needs of the Department of Defense and the military departments, and the efficacy of such policies and guidance.

(E) The improvements of family support programs of the Office of Special Needs, and of each military department, in light of the recommendations of the Comptroller General in the report entitled ''DOD Should Improve Its Oversight of the Exceptional Family Member Program'', GAO–18–348.

(2) RECOMMENDATIONS.—In conducting the study, the Comptroller General shall develop recommendations on the following:

(A) Improvements and enhancements to oversight and enforcement of compliance by local educational agencies with requirements for the provision of a free appropriate public education to military dependents with special needs.

(B) Improvements to the policies of the Office of Special Needs, and of each military department, with respect to the standardization and efficacy of policies and programs for military dependents with special needs.

(3) DEADLINE FOR COMPLETION.—The Comptroller General shall complete the study by not later than March 31, 2021.

(4) BRIEFING AND REPORT.—Upon completion of the study, the Comptroller General shall brief the Committees on Armed Services of the Senate and the House of Representatives on the results of the study, and shall submit to such committees a report on such results.

(c) DEFINITIONS.—In this section:

(1) The term ''free appropriate public education'' includes appropriate special education and related services required under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.)

(2) The term ''local educational agency'' has the meaning given that term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(3) The term ''special education dispute'' means a complaint filed regarding the education provided a child with a disability (as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401), including a complaint filed in accordance with section 615 or 639 of such Act (20 U.S.C. 1415, 1439).

SEC. 565. PILOT PROGRAM ON EXPANDED ELIGIBILITY FOR DEPARTMENT OF DEFENSE EDUCATION ACTIVITY VIRTUAL HIGH SCHOOL PROGRAM.

(a) PILOT PROGRAM REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall carry out a pilot program on permitting dependents of members of the Armed Forces on active duty to enroll in the Department of Defense Education Activity Virtual High School program (in this section referred to as the ''DVHS program'').

(2) PURPOSES.—The purposes of the pilot program shall be as follows:

(A) To evaluate the feasibility and scalability of the DVHS program.

(B) To assess the impact of expanded enrollment in the DVHS program under the pilot program on military and family readiness.

(3) DURATION.—The duration of the pilot program shall be four academic years.

(b) PARTICIPANTS.—

(1) IN GENERAL.—Participants in the pilot program shall be selected by the Secretary from among dependents of members of the Armed Forces on active duty who—

(A) are in a grade 9 through 12;

(B) are currently ineligible to enroll in the DVHS program; and

(C) either—

(i) require supplementary courses to meet graduation requirements in the current State of residence; or

(ii) otherwise demonstrate to the Secretary a clear need to participate in the DVHS program.

(2) PREFERENCE IN SELECTION.—In selecting participants in the pilot program, the Secretary shall afford a preference to the following:

(A) Dependents who reside in a rural area.

(B) Dependents who are home-schooled students.

(3) LIMITATIONS.—The total number of course enrollments per academic year authorized under the pilot program may not exceed 400 course enrollments. No single dependent participating in the pilot program may take more than two courses per academic year under the pilot program.

(c) REPORTS.—

(1) INTERIM REPORT.—Not later than two years after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives an interim report on the pilot program.

(2) FINAL REPORT.—Not later than 180 days after the completion of the pilot program, the Secretary shall submit to the committees of Congress referred to in paragraph (1) a final report on the pilot programs.

(3) ELEMENTS.—Each report under this subsection shall include the following:

(A) A description of the demographics of the dependents participating in the pilot program through the date of such report.

(B) Data on, and an assessment of, student performance in virtual coursework by dependents participating in the pilot program over the duration of the pilot program.

(C) Such recommendation as the Secretary considers appropriate on whether to make the pilot program permanent.

(d) DEFINITIONS.—In this section:

(1) The term ''rural area'' has the meaning given the term in section 520 of the Housing Act of 1949 (42 U.S.C. 1490).

(2) The term ''home-schooled student'' means a student in a grade equivalent to grade 9 through 12 who receives educational instruction at home or by other non-traditional means outside of a public or private school system, either all or most of the time.

SEC. 566. PILOT PROGRAM ON EXPANSION OF ELIGIBILITY FOR ENROLLMENT AT DOMESTIC DEPENDENT ELEMENTARY AND SECONDARY SCHOOLS.

(a) PILOT PROGRAM REQUIRED.—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 pilot 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. 567. 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.

PART II—MILITARY FAMILY READINESS MATTERS

SEC. 571. RESPONSIBILITY FOR ALLOCATION OF CERTAIN FUNDS FOR MILITARY CHILD DEVELOPMENT PROGRAMS.

Section 1791 of title 10, United States Code, is amended—

(1) by inserting ''(a) POLICY.—'' before ''It is the policy''; and

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

''(b) RESPONSIBILITY FOR ALLOCATIONS OF CERTAIN FUNDS.—The Secretary of Defense shall be responsible for the allocation of Office of the Secretary of Defense level funds for military child development programs for children from birth through 12 years of age, and may not delegate such responsibility to the military departments.''.

SEC. 572. IMPROVEMENTS TO EXCEPTIONAL FAMILY MEMBER PROGRAM.

Section 1781c of title 10, United States Code is amended—

(1) in subsection (b), by striking ''enhance'' and inserting ''standardize, enhance,'';

(2) in subsection (c)(1), by inserting ''and standard'' after ''comprehensive'';

(3) in subsection (d)—

(A) in paragraph (1), by striking ''update from time to time'' and inserting ''regularly update'';

(B) in paragraph (3), by adding at the end the following new subparagraphs:

''(C) Ability to request a second review of the approved assignment within or outside the continental United States if the member believes the location is inappropriate for the member's family and would cause undue hardship.

''(D) Protection from having a medical recommendation for an approved assignment overriden by the commanding officer.

''(E) Ability to request continuation of location when there is a documented substantial risk of transferring medical care or educational services to a new provider or school at the specific time of permanent change of station.

''(F) If an order for assignment is declined for a military family with special needs, the member will receive a reason for the decline of that order.''; and

(C) in paragraph (4), by adding at the end the following new subparagraphs:

''(H) Procedures to right-size the Department's Exceptional Family Member Program to ensure efficient and effective enrollment, for sufficient staffing dedicated to providing family support services, to include comprehensive training, education and outreach services, and sufficient oversight and administrative support for effective program operation.

''(I) Requirements to prohibit disenrollment from the Exceptional Family Member Program unless there is new supporting medical or educational information that indicates the original condition is no longer present, and to track disenrollment data per military service.'';

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

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

''(f) METRICS.—The Secretary of Defense shall implement performance metrics for measuring, across the Department and with respect to each military department, the following:

''(1) Assignment coordination and support for military families with special needs, including a systematic process for evaluating each military department's program for the support of military families with special needs.

''(2) The reassignment of military families with special needs, including how often members request reassignments, for what reasons, and from what military installations.

''(3) The level of satisfaction of military families with special needs with the family and medical support they are provided.''.

SEC. 573. PROCEDURES OF THE OFFICE OF SPECIAL NEEDS FOR THE DEVELOPMENT OF INDIVIDUALIZED SERVICES PLANS FOR MILITARY FAMILIES WITH SPECIAL NEEDS.

Section 1781c(d)(4) of title 10, United States Code, as amended by section 572(3)(C) of this Act, is further amended—

(1) in subparagraph (F), by striking ''of an individualized services plan (medical and educational)'' and inserting ''by an appropriate office of an individualized services plan (whether medical, educational, or both)'';

(2) by redesignating subparagraphs (G), (H), and (I) as subparagraph (H), (I), and (J), respectively; and

(3) by inserting after subparagraph (F) the following new paragraph (G):

''(G) Procedures for the development of an individualized services plan for military family members with special needs who have requested family support services and have a completed family needs assessment.''.

SEC. 574. RESTATEMENT AND CLARIFICATION OF AUTHORITY TO REIMBURSE MEMBERS FOR SPOUSE RELICENSING COSTS PURSUANT TO A PERMANENT CHANGE OF STATION.

(a) IN GENERAL.—Section 453 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(g) REIMBURSEMENT OF QUALIFYING SPOUSE RELICENSING COSTS INCIDENT TO A MEMBER'S PERMANENT CHANGE OF STATION OR ASSIGNMENT.—(1) From amounts otherwise made available for a fiscal year to provide travel and transportation allowances under this chapter, the Secretary concerned may reimburse a member of the armed forces for qualified relicensing costs of the spouse of the member when—

''(A) the member is reassigned, either as a permanent change of station or permanent change of assignment, between duty stations located in separate jurisdictions with unique licensing or certification requirements and authorities; and

''(B) the movement of the member's dependents is authorized at the expense of the United States under this section as part of the reassignment.

''(2) Reimbursement provided to a member under this subsection may not exceed $1000 in connection with each reassignment described in paragraph (1).

''(3) No reimbursement may be provided under this subsection for qualified relicensing costs paid or incurred after December 31, 2024.

''(4) In this subsection, the term 'qualified relicensing costs' means costs, including exam, continuing education courses, and registration fees, incurred by the spouse of a member if—

''(A) the spouse was licensed or certified in a profession during the member's previous duty assignment and requires a new license or certification to engage in that profession in a new jurisdiction because of movement described in paragraph (1)(B) in connection with the member's change in duty location pursuant to reassignment described in paragraph (1)(A); and

''(B) the costs were incurred or paid to secure or maintain the license or certification from the new jurisdiction in connection with such reassignment.''.

(b) REPEAL OF SUPERSEDED AUTHORITY.—Section 476 of such title is amended by striking subsection (p).

SEC. 575. IMPROVEMENTS TO DEPARTMENT OF DEFENSE TRACKING OF AND RESPONSE TO INCIDENTS OF CHILD ABUSE INVOLVING MILITARY DEPENDENTS ON MILITARY INSTALLATIONS.

(a) IMPROVEMENTS REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall, consistent with recommendations of the Comptroller General of the United States in Government Accountability Office report GA0–20–110, take actions in accordance with this section in order to improve the efforts of the Department of Defense to track and respond to incidents of child abuse involving dependents of members of the Armed Forces that occur on military installations (in this section referred to as ''covered incidents of child abuse'').

(2) CHILD ABUSE.—For purposes of this section, child abuse includes any abuse of a child, including sexual abuse, emotional abuse, and neglect.

(b) DATA COLLECTION AND TRACKING OF INCIDENTS OF CHILD ABUSE.—

(1) TRACKING OF NON-CAREGIVER ABUSE.—The Secretary of Defense shall establish a process for the Department of Defense Family Advocacy Program to track reported covered incidents of child abuse in which the alleged offender is not a parent, guardian, or someone in a caregiving role at the time of the incident. The information so tracked shall comport with the information tracked by the Department of Defense in reported covered incidents of child abuse in which the alleged offender is a parent, guardian, or someone in a caregiving role at the time of the incident.

(2) CENTRALIZED DATABASE FOR TRACKING OF INCIDENTS.—

(A) IN GENERAL.—The Secretary shall develop and maintain in the Department of Defense a centralized database to track information across the Department on all covered incidents of child abuse that are reported to the Family Advocacy Program or investigated by a military criminal investigation organization, regardless of whether the alleged offender was another child, an adult, or someone in a non-caregiving role at the time of an incident.

(B) ELEMENTS.—The centralized database required by this paragraph shall include, for each incident within the database, the following:

(i) Information pertinent to a determination by the Family Advocacy Program whether such incident meets the criteria of the Department for treatment as an incident of child abuse.

(ii) The results of any investigation of such incident by a military criminal investigation organization.

(iii) Information on the ultimate disposition of the incident, if any, including any administrative or prosecutorial action taken.

(C) ANNUAL REPORTS ON INFORMATION.—The information collected and maintained in the centralized database shall be reported on an annual basis as part of the annual reports from the Family Advocacy Program on child abuse and domestic abuse in the military as required by section 574 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2141).

(D) BRIEFINGS.—Not later than March 31, 2021, and every six months thereafter until the centralized database required by this paragraph is fully operational, the Secretary shall brief the Committees on Armed Services of the Senate and the House of Representatives on the status of the database.

(3) DEPARTMENT OF DEFENSE EDUCATION ACTIVITY GUIDANCE.—The Department of Defense Education Activity (DoDEA) shall issue clarifications of its guidance on the incidents of child-on-child abuse that qualify as serious incidents for purposes of requirements for the reporting of such serious incidents by school administrators to Activity leadership.

(c) RESPONSE PROCEDURES.—

(1) INCIDENT DETERMINATION COMMITTEE MEMBERSHIP.—The Department of Defense Family Advocacy Program shall ensure that the voting membership of each Incident Determination Committee on a military installation includes medical personnel with the requisite knowledge and expertise to determine whether a reported covered incident of abuse meets the criteria of the Department of Defense for treatment as child abuse.

(2) SCREENING REPORTED INCIDENTS OF CHILD ABUSE.—

(A) DEVELOPMENT OF STANDARDIZED PROCESS.—The Department of Defense Family Advocacy Program shall develop a standardized process by which the Family Advocacy Programs of the military departments screen reported covered incidents of child abuse to determine whether to present such incident to an Incident Determination Committee.

(B) MONITORING.—The Secretary of each military department shall develop a process to monitor the manner in which reported covered incidents of child abuse are screened by each installation under the jurisdiction of such Secretary in order to ensure that such screening complies with the standardized screening process developed pursuant to subparagraph (A).

(3) REQUIRED NOTIFICATIONS.—

(A) DOCUMENTATION.—The Secretary of each military department shall require that installation Family Advocacy Programs and military criminal investigation organizations under the jurisdiction of such Secretary document in their respective databases the date on which they notified the other of a reported covered incident of child abuse.

(B) OVERSIGHT.—The Secretary of each military department shall require that the Family Advocacy Program of such military department, and the headquarters of the military criminal investigation organizations of such military department, to develop processes to oversee the documentation of notifications required by subparagraph (A) in order to ensure that such notifications occur on a consistent basis at installation level.

(4) CERTIFIED PEDIATRIC SEXUAL ASSAULT FORENSIC EXAMINERS.—

(A) GEOGRAPHIC REGIONS FOR EXAMINERS.—The Under Secretary of Defense for Personnel and Readiness shall specify geographic regions in which military families reside for purposes of the availability of and access to certified pediatric sexual assault examiners in such regions.

(B) AVAILABILITY.—The Under Secretary shall ensure that—

(i) one or more certified pediatric sexual assault examiners are located in each geographic region specified pursuant to subparagraph (A); and

(ii) examiners so located serve as certified pediatric sexual assault examiners throughout such region, without regard to Armed Force or installation.

(5) REMOVAL OF CHILDREN FROM UNSAFE HOMES OVERSEAS.—The Secretary of Defense shall, in consultation with the Secretaries of the military departments, issue policy that clarifies and standardizes across the Armed Forces the circumstances under which a commander may remove a child from a potentially unsafe home at an installation overseas.

(6) RESOURCE GUIDE FOR FAMILIES AFFECTED BY CHILD ABUSE.—

(A) IN GENERAL.—The Secretary of each military department shall develop and maintain a comprehensive guide on resources available through the Department of Defense and such military department for military families under this jurisdiction of such Secretary who are affected by child abuse.

(B) ELEMENTS.—Each guide under this paragraph shall include the following:

(i) Information on the response processes of the Family Advocacy Programs and military criminal investigation organizations of the military department concerned.

(ii) Lists of available support services, such as legal, medical, and victim advocacy services, through the Department of Defense and the military department concerned.

(C) DISTRIBUTION.—A resource guide under this paragraph shall be presented to a military family by an installation Family Advocacy Program and military criminal investigation personnel at the time a covered incident of child abuse involving a child in such family is reported.

(D) AVAILABILITY ON INTERNET.—A current version of each resource guide under this paragraph shall be available to the public on an Internet website of the military department concerned available to the public.

(d) COORDINATION AND COLLABORATION WITH NON-MILITARY RESOURCES.—

(1) COORDINATION WITH STATES.—The Secretary of Defense shall—

(A) continue the outreach efforts of the Department of Defense to the States in order to ensure that States are notified when a member of the Armed Forces or a military dependent is involved in a reported incident of child abuse off a military installation; and

(B) increase efforts at information sharing between the Department and the States on such incidents of child abuse, including entry into memoranda of understanding with State child welfare agencies on information sharing in connection with such incidents.

(2) COLLABORATION WITH NATIONAL CHILDREN'S ALLIANCE.—

(A) MEMORANDA OF UNDERSTANDING.—The Secretary of each military department shall seek to enter into a memorandum of understanding with the National Children's Alliance under which—

(i) the children's advocacy center services of the Alliance are available to all installations in the continental United States under the jurisdiction of such Secretary; and

(ii) members of the Armed Forces under the jurisdiction of such Secretary are made aware of the nature and availability of such services.

(B) PARTICIPATION OF CERTAIN ENTITIES.—Each memorandum of understanding under this paragraph shall provide for the appropriate participation of the Family Advocacy Program and military criminal investigation organizations of the military department concerned in activities under such memorandum of understanding.

(C) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary of each military department shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the status of the development of a memorandum of understanding with the National Children's Alliance under this paragraph, together with information on which installations, if any, under the jurisdiction of such Secretary have entered into a written agreement with a local children's advocacy center with respect to child abuse on such installations.

SEC. 576. MILITARY CHILD CARE AND CHILD DEVELOPMENT CENTER MATTERS.

(a) CENTER FEES MATTERS.—Section 1793 of title 10, United States Code, is amended by adding at the end the following new subsections:

''(c) LIBERAL ISSUANCE OF HARDSHIP WAIVERS.—The regulations prescribed pursuant to subsection (a) shall require that installation commanders issue waivers of fees otherwise established under the regulations for inability to pay (commonly referred to as 'hardship waivers') on a liberal basis in a manner consistent (as specified by the Secretary in such regulations) with ensuring that fees collected pursuant to subsection (a) meet the operating expenses of the child development centers concerned.

''(d) FAMILY DISCOUNT.—In the case of a family with two or more children attending a child development center, the regulations prescribed pursuant to subsection (a) shall require that installations commanders charge a fee for attendance at the center of any child of the family after the first child of the family in amount equal to 85 percent of the amount of the fee otherwise chargeable for the attendance of such child at the center.''.

(b) CHILD CARE FEE ASSISTANCE PROGRAMS THROUGHOUT THE ARMED FORCES.—

(1) PROGRAMS AUTHORIZED.—Each Secretary of a military department may carry out a program for each Armed Force under the jurisdiction of such Secretary under which a member of the Armed Forces who is obtaining child care services from a civilian child care services provider located off a military installation is paid (subject to any limitation established by such Secretary) a monthly amount equal to the amount, if any, by which—

(A) the monthly amount charged by such provider for such services; exceeds

(B) the monthly amount the military department concerned pays or otherwise provides members at such installation for child care services on such installation.

(2) MODEL.—Any program carried out pursuant to paragraph (1) shall be modeled after the Army Fee Assistance Program, and incorporate such modifications to that Program as the Secretary of the military department concerned considers appropriate.

(3) SECRETARY OF DEFENSE APPROVAL.—Any program of an Armed Force under paragraph (1) shall be subject to the approval of the Secretary of Defense.

(c) ADDITIONAL ACTIONS TO OBTAIN QUALIFIED CHILD CARE EMPLOYEES.—

(1) IN GENERAL.—Section 1792 of title 10, United States Code, is amended—

(A) by redesignating subsection (d) as subsection (e); and

(B) by inserting after subsection (c) the following new subsection (d):

''(d) ADDITIONAL ACTIONS TO OBTAIN QUALIFIED EMPLOYEES.—Each Secretary of a military department may, with the approval of the Secretary of Defense, take actions in addition to actions authorized by subsection (c) to provide military child development centers under the jurisdiction of such Secretary with a qualified and stable civilian workforce, including actions as follows:

''(1) Enhanced marketing and recruitment for employment.

''(2) Provision to employees of education-related benefits, including tuition assistance and student loan repayment programs.

''(3) Availability and enhancement of wellness and physical fitness programs for employees.

''(4) Provision of such other competitive benefits as the Secretary of the military department and the Secretary of Defense jointly consider appropriate.''.

(2) REPORTS ON INSTALLATIONS WITH EXTREME IMBALANCE BETWEEN DEMAND FOR AND AVAILABILITY OF CHILD CARE.—Not later than one year after the date of the enactment of this Act, each Secretary of a military department shall submit to Congress a report on the military installations under the jurisdiction of such Secretary with an extreme imbalance between demand for child care and availability of child care. Each report shall include, for the military department covered by such report, the following:

(A) The name of the five installations of the military department experiencing the most extreme imbalance between demand for child care and availability of child care.

(B) For each installation named pursuant to subparagraph (A), the following:

(i) An assessment whether civilian employees at child development centers at such installation have rates of pay and benefits that are competitive with other civilian employees on such installation and with the civilian labor pool in the vicinity of such installation.

(ii) A description and assessment of various incentives to encourage military spouses to become providers under the Family Child Care program at such installation.

(iii) Such recommendations at the Secretary of the military department concerned considers appropriate to address the imbalance between demand for child care and availability of child care at such installation, including recommendations to enhance the competitiveness of civilian child care positions at such installation with other civilian positions at such installation and the civilian labor pool in the vicinity of such installation.

SEC. 577. 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 ''(a) PROFESSIONAL LICENSE OR CERTIFICATION; ASSOCIATE'S DEGREE.—'' before ''The Secretary'';

(2) by inserting ''or maintenance (including continuing education courses)'' after ''pursuit''; and

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

''(b) NATIONAL TESTING.—Financial assistance under subsection (a) 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).''.

Subtitle H—Other Matters

SEC. 586. REMOVAL OF PERSONALLY IDENTIFYING AND OTHER INFORMATION OF CERTAIN PERSONS FROM INVESTIGATIVE REPORTS, THE DEPARTMENT OF DEFENSE CENTRAL INDEX OF INVESTIGATIONS, AND OTHER RECORDS AND DATABASES.

(a) POLICY AND PROCESS REQUIRED.—Not later than October 1, 2021, the Secretary of Defense shall establish and maintain a policy and process through which any covered person may request that the person's name, personally identifying information, and other information pertaining to the person shall, in accordance with subsection (c), be corrected in, or expunged or otherwise removed from, the following:

(1) A law enforcement or criminal investigative report of the Department of Defense or any component of the Department.

(2) An index item or entry in the Department of Defense Central Index of Investigations (DCII).

(3) Any other record maintained in connection with a report described in paragraph (1), or an index item or entry described in paragraph (2), in any system of records, records database, records center, or repository maintained by or on behalf of the Department.

(b) COVERED PERSONS.—For purposes of this section, a covered person is any person whose name was placed or reported, or is maintained—

(1) in the subject or title block of a law enforcement or criminal investigative report of the Department of Defense (or any component of the Department);

(2) as an item or entry in the Department of Defense Central Index of Investigations; or

(3) in any other record maintained in connection with a report described in paragraph (1), or an index item or entry described in paragraph (2), in any system of records, records database, records center, or repository maintained by or on behalf of the Department.

(c) ELEMENTS.—The policy and process required by subsection (a) shall include the following elements:

(1) BASIS FOR CORRECTION OR EXPUNGEMENT.—That the name, personally identifying information, and other information of a covered person shall be corrected in, or expunged or otherwise removed from, a report, item or entry, or record described in paragraphs (1) through (3) of subsection (a) in the following circumstances:

(A) Probable cause did not or does not exist to believe that the offense for which the person's name was placed or reported, or is maintained, in such report, item or entry, or record occurred, or insufficient evidence existed or exists to determine whether or not such offense occurred.

(B) Probable cause did not or does not exist to believe that the person actually committed the offense for which the person's name was so placed or reported, or is so maintained, or insufficient evidence existed or exists to determine whether or not the person actually committed such offense.

(C) Such other circumstances, or on such other bases, as the Secretary may specify in establishing the policy and process, which circumstances and bases may not be inconsistent with the circumstances and bases provided by subparagraphs (A) and (B).

(2) CONSIDERATIONS.—While not dispositive as to the existence of a circumstance or basis set forth in paragraph (1), the following shall be considered in the determination whether such circumstance or basis applies to a covered person for purposes of this section:

(A) The extent or lack of corroborating evidence against the covered person concerned with respect to the offense at issue.

(B) Whether adverse administrative, disciplinary, judicial, or other such action was initiated against the covered person for the offense at issue.

(C) The type, nature, and outcome of any action described in subparagraph (B) against the covered person.

(3) PROCEDURES.—The policy and process required by subsection (a) shall include procedures as follows:

(A) Procedures under which a covered person may appeal a determination of the applicable component of the Department of Defense denying, whether in whole or in part, a request for purposes of subsection (a).

(B) Procedures under which the applicable component of the Department will correct, expunge or remove, take other appropriate action on, or assist a covered person in so doing, any record maintained by a person, organization, or entity outside of the Department to which such component provided, submitted, or transmitted information about the covered person, which information has or will be corrected in, or expunged or removed from, Department records pursuant to this section.

(C) The timeline pursuant to which the Department, or a component of the Department, as applicable, will respond to each of the following:

(i) A request pursuant to subsection (a).

(ii) An appeal under the procedures required by subparagraph (A).

(iii) A request for assistance under the procedures required by subparagraph (B).

(D) Mechanisms through which the Department will keep a covered person apprised of the progress of the Department on a covered person's request or appeal as described in subparagraph (C).

(d) APPLICABILITY.—The policy and process required to be developed by the Secretary under subsection (a) shall not be subject to the notice and comment rulemaking requirements under section 553 of title 5, United States Code.

(e) REPORT.—Not later than October 1, 2021, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the actions taken to carry out this section, including a comprehensive description of the policy and process developed and implemented by the Secretary under subsection (a).

SEC. 587. NATIONAL EMERGENCY EXCEPTION FOR TIMING REQUIREMENTS WITH RESPECT TO CERTAIN SURVEYS OF MEMBERS OF THE ARMED FORCES.

(a) MEMBERS OF REGULAR AND RESERVE COMPONENTS.—Subsection (d) of section 481 of title 10, United States Code, is amended to read as follows:

''(d) WHEN SURVEYS REQUIRED.—(1) The Armed Forces Workplace and Gender Relations Surveys of the Active Duty and the Armed Forces Workplace and Gender Relations Survey of the Reserve Components shall each be conducted once every two years. The surveys may be conducted within the same year or in two separate years, and shall be conducted in a manner designed to reduce the burden of the surveys on members of the armed forces.

''(2) The two Armed Forces Workplace and Equal Opportunity Surveys shall be conducted at least once every four years. The surveys may be conducted within the same year or in two separate years, and shall be conducted in a manner designed to reduce the burden of the surveys on members of the armed forces.

''(3)(A) The Secretary of Defense may postpone the conduct of a survey under this section if the Secretary determines that conducting such survey is not practicable due to a war or national emergency declared by the President or Congress.

''(B) The Secretary shall ensure that a survey postponed under subparagraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

''(C) The Secretary shall notify Congress of a determination under subparagraph (A) not later than 30 days after the date on which the Secretary makes such determination.''.

(b) CADETS AND MIDSHIPMEN.—

(1) UNITED STATES MILITARY ACADEMY.—Section 7461(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3)(A) The Secretary of Defense may postpone the conduct of an assessment under this subsection if the Secretary determines that conducting such assessment is not practicable due to a war or national emergency declared by the President or Congress.

''(B) The Secretary of Defense shall ensure that an assessment postponed under subparagraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

''(C) The Secretary of Defense shall notify Congress of a determination under subparagraph (A) not later than 30 days after the date on which the Secretary makes such determination.''.

(2) UNITED STATES NAVAL ACADEMY.—Section 8480(c) of such title is amended by adding at the end the following new paragraph:

''(3)(A) The Secretary of Defense may postpone the conduct of an assessment under this subsection if the Secretary determines that conducting such assessment is not practicable due to a war or national emergency declared by the President or Congress.

''(B) The Secretary of Defense shall ensure that an assessment postponed under subparagraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

''(C) The Secretary of Defense shall notify Congress of a determination under subparagraph (A) not later than 30 days after the date on which the Secretary makes such determination.''.

(3) UNITED STATES AIR FORCE ACADEMY.—Section 9461(c) of such title is amended by adding at the end the following new paragraph:

''(3)(A) The Secretary of Defense may postpone the conduct of an assessment under this subsection if the Secretary determines that conducting such assessment is not practicable due to a war or national emergency declared by the President or Congress.

''(B) The Secretary of Defense shall ensure that an assessment postponed under subparagraph (A) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

''(C) The Secretary of Defense shall notify Congress of a determination under subparagraph (A) not later than 30 days after the date on which the Secretary makes such determination.''.

(c) DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.—Section 481a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) POSTPONEMENT.—(1) The Secretary of Defense may postpone the conduct of a survey under this section if the Secretary determines that conducting such survey is not practicable due to a war or national emergency declared by the President or Congress.

''(2) The Secretary shall ensure that a survey postponed under paragraph (1) is conducted as soon as practicable after the end of the period of war or national emergency concerned, or earlier if the Secretary determines appropriate.

''(3) The Secretary shall notify Congress of a determination under paragraph (1) not later than 30 days after the date on which the Secretary makes such determination.''.

SEC. 588. SUNSET AND TRANSFER OF FUNCTIONS OF THE PHYSICAL DISABILITY BOARD OF REVIEW.

Section 1554a of title 10, United States Code, is amended by adding at the end the following new subsection:

''(g) SUNSET.—(1) On or after October 1, 2020, the Secretary of Defense may sunset the Physical Disability Board of Review under this section.

''(2) If the Secretary sunsets the Physical Disability Board of Review under paragraph (1), the Secretary shall transfer any remaining requests for review pending at that time, and shall assign any new requests for review under this section, to a board for the correction of military records operated by the Secretary concerned under section 1552 of this title..

''(3) Subsection (c)(4) shall not apply with respect to any review conducted by a board for the correction of military records under paragraph (2).''.

SEC. 589. EXTENSION OF REPORTING DEADLINE FOR THE ANNUAL REPORT ON THE ASSESSMENT OF THE EFFECTIVENESS OF ACTIVITIES OF THE FEDERAL VOTING ASSISTANCE PROGRAM.

(a) ELIMINATION OF REPORTS FOR NON-ELECTION YEARS.—Section 105A(b) of the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20308(b)) is amended, in the matter preceding paragraph (1)—

(1) by striking ''March 31 of each year'' and inserting ''September 30 of each odd-numbered year''; and

(2) by striking ''the following information'' and inserting ''the following information with respect to the Federal elections held during the preceding calendar year''.

(b) CONFORMING AMENDMENTS.—Subsection (b) of section 105A of such Act (52 U.S.C. 20308(b)) is amended—

(1) in the subsection heading, by striking ''ANNUAL REPORT'' and inserting ''BIENNIAL REPORT''; and

(2) in paragraph (3), by striking ''In the case of'' and all that follows through ''a description'' and inserting ''A description''.

SEC. 590. PILOT PROGRAMS ON REMOTE PROVISION BY NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARDS OF OTHER STATES OF CYBERSECURITY TECHNICAL ASSISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS.

(a) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may each, in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of a capability within the National Guard through which a National Guard of a State remotely provides State governments and National Guards of other States (whether or not in the same Armed Force as the providing National Guard) with cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an ''administering Secretary'' for purposes of this section, and any reference in this section to ''the pilot program'' shall be treated as a reference to the pilot program conducted by such Secretary.

(b) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (c), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—

(A) existing cyber response capacities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (a); and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

(c) ELEMENTS.—A pilot program under subsection (a) shall include the following:

(1) A technical capability that enables the National Guard of a State to remotely provide cybersecurity technical assistance to State governments and National Guards of other States, without the need to deploy outside its home State.

(2) Policies, processes, procedures, and authorities for use of such a capability, including with respect to the following:

(A) The roles and responsibilities of both requesting and deploying State governments and National Guards with respect to such technical assistance, taking into account the matters specified in subsection (f).

(B) Necessary updates to the Defense Cyber Incident Coordinating Procedure, or any other applicable Department of Defense instruction, for purposes of implementing the capability.

(C) Program management and governance structures for deployment and maintenance of the capability.

(D) Security when performing remote support, including such in matters such as authentication and remote sensing.

(3) The conduct, in coordination with the Chief of the National Guard Bureau and the Secretary of Homeland Security and in consultation with the Director of the Federal Bureau of Investigation, other Federal agencies, and appropriate non-Federal entities, of at least one exercise to demonstrate the capability, which exercise shall include the following:

(A) Participation of not fewer than two State governments and their National Guards.

(B) Circumstances designed to test and validate the policies, processes, procedures, and authorities developed pursuant to paragraph (2).

(C) An after action review of the exercise.

(d) USE OF EXISTING TECHNOLOGY.—An administering Secretary may use an existing platform, technology, or capability to provide the capability described in subsection (a) under the pilot program.

(e) ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(f) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITIES.—

(1) COMMAND AUTHORITIES.—Nothing in a pilot program under subsection (a) may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(2) EMERGENCY MANAGEMENT ASSISTANCE COMPACT.—Nothing in a pilot program may be construed as affecting or altering any current agreement under the Emergency Management Assistance Compact, or any other State agreements, or as determinative of the future content of any such agreement.

(g) EVALUATION METRICS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau and the Secretary of Homeland Security, establish metrics to evaluate the effectiveness of the pilot program.

(h) TERM.—A pilot program under subsection (a) shall terminate on the date that is three years after the date of the commencement of the pilot program.

(i) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the commencement of the pilot program, the administering Secretary shall submit to the appropriate committees of Congress a report setting forth a

description of the pilot program and such other matters in connection with the pilot program as the Secretary considers appropriate.

(2) FINAL REPORT.—Not later than 180 days after the termination of the pilot program, the administering Secretary shall submit to the appropriate committees of Congress a report on the pilot program. The report shall include the following:

(A) A description of the pilot program, including any partnerships entered into by the Chief of the National Guard Bureau under the pilot program.

(B) A summary of the assessment performed prior to the commencement of the pilot program in accordance with subsection (b).

(C) A summary of the evaluation metrics established in accordance with subsection (g).

(D) An assessment of the effectiveness of the pilot program, and of the capability described in subsection (a) under the pilot program.

(E) A description of costs associated with the implementation and conduct of the pilot program.

(F) A recommendation as to the termination or extension of the pilot program, or the making of the pilot program permanent with an expansion nationwide.

(G) An estimate of the costs of making the pilot program permanent and expanding it nationwide in accordance with the recommendation in subparagraph (F).

(H) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(j) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 591. PLAN ON PERFORMANCE OF FUNERAL HONORS DETAILS BY MEMBERS OF OTHER ARMED FORCES WHEN MEMBERS OF THE ARMED FORCE OF THE DECEASED ARE UNAVAILABLE.

(a) BRIEFING ON PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives setting forth a plan for the performance of a funeral honors detail at the funeral of a deceased member of the Armed Forces by one or more members of the Armed Forces from an Armed Force other than that of the deceased when—

(A) members of the Armed Force of the deceased are unavailable for the performance of the detail; and

(B) the performance of the detail by members of other Armed Forces is requested by the family of the deceased.

(2) REPEAL OF REQUIREMENT FOR ONE MEMBER OF ARMED FORCE OF DECEASED IN DETAIL.—Section 1491(b)(2) of title 10, United States Code, is amended in the first sentence by striking '', at least one of whom shall be a member of the armed force of which the veteran was a member''.

(3) PERFORMANCE.—The plan required by paragraph (1) shall authorize the performance of funeral honors details by members of the Army National Guard and the Air National Guard under section 115 of title 32, United States Code, and may authorize the remainder of such details to consist of members of veterans organizations or other organizations approved for purposes of section 1491 of title 10, United States Code, as provided for by subsection (b)(2) of such section 1491.

(b) ELEMENTS.—The briefing under subsection (a) shall include a description in detail the authorities and requirements for the implementation of the plan, including administrative, logistical, coordination, and funding authorities and requirements.

SEC. 592. LIMITATION ON IMPLEMENTATION OF ARMY COMBAT FITNESS TEST.

The Secretary of the Army may not implement the Army Combat Fitness Test until the Secretary receives results of a study, conducted for purposes of this section by an entity independent of the Department of Defense, on the following:

(1) The extent, if any, to which the test would adversely impact members of the Army stationed or deployed to climates or areas with conditions that make prohibitive the conduct of outdoor physical training on a frequent or sustained basis.

(2) The extent, if any, to which the test would affect recruitment and retention in critical support military occupational specialties (MOS) of the Army, such as medical personnel.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. 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).

(3) RETITLING OF AUTHORITY.—The heading of section 405 of title 37, United States Code, as so added, is amended to read as follows:

''§ 405. Per diem while on duty outside the continental United States''.

(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 such title 37, United States Code, is amended—

(A) by inserting after the item relating to section 403b the following new item:

''405. 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 such title is amended by striking the items relating to sections 475 and 495.

SEC. 602. HAZARDOUS DUTY PAY FOR MEMBERS OF THE ARMED FORCES PERFORMING DUTY IN RESPONSE TO THE CORONAVIRUS DISEASE 2019.

(a) IN GENERAL.—The Secretary of the military department concerned shall pay hazardous duty pay under this section to a member of a regular or reserve component of the Armed Forces who—

(1) performs duty in response to the Coronavirus Disease 2019 (COVID–19); and

(2) is entitled to basic pay under section 204 of title 37, United States Code, or compensation under section 206 of such title, for the performance of such duty.

(b) REGULATIONS.—Hazardous duty pay shall be payable under this section in accordance with regulations prescribed by the Secretary of Defense. Such regulations shall specify the duty in response to the Coronavirus Disease 2019 qualifying a member for payment of such pay under this section.

(c) AMOUNT.—The amount of hazardous duty pay paid a member under this section shall be such amount per month, not less than $150 per month, as the Secretary of Defense shall specify in the regulations under subsection (b).

(d) MONTHLY PAYMENT; NO PRORATION.—

(1) MONTHLY PAYMENT.—Hazardous duty pay under this section shall be paid on a monthly basis.

(2) NO PRORATION.—Hazardous duty pay is payable to a member under this section for a month if the member performs any duty in that month qualifying the person for payment of such pay.

(e) MONTHS FOR WHICH PAYABLE.—Hazardous duty pay is payable under this section for qualifying duty performed in months occurring during the period—

(1) beginning on January 1, 2020; and

(2) ending on December 31, 2020.

(f) CONSTRUCTION WITH OTHER PAY.—Hazardous duty pay payable to a member under this section is in addition to the following:

(1) Any other pay and allowances to which the member is entitled by law.

(2) Any other hazardous duty pay to which the member is entitled under section 351 of title 37, United States Code (or any other provision of law), for duty that also constitutes qualifying duty for payment of such pay under this section.

(g) SENSE OF SENATE.—It is the sense of the Senate that the Secretary of Defense should also authorize hazardous duty pay for members of the Armed Forces not under orders specific to the response to the Coronavirus Disease 2019 who provide—

(1) healthcare in a military medical treatment facility for individuals infected with the Coronavirus Disease 2019; or

(2) technical or administrative support for the provision of healthcare as described in paragraph (1).

Subtitle B—Bonuses and Special and 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 component 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 SPECIAL AND INCENTIVE PAYS FOR OFFICERS IN HEALTH PROFESSIONS.

(a) ACCESSION BONUS GENERALLY.—Subparagraph (A) of section 335(e)(1) of title 37, United States Code, is amended by striking ''$30,000'' and inserting ''$100,000''.

(b) ACCESSION BONUS FOR CRITICALLY SHORT WARTIME SPECIALTIES.—Subparagraph (B) of such section is amended by striking ''$100,000'' and inserting ''$200,000''.

(c) RETENTION BONUS.—Subparagraph (C) of such section is amended by striking ''$75,000'' and inserting ''$150,000''.

(d) INCENTIVE PAY.—Subparagraph (D) of such section is amended—

(1) in clause (i), by striking ''$100,000'' and inserting ''$200,000''; and

(2) in clause (ii), by striking ''$15,000'' and inserting ''$50,000''.

(e) BOARD CERTIFICATION PAY.—Subparagraph (E) of such section is amended by striking ''$6,000'' and inserting ''$15,000''.

(f) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2020, and shall apply with respect to special bonus and incentive pays payable under section 335 of title 37, United States Code, pursuant to agreements entered into under that section on or after that date.

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

SEC. 621. INCLUSION OF DRILL OR TRAINING FOREGONE DUE TO EMERGENCY TRAVEL OR DUTY RESTRICTIONS IN COMPUTATIONS OF ENTITLEMENT TO AND AMOUNTS OF RETIRED PAY FOR NON-REGULAR SERVICE.

(a) ENTITLEMENT TO RETIRED PAY.—Section 12732(a)(2) of title 10, United States Code, is amended—

(1) by inserting after subparagraph (E) the following new subparagraph:

''(F)(i) Subject to regulations prescribed by the Secretary of Defense or the Secretary of Homeland Security with respect to matters concerning the Coast Guard when it is not operating as a service in the Department of the Navy, one point for each day of active service or one point for each drill or period of equivalent instruction that was prescribed by the Secretary concerned to be performed during the covered emergency period, if such person was prevented from performing such duty due to travel or duty restrictions imposed by the President, the Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard.

''(ii) A person may not be credited more than 35 points in a one-year period under this subparagraph.

''(iii) In this subparagraph, the term 'covered emergency period' means the period beginning on March 1, 2020, and ending on the day that is 60 days after the date on which the travel or duty restriction applicable to the person concerned is lifted.''; and

(2) in the matter following subparagraph (F), as inserted by paragraph (1), by striking ''and (E)'' and inserting ''(E), and (F)''.

(b) AMOUNT OF RETIRED PAY.—Section 12733(3) of such title is amended in the matter preceding subparagraph (A), by striking ''or (D)'' and inserting ''(D), or (F)''.

SEC. 622. MODERNIZATION AND CLARIFICATION OF PAYMENT OF CERTAIN RESERVES WHILE ON DUTY.

(a) CHANGE IN PRIORITY OF PAYMENTS FOR RETIRED OR RETAINER PAY.—Subsection (a) of section 12316 of title 10, United States Code, is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''subsection (b)'' and inserting ''subsection (c)''; and

(B) by striking ''his earlier military service'' and inserting ''the Reserve's earlier military service'';

(C) by striking ''a pension, retired or retainer pay, or disability compensation'' and inserting ''retired or retainer pay''; and

(D) by striking ''he is entitled'' and inserting ''the Reserve is entitled''; and

(2) by striking paragraphs (1) and (2) and inserting the following new paragraphs:

''(1) the pay and allowances authorized by law for the duty that the Reserve is performing; or

''(2) if the Reserve specifically waives those payments, the retired or retainer pay to which the Reserve is entitled because of the Reserve's earlier military service.''.

(b) PAYMENTS FOR PENSION OR DISABILITY COMPENSATION.—Such section is further amended—

(1) by redesignating subsection (b) as subsection (c); and

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

''(b) Except as provided by subsection (c), a Reserve of the Army, Navy, Air Force, Marine Corps, or Coast Guard who because of the Reserve's earlier military service is entitled to a pension or disability compensation, and who performs duty for which the Reserve is entitled to compensation, may elect to receive for that duty either—

''(1) the pension or disability compensation to which the Reserve is entitled because of the Reserve's earlier military service; or

''(2) if the Reserve specifically waives those payments, the pay and allowances authorized by law for the duty that the Reserve is performing.''.

(c) ADDITIONAL CONFORMING AND MODERNIZING AMENDMENTS.—Subsection (c) of such section, as redesignated by subsection (b)(1) of this section, is amended—

(1) by striking ''(a)(2)'' both places it appears and inserting ''(a)(1) or (b)(2), as applicable,'';

(2) by striking ''his earlier military service'' the first place it appears and inserting ''a Reserve's earlier military service'';

(3) by striking ''his earlier military service'' each other place it appears and inserting ''the Reserve's earlier military service'';

(4) by striking ''he is entitled'' and inserting ''the Reserve is entitled''; and

(5) by striking ''the member or his dependents'' and inserting ''the Reserve or the Reserve's dependents''.

(d) PROCEDURES.—Such section is further amended by adding at the end the following new subsection:

''(d) The Secretary of Defense shall prescribe regulations under which a Reserve of the Army, Navy, Air Force, Marine Corps, or Coast Guard may waive the pay and allowances authorized by law for the duty the Reserve is performing under subsection (a)(2) or (b)(2).''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect 180 days after the date of the enactment of this Act.

Subtitle D—Other Matters

SEC. 631. PERMANENT AUTHORITY FOR AND ENHANCEMENT OF THE GOVERNMENT LODGING PROGRAM.

(a) PERMANENT AUTHORITY.—Section 914 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (5 U.S.C. 5911 note) is amended—

(1) in subsection (a), by striking '', for the period of time described in subsection (b),''; and

(2) by striking subsection (b).

(b) EXCLUSION OF CERTAIN SHIPYARD EMPLOYEES.—Such section is further amended by inserting after subsection (a) the following new subsection (b):

''(b) EXCLUSION OF CERTAIN SHIPYARD EMPLOYEES.—In carrying out a Government lodging program under the authority in subsection (a), the Secretary shall exclude from the requirements of the program employees who are traveling for the performance of mission functions of a public shipyard of the Department if the purpose or mission of such travel would be adversely affected by the requirements of the program.''.

(c) CONFORMING AMENDMENT.—The heading of such section is amended to read as follows:

''SEC. 914. GOVERNMENT LODGING PROGRAM.''.

SEC. 632. APPROVAL OF CERTAIN ACTIVITIES BY RETIRED AND RESERVE MEMBERS OF THE UNIFORMED SERVICES.

(a) CLARIFICATION OF ACTIVITIES FOR WHICH APPROVAL REQUIRED.—Section 908 of title 37, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by striking ''subsection (b)'' and inserting ''subsections (b) and (c)''; and

(ii) by inserting '', accepting payment for speeches, travel, meals, lodging, or registration fees, or accepting a non-cash award,'' after ''that employment)''; and

(B) in paragraph (2), by striking ''armed forces'' and inserting ''armed forces, except members serving on active duty under a call or order to active duty for a period in excess of 30 days'';

(2) in the heading of subsection (b), by inserting ''FOR EMPLOYMENT AND COMPENSATION'' after ''APPROVAL REQUIRED'';

(3) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

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

''(c) APPROVAL REQUIRED FOR CERTAIN PAYMENTS AND AWARDS.—A person described in subsection (a) may accept payment for speeches, travel, meals, lodging, or registration fees described in that subsection, or accept a non-cash award described in that subsection, only if the Secretary concerned approves the payment or award.''.

(b) ANNUAL REPORTS ON APPROVALS.—Subsection (d) of such section, as redesignated by subsection (a)(3) of this section, is amended—

(1) by inserting ''(1)'' before ''Not later than'';

(2) in paragraph (1), as designated by paragraph (1) of this subsection, by inserting '', and each approval under subsection (c) for a

payment or award described in subsection (a),'' after ''in subsection (a)''; and

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

''(2) The report under paragraph (1) on an approval described in that paragraph with respect to an officer shall set forth the following:

''(A) The foreign government providing the employment or compensation or payment or award.

''(B) The duties, if any, to be performed in connection with the employment or compensation or payment or award.

''(C) The total amount of compensation, if any, or payment to be provided.''.

(c) CONFORMING AMENDMENTS.—

(1) SECTION HEADING.—The heading of such section is amended to read as follows:

''§ 908. Reserves and retired members: acceptance of employment, payments, and awards from foreign governments''.

(2) 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 908 and inserting the following new item:

''908. Reserves and retired members: acceptance of employment, payments, and awards from foreign governments.''.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. AUTHORITY FOR SECRETARY OF DEFENSE TO MANAGE PROVIDER TYPE REFERRAL AND SUPERVISION REQUIREMENTS UNDER TRICARE PROGRAM.

Section 1079(a)(12) of title 10, United States Code, is amended, in the first sentence, by striking ''or certified clinical social worker,'' and inserting ''certified clinical social worker, or other class of provider as designated by the Secretary of Defense,''.

SEC. 702. REMOVAL OF CHRISTIAN SCIENCE PROVIDERS AS AUTHORIZED PROVIDERS UNDER THE TRICARE PROGRAM.

(a) REPEAL.—Subsection (a) of section 1079 of title 10, United States Code, is amended by striking paragraph (4).

(b) CONFORMING AMENDMENT.—Paragraph (12) of such subsection is amended, in the first sentence, by striking '', except as authorized in paragraph (4)''.

SEC. 703. WAIVER OF FEES CHARGED TO CERTAIN CIVILIANS FOR EMERGENCY MEDICAL TREATMENT PROVIDED AT MILITARY MEDICAL TREATMENT FACILITIES.

Section 1079b of title 10, United States Code, is amended—

(1) by redesignating subsection (b) as subsection (c); and

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

''(b) WAIVER OF FEES.—Under the procedures implemented under subsection (a), a military medical treatment facility may waive a fee charged under such procedures to a civilian who is not a covered beneficiary if—

''(1) after insurance payments, if any, the civilian is not able to pay for the trauma or other medical care provided to the civilian; and

''(2) the provision of such care enhanced the medical readiness of the health care provider or health care providers furnishing such care.''.

SEC. 704. MENTAL HEALTH RESOURCES FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS DURING THE COVID–19 PANDEMIC.

(a) PLAN.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop a plan to protect and promote the mental health and well-being of members of the Armed Forces and their dependents, which shall include the following:

(1) A strategy to combat existing stigma surrounding mental health conditions that might deter such individuals from seeking care.

(2) Guidance to commanding officers at all levels on the mental health ramifications of the COVID–19 crisis.

(3) Additional training and support for mental health care professionals of the Department of Defense on supporting individuals who are concerned for the health of themselves and their family members, or grieving the loss of loved ones due to COVID–19.

(4) A strategy to leverage telemedicine to ensure safe access to mental health services.

(b) OUTREACH.—The Secretary of Defense shall conduct outreach to the military community to identify resources and health care services, including mental health care services, available under the TRICARE program to support members of the Armed Forces and their dependents.

(c) DEFINITIONS.—In this section, the terms ''dependent'' and ''TRICARE program'' have the meanings given those terms in section 1072 of such title.

SEC. 705. TRANSITIONAL HEALTH BENEFITS FOR CERTAIN MEMBERS OF THE NATIONAL GUARD SERVING UNDER ORDERS IN RESPONSE TO THE CORONAVIRUS (COVID–19).

(a) IN GENERAL.—The Secretary of Defense shall provide to a member of the National Guard separating from active service after serving on full-time National Guard duty pursuant to section 502(f) of title 32, United States Code, the health benefits authorized under section 1145 of title 10, United States Code, for a member of a reserve component separating from active duty, as referred to in subsection (a)(2)(B) of such section 1145, if the active service from which the member of the National Guard is separating was in support of the whole of government response to the coronavirus (COVID–19).

(b) DEFINITIONS.—In this section, the terms ''active duty'', ''active service'', and ''full-time National Guard duty'' have the meanings given those terms in section 101(d) of title 10, United States Code.

SEC. 706. EXTRAMEDICAL MATERNAL HEALTH PROVIDERS DEMONSTRATION PROJECT.

(a) DEMONSTRATION PROJECT REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall commence the conduct of a demonstration project designed to evaluate the cost, quality of care, and impact on maternal and fetal outcomes of using extramedical maternal health providers under the TRICARE program to determine the appropriateness of making coverage of such providers under the TRICARE program permanent.

(b) ELEMENTS OF DEMONSTRATION PROJECT.—The demonstration project under subsection (a) shall include, for participants in the demonstration project, the following:

(1) Access to doulas.

(2) Access to lactation consultants who are not otherwise authorized to provide services under the TRICARE program.

(c) PARTICIPANTS.—The Secretary shall establish a process under which covered beneficiaries may enroll in the demonstration project in order to receive the services provided under the demonstration project.

(d) DURATION.—The Secretary shall carry out the demonstration project for a period of five years beginning on the date on which notification of the commencement of the demonstration project is published in the Federal Register.

(e) SURVEY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, and annually thereafter for the duration of the demonstration project, the Secretary shall administer a survey to determine—

(A) how many members of the Armed Forces or spouses of such members give birth while their spouse or birthing partner is unable to be present due to deployment, training, or other mission requirements;

(B) how many single members of the Armed Forces give birth alone; and

(C) how many members of the Armed Forces or spouses of such members use doula support or lactation consultants.

(2) MATTERS COVERED BY THE SURVEY.—The survey administered under paragraph (1) shall include an identification of the following:

(A) The race, ethnicity, age, sex, relationship status, military service, military occupation, and rank, as applicable, of each individual surveyed.

(B) If individuals surveyed were members of the Armed Forces or the spouses of such members, or both.

(C) The length of advanced notice received by individuals surveyed that the member of the Armed Forces would be unable to be present during the birth, if applicable.

(D) Any resources or support that the individuals surveyed found useful during the pregnancy and birth process, including doula or lactation counselor support.

(f) REPORTS.—

(1) IMPLEMENTATION PLAN.—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 Senate and the House of Representatives a plan to implement the demonstration project.

(2) ANNUAL REPORT.—

(A) IN GENERAL.—Not later than one year after the commencement of the demonstration project, and annually thereafter for the duration of the demonstration project, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the cost of the demonstration project and the effectiveness of the demonstration project in improving quality of care and the maternal and fetal outcomes of covered beneficiaries enrolled in the demonstration project.

(B) MATTERS COVERED.—Each report submitted under subparagraph (A) shall address, at a minimum, the following:

(i) The number of covered beneficiaries who are enrolled in the demonstration project.

(ii) The number of enrolled covered beneficiaries who have participated in the demonstration project.

(iii) The results of the surveys under subsection (f).

(iv) The cost of the demonstration project.

(v) An assessment of the quality of care provided to participants in the demonstration project.

(vi) An assessment of the impact of the demonstration project on maternal and fetal outcomes.

(vii) An assessment of the effectiveness of the demonstration project.

(viii) Recommendations for adjustments to the demonstration project.

(ix) The estimated costs avoided as a result of improved maternal and fetal health outcomes due to the demonstration project.

(x) Recommendations for extending the demonstration project or implementing permanent coverage under the TRICARE program of extramedical maternal health providers.

(xi) An identification of legislative or administrative action necessary to make the demonstration project permanent.

(C) FINAL REPORT.—The final report under subparagraph (A) shall be submitted not later than 90 days after the termination of the demonstration project.

(g) EXPANSION OF DEMONSTRATION PROJECT.—

(1) REGULATIONS.—If the Secretary determines that the demonstration project is successful, the Secretary may prescribe regulations to include extramedical maternal health providers as health care providers authorized to provide care under the TRICARE program.

(2) CREDENTIALING AND OTHER REQUIREMENTS.—The Secretary may establish credentialing and other requirements for doulas and lactation consultants through public notice and comment rulemaking for purposes of including doulas and lactation consultations as health care providers authorized to provide care under the TRICARE program pursuant to regulations prescribed under paragraph (1).

(h) DEFINITIONS.—In this section:

(1) EXTRAMEDICAL MATERNAL HEALTH PROVIDER.—The term ''extramedical maternal health provider'' means a doula or lactation consultant.

(2) COVERED BENEFICIARY; TRICARE PROGRAM.—The terms ''covered beneficiary'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

SEC. 707. PILOT PROGRAM ON RECEIPT OF NON-GENERIC PRESCRIPTION MAINTENANCE MEDICATIONS UNDER TRICARE PHARMACY BENEFITS PROGRAM.

(a) REQUIREMENT.—The Secretary of Defense shall carry out a pilot program under which eligible covered beneficiaries may elect to receive non-generic prescription maintenance medications selected under subsection (c) through military treatment facility pharmacies, retail pharmacies, or the national mail-order pharmacy program, notwithstanding section 1074g(a)(9) of title 10, United States Code.

(b) DURATION.—The Secretary shall carry out the pilot program for a three-year period beginning not later than March 1, 2021.

(c) SELECTION OF MEDICATION.—The Secretary shall select non-generic prescription maintenance medications described in section 1074g(a)(9)(C)(i) of title 10, United States Code, to be covered by the pilot program.

(d) USE OF VOLUNTARY REBATES.—

(1) REQUIREMENT.—In carrying out the pilot program, the Secretary shall seek to renew and modify contracts described in paragraph (2) in a manner that—

(A) includes for purposes of the pilot program retail pharmacies as a point of sale for the non-generic prescription maintenance medication covered by the contract; and

(B) provides the manufacturer with the option to provide voluntary rebates for such medications at retail pharmacies.

(2) CONTRACTS DESCRIBED.—The contracts described in this paragraph are contracts for the procurement of non-generic prescription maintenance medications selected under subsection (c) that are eligible for renewal during the period in which the pilot program is carried out.

(e) NOTIFICATION.—In providing each eligible covered beneficiary with an explanation of benefits, the Secretary shall notify the beneficiary of whether the medication that the beneficiary is prescribed is covered by the pilot program.

(f) BRIEFING AND REPORTS.—

(1) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall brief the congressional defense committees on the implementation of the pilot program.

(2) INTERIM REPORT.—Not later than 18 months after the commencement of the pilot program, the Secretary shall submit to the congressional defense committees a report on the pilot program.

(3) COMPTROLLER GENERAL REPORT.—

(A) IN GENERAL.—Not later than March 1, 2024, the Comptroller General of the United States shall submit to the congressional defense committees a report on the pilot program.

(B) ELEMENTS.—The report required by subparagraph (A) shall include the following:

(i) The number of eligible covered beneficiaries who participated in the pilot program and an assessment of the satisfaction of such beneficiaries with the pilot program.

(ii) The rate by which eligible covered beneficiaries elected to receive non-generic prescription maintenance medications at a retail pharmacy pursuant to the pilot program, and how such rate affected military treatment facility pharmacies and the national mail-order pharmacy program.

(iii) The amount of cost savings realized by the pilot program, including with respect to—

(I) dispensing fees incurred at retail pharmacies compared to the national mail-order pharmacy program for brand name prescription drugs;

(II) administrative fees;

(III) any costs paid by the United States for the drugs in addition to the procurement costs;

(IV) the use of military treatment facilities; and

(V) copayments paid by eligible covered beneficiaries.

(iv) A comparison of supplemental rebates between retail pharmacies and other points of sale.

(g) RULE OF CONSTRUCTION.—Nothing in this section may be construed to affect the ability of the Secretary to carry out section 1074g(a)(9)(C) of title 10, United States Code, after the date on which the pilot program is completed.

(h) DEFINITIONS.—In this section:

(1) The term ''eligible covered beneficiary'' has the meaning given that term in section 1074g(i) of title 10, United States Code.

(2) The terms ''military treatment facility pharmacies'', ''retail pharmacies'', and ''the national mail-order pharmacy program'' mean the methods for receiving prescription drugs as described in clauses (i), (ii), and (iii), respectively, of section 1074g(a)(2)(E) of title 10, United States Code.

Subtitle B—Health Care Administration

SEC. 721. MODIFICATIONS TO TRANSFER OF ARMY MEDICAL RESEARCH AND DEVELOPMENT COMMAND AND PUBLIC HEALTH COMMANDS TO DEFENSE HEALTH AGENCY.

(a) DELAY OF TRANSFER.—

(1) IN GENERAL.—Section 1073c(e) of title 10, United States Code, is amended, in the matter preceding paragraph (1), by striking ''September 30, 2022'' and inserting ''September 30, 2024''.

(2) CONFORMING AMENDMENTS.—Section 737 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, in subsections (a) and (c), by striking ''September 30, 2022'' and inserting ''September 30, 2024'' each place it appears.

(b) MODIFICATION TO RESOURCES PRESERVED.—Such section 737 is amended—

(1) in the section heading, by striking ''**RESOURCES**'' and inserting ''**INFRASTRUCTURE AND PERSONNEL**''; and

(2) in subsection (a)—

(A) by striking ''resources'' and inserting ''infrastructure and personnel''; and

(B) by striking '', which shall include manpower and funding, at not less than the level of such resources''.

(c) ELIMINATION OF TRANSFER OF FUNDS.—Such section 737 is further amended by—

(1) striking subsection (b); and

(2) redesignating subsection (c) as subsection (b).

(d) CHANGE OF NAME OF COMMAND.—

(1) DELAY OF TRANSFER.—Section 1073c(e)(1)(B) of title 10, United States Code, is amended by striking ''Materiel'' and inserting ''Development''.

(2) PRESERVATION OF INFRASTRUCTURE AND PERSONNEL.—Section 737 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(A) in the section heading, by striking ''**MATERIEL**'' and inserting ''**DEVELOPMENT**''; and

(B) by striking ''Materiel'' each place it appears and inserting ''Development''.

(e) CLERICAL AMENDMENT.—The table of contents for the National Defense Authorization Act for Fiscal Year 2020 is amended by striking the item relating to section 737 and inserting the following new item:

''Sec. 737. Preservation of infrastructure and personnel of the Army Medical Research and Development Command and continuation as Center of Excellence.''.

SEC. 722. DELAY OF APPLICABILITY OF ADMINISTRATION OF TRICARE DENTAL PLANS THROUGH FEDERAL EMPLOYEES DENTAL AND VISION INSURANCE PROGRAM.

Section 713(c) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 5 U.S.C. 8951 note) is amended by striking ''January 1, 2022'' and inserting ''January 1, 2023''.

SEC. 723. AUTHORITY OF SECRETARY OF DEFENSE TO WAIVE REQUIREMENTS DURING NATIONAL EMERGENCIES FOR PURPOSES OF PROVISION OF HEALTH CARE.

(a) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1073d the following new section:

''§ 1073e. Authority to waive requirements during national emergencies

''(a) PURPOSE.—The purpose of this section is to enable the Secretary of Defense to ensure, to the maximum extent feasible, in an emergency area during an emergency period—

''(1) that sufficient authorized health care items and services are available to meet the needs of covered beneficiaries in such area eligible for the programs under this chapter; and

''(2) that private sector health care providers authorized under the TRICARE program that furnish such authorized items and services in good faith may be reimbursed for such items and services absent any determination of fraud or abuse.

''(b) AUTHORITY.—

''(1) IN GENERAL.—To the extent necessary to accomplish the purpose specified in subsection (a), the Secretary, subject to the provisions of this section, may, for a period of 60 days, waive or modify the application of the requirements of this chapter or any regulation prescribed thereunder with respect to health care items and services furnished by a health care provider (or class of health care providers) in an emergency area (or portion of such area) during an emergency period (or portion of such period), including by deferring the termination of status of a covered beneficiary.

''(2) RENEWAL.—The Secretary may renew a waiver or modification under paragraph (1) for subsequent 60-day periods during the duration of the applicable emergency declaration.

''(c) IMPLEMENTATION.—The Secretary may implement any temporary waiver or modification made pursuant to this section by program instruction or otherwise.

''(d) RETROACTIVE APPLICATION.—A waiver or modification made pursuant to this section with respect to an emergency period may, at the discretion of the Secretary, be made retroactive to the beginning of the emergency period or any subsequent date in such period specified by the Secretary.

''(e) SATISFACTION OF PRECONDITIONS FOR STATUS AS COVERED BENEFICIARY.—A deferral under subsection (b) of termination of status of a covered beneficiary may be contingent upon retroactive satisfaction by such beneficiary of any premium or enrollment fee payments or other preconditions for such status.

''(f) CERTIFICATION.—

''(1) IN GENERAL.—Not later than two days before exercising a waiver or modification under subsection (b)(1) or renewing a waiver or modification under subsection (b)(2), the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a certification and advance written notice regarding the authority to be exercised.

''(2) MATTERS INCLUDED.—Certification and advanced written notice required under paragraph (1) shall include—

''(A) a description of—

''(i) the specific provisions of law that will be waived or modified;

''(ii) the health care providers to whom the waiver or modification will apply;

''(iii) the geographic area in which the waiver or modification will apply; and

''(iv) the period of time for which the waiver or modification will be in effect; and

''(B) a certification that the waiver or modification is necessary to carry out the purpose specified in subsection (a).

''(g) TERMINATION OF WAIVER.—A waiver or modification of requirements pursuant to this section terminates upon the termination of the applicable emergency declaration.

''(h) REPORT.—Not later than one year after the end of an emergency period during which the Secretary exercised the authority under this section, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the approaches used to accomplish the purpose described in subsection (a), including an evaluation of such approaches and recommendations for improved approaches should the need for the exercise of such authority arise in the future.

''(i) DEFINITIONS.—In this section:

''(1) EMERGENCY AREA.—The term 'emergency area' means a geographical area covered by an emergency declaration.

''(2) EMERGENCY DECLARATION.—The term 'emergency declaration' means—

''(A) an emergency or disaster declared by the President pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.) or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.); or

''(B) a public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d).

''(3) EMERGENCY PERIOD.—The term 'emergency period' means the period covered by an emergency declaration.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 55 of such title is amended by inserting after the item relating to section 1073d the following new item:

''1073e. Authority to waive requirements during national emergencies.''.

Subtitle C—Reports and Other Matters

SEC. 741. EXTENSION OF AUTHORITY FOR JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND.

Section 1704(e) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2573), as most recently amended by section 732(4)(B) 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, 2022''.

SEC. 742. MEMBERSHIP OF BOARD OF REGENTS OF UNIFORMED SERVICES UNIVERSITY OF THE HEALTH SCIENCES.

(a) IN GENERAL.—Section 2113a(b) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

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

''(3) the Director of the Defense Health Agency, who shall be an ex officio member;''.

(b) RULE OF CONSTRUCTION.—The amendments made by this section may not be construed to invalidate any action taken by the Uniformed Services University of the Health Sciences or its Board of Regents prior to the effective date of this section.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2021.

SEC. 743. MILITARY HEALTH SYSTEM CLINICAL QUALITY MANAGEMENT PROGRAM.

(a) IN GENERAL.—The Secretary of Defense, acting through the Director of the Defense Health Agency, shall implement a comprehensive program to be known as the ''Military Health System Clinical Quality Management Program'' (in this section referred to as the ''Program'').

(b) ELEMENTS OF PROGRAM.—The Program shall include, at a minimum, the following:

(1) The implementation of systematic procedures to eliminate, to the maximum extent feasible, risk of harm to patients at military medical treatment facilities, including through identification, investigation, and analysis of events indicating a risk of patient harm and corrective action plans to mitigate such risks.

(2) With respect to a potentially compensable event (including those involving members of the Armed Forces) at a military medical treatment facility—

(A) an analysis of such event, which shall occur and be documented as soon as possible after the event;

(B) use of such analysis for clinical quality management; and

(C) reporting of such event to the National Practitioner Data Bank in accordance with guidelines of the Secretary of Health and Human Services under the Health Care Quality Improvement Act of 1986 (42 U.S.C. 11101 et seq.), giving special emphasis to the results of external peer reviews of the event.

(3) Validation of provider credentials and granting of clinical privileges by the Director of the Defense Health Agency for all health care providers at a military medical treatment facility.

(4) Accreditation of military medical treatment facilities by a recognized external accreditation body.

(5) Systematic measurement of indicators of health care quality, emphasizing clinical outcome measures, comparison of such indicators with benchmarks from leading health care quality improvement organizations, and transparency with the public of appropriate clinical measurements for military medical treatment facilities.

(6) Systematic activities emphasized by leadership at all organizational levels to use all elements of the Program to eliminate unwanted variance throughout the health care system of the Department of Defense and make constant improvements in clinical quality.

(7) A full range of procedures for productive communication between patients and health care providers regarding actual or perceived adverse clinical events at military medical treatment facilities, including procedures—

(A) for full disclosure of such events (respecting the confidentiality of peer review information under a medical quality assurance program under section 1102 of title 10, United States Code);

(B) providing an opportunity for the patient to be heard in relation to quality reviews; and

(C) to resolve patient concerns by independent, neutral healthcare resolution specialists.

(c) ADDITIONAL CLINICAL QUALITY MANAGEMENT ACTIVITIES.—

(1) IN GENERAL.—In addition to the elements of the Program set forth in subsection (b), the Secretary shall establish and maintain clinical quality management activities in relation to functions of the health care system of the Department separate from delivery of health care services in military medical treatment facilities.

(2) HEALTH CARE DELIVERY OUTSIDE MILITARY MEDICAL TREATMENT FACILITIES.—In carrying out paragraph (1), the Secretary shall maintain policies and procedures to promote clinical quality in health care delivery on ships and planes, in deployed settings, and in all other circumstances not covered by subsection (b), with the objective of implementing standards and procedures comparable, to the extent practicable, to those under such subsection.

(3) PURCHASED CARE SYSTEM.—In carrying out paragraph (1), the Secretary shall maintain policies and procedures for health care services provided outside the Department but paid for by the Department, reflecting best practices by public and private health care reimbursement and management systems.

(d) MILITARY MEDICAL TREATMENT FACILITY DEFINED.—In this section, the term ''military medical treatment facility'' means any fixed facility or portion thereof of the Department of Defense that is outside of a deployed environment and used primarily for health care.

SEC. 744. MODIFICATIONS TO PILOT PROGRAM ON CIVILIAN AND MILITARY PARTNERSHIPS TO ENHANCE INTEROPERABILITY AND MEDICAL SURGE CAPABILITY AND CAPACITY OF NATIONAL DISASTER MEDICAL SYSTEM.

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 September 30, 2021, the Secretary of Defense shall''; and

(B) by striking ''health care organizations, institutions, and entities'' and inserting ''health care organizations, health care institutions, health care entities, academic medical centers of institutions of higher education, and hospitals''; and

(C) by striking ''in the vicinity of major aeromedical and other transport hubs and logistics centers of the Department of Defense'';

(2) by striking subsection (c) and inserting the following new subsections:

''(c) LEAD OFFICIAL FOR DESIGN AND IMPLEMENTATION OF PILOT PROGRAM.—

''(1) IN GENERAL.—The Assistant Secretary of Defense for Health Affairs shall be the

lead official for design and implementation of the pilot program under subsection (a).

''(2) RESOURCES.—The Assistant Secretary of Defense for Health Affairs shall leverage the resources of the Defense Health Agency for execution of the pilot program under subsection (a) and shall coordinate with the Chairman of the Joint Chiefs of Staff throughout the planning and duration of the pilot program.

''(d) LOCATIONS.—

''(1) IN GENERAL.—The Secretary of Defense shall carry out the pilot program under subsection (a) at not fewer than five locations in the United States that are located at or near locations with established expertise in disaster health preparedness and response and trauma care that augment and enhance the effectiveness of the pilot program.

''(2) PHASED SELECTION OF LOCATIONS.—

''(A) INITIAL SELECTION.—Not later than the earlier of the date that is 180 days after the date of the enactment of this Act or March 31, 2021, the Assistant Secretary of Defense for Health Affairs, in consultation with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Transportation, shall select not fewer than two locations at which to carry out the pilot program.

''(B) SUBSEQUENT SELECTION.—Not later than the end of each one-year period following selection of locations under subparagraph (A), the Assistant Secretary of Defense for Health Affairs, in consultation with the Secretary of Veterans Affairs, the Secretary of Health and Human Services, the Secretary of Homeland Security, and the Secretary of Transportation, shall select not fewer than two additional locations at which to carry out the pilot program until not fewer than five locations are selected in total.

''(3) CONSIDERATION AND PRIORITY FOR LOCATIONS.—In selecting locations for the pilot program under subsection (a), the Secretary shall—

''(A) consider—

''(i) the proximity of the location to civilian or military transportation hubs, including airports, railways, interstate highways, or ports;

''(ii) the ability of the location to accept a redistribution of casualties during times of war;

''(iii) the ability of the location to provide trauma care training opportunities for medical personnel of the Department of Defense; and

''(iv) the proximity of the location to existing academic medical centers of institutions of higher education, facilities of the Department, or other institutions that have established expertise in the areas of—

''(I) highly infectious disease;

''(II) biocontainment;

''(III) quarantine;

''(IV) trauma care;

''(V) combat casualty care;

''(VI) the National Disaster Medical System under section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11);

''(VII) disaster health preparedness and response;

''(VIII) medical and public health management of biological, chemical, radiological, or nuclear hazards; or

''(IX) such other areas of expertise as the Secretary considers appropriate; and

''(B) give priority to public-private partnerships with academic medical centers of institutions of higher education, hospitals, and other entities with facilities that have an established history of providing clinical care, treatment, training, and research in the areas described in subparagraph (A)(ii) or other specializations determined important by the Secretary for purposes of the pilot program.'';

(3) by redesignating subsections (d) through (f) as subsections (e) through (g), respectively;

(4) in subsection (g), as redesignated by paragraph (3)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''the commencement of the pilot program under subsection (a)'' and inserting ''the initial selection of locations for the pilot program under subsection (d)(2)(A)''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''subsection (d)'' and inserting ''subsection (e)'';

(II) in clause (iii), by striking ''subsection (e)'' and inserting ''subsection (f)''; and

(B) in paragraph (2)(B)(iv), by striking ''the authority for''; and

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

''(h) INSTITUTION OF HIGHER EDUCATION DEFINED.—In this section, the term 'institution of higher education' means a four-year institution of higher education, as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).''.

SEC. 745. STUDY ON FORCE MIX OPTIONS AND SERVICE MODELS TO ENHANCE READINESS OF MEDICAL FORCE OF THE ARMED FORCES TO PROVIDE COMBAT CASUALTY CARE.

(a) STUDY REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into an agreement with a federally funded research and development center or other independent entity to perform a study on force mix options and service models (including traditional and nontraditional active and reserve models) to optimize the readiness of the medical force of the Armed Forces to deliver combat care on the battlefield.

(b) ISSUES TO BE ADDRESSED.—The study required by subsection (a) shall include, at a minimum—

(1) with respect to options relating to members of the Armed Forces on active duty—

(A) a review of existing models for such members who are medical professionals to support clinical readiness skills by serving in civilian trauma centers;

(B) an assessment of the extent to which existing models can be optimized, standardized, and scaled to address current readiness shortfalls; and

(C) an evaluation of the cost and effectiveness of alternative models for such members who are medical professionals to serve in civilian trauma centers; and

(2) with respect to options relating to members of the reserve components of the Armed Forces—

(A) a review of existing models for such members of the reserve components who are medical professionals to support clinical readiness skills by serving in civilian trauma centers;

(B) an assessment of the extent to which existing models can be optimized, standardized, and scaled to address current readiness shortfalls; and

(C) an evaluation of the cost and effectiveness of alternative models for such members of the reserve components who are medical professionals to serve in civilian trauma centers.

(c) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings and recommendations of the independent study required by subsection (a).

SEC. 746. COMPTROLLER GENERAL STUDY ON DELIVERY OF MENTAL HEALTH SERVICES TO MEMBERS OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the delivery of Federal, State, and private mental health services to members of the reserve components.

(b) ELEMENTS.—The study conducted under subsection (a) shall—

(1) identify all programs, coverage, and costs associated with services described in such subsection;

(2) specify gaps or barriers to access that could result in delayed or insufficient mental health care support to members of the reserve components.

(3) evaluate the mental health screening requirements for members of the reserve components immediately before, during, and after—

(A) Federal deployment under title 10, United States Code; or

(B) State deployment under title 32, United States Code; and

(4) provide recommendations when practicable to strengthen the reintegration of members of the reserve components, including an assessment of the effectiveness of making programming mandatory.

(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the study conducted under subsection (a).

(d) RESERVE COMPONENT DEFINED.—In this section, the term ''reserve component'' means a reserve component of the Armed Forces named in section 10101 of title 10, United States Code.

SEC. 747. 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.

SEC. 748. 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) ELIGIBLE INDIVIDUAL.—The term ''eligible individual'' means a member of the Armed Forces or a family member of a member of the Armed Forces who has resided in an unsafe or unhealthy housing unit.

(2) PRIVATIZED MILITARY HOUSING.—The term ''privatized military housing'' means military housing provided under subchapter IV of chapter 169 of title 10, United States Code.

(3) UNSAFE OR UNHEALTHY HOUSING UNIT.—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. 749. COMPTROLLER GENERAL STUDY ON PRENATAL AND POSTPARTUM MENTAL HEALTH CONDITIONS AMONG MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study on prenatal and postpartum mental health conditions among members of the Armed Forces and dependents of such members.

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

(A) An assessment of the extent to which beneficiaries under the TRICARE program, including members of the Armed Forces and dependents of such members, are diagnosed with prenatal or postpartum mental health conditions, including—

(i) prenatal or postpartum depression;

(ii) prenatal or postpartum anxiety disorder;

(iii) prenatal or postpartum obsessive compulsive disorder;

(iv) prenatal or postpartum psychosis; and

(v) other relevant mood disorders.

(B) A demographic assessment of the population included in the study with respect to race, ethnicity, sex, age, relationship status, military service, military occupation, and rank, where applicable.

(C) An assessment of the status of prenatal and postpartum mental health care for beneficiaries under the TRICARE program, including those who seek care at military medical treatment facilities and those who rely on civilian providers.

(D) An assessment of the ease or delay for beneficiaries under the TRICARE program in obtaining treatment for prenatal and postpartum mental health conditions, including—

(i) an assessment of wait times for mental health treatment at each military medical treatment facility; and

(ii) a description of the reasons such beneficiaries may cease seeking such treatment.

(E) A comparison of the rates of prenatal or postpartum mental health conditions within the military community to such rates in the civilian population, as reported by the Centers for Disease Control and Prevention.

(F) An assessment of any effects of implicit or explicit bias in prenatal and postpartum mental health care under the TRICARE program, or evidence of racial or socioeconomic barriers to such care.

(b) REPORT.—Not later than one year after the date of the enactment of this Act, the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the study conducted under subsection (a), including—

(1) recommendations for actions to be taken by the Secretary of Defense to improve prenatal and postpartum mental health among members of the Armed Forces and dependents of such members; and

(2) such other recommendations as the Comptroller General determines appropriate.

(c) DEFINITIONS.—In this section, the terms ''dependent'' and ''TRICARE program'' have the meanings given those terms in section 1072 of title 10, United States Code.

SEC. 750. PLAN FOR EVALUATION OF FLEXIBLE SPENDING ACCOUNT OPTIONS FOR MEMBERS OF THE UNIFORMED SERVICES AND THEIR FAMILIES.

(a) IN GENERAL.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a plan to evaluate flexible spending account options that allow pre-tax payment of health and dental insurance premiums, out-of-pocket health care expenses, and dependent care expenses for members of the uniformed services and their family members, including an identification of any legislative or administrative barriers to achieving the implementation of such options.

(b) UNIFORMED SERVICES DEFINED.—In this section, the term ''uniformed services'' has the meaning given that term in section 101 of title 37, United States Code.

SEC. 751. ASSESSMENT OF RECEIPT BY CIVILIANS OF EMERGENCY MEDICAL TREATMENT AT MILITARY MEDICAL TREATMENT FACILITIES.

(a) ASSESSMENT.—Not later than one year after the date of the enactment of this Act, the Comptroller General of the United States shall complete an assessment of the provision by the Department of Defense of emergency medical treatment to civilians who are not covered beneficiaries at military medical treatment facilities during the period beginning on October 1, 2015, and ending on September 30, 2020.

(b) ELEMENTS OF ASSESSMENT.—The assessment completed under subsection (a) shall include, with respect to civilians who received emergency medical treatment at a military medical treatment facility during the period specified in such paragraph, the following:

(1) The total fees charged to such civilians for such treatment and the total fees collected.

(2) The amount of medical debt from such treatment that was garnished from such civilians, categorized by garnishment from Social Security benefits, tax refunds, wages, or other financial asset.

(3) The number of such civilians from whom medical debt from such treatment was garnished.

(4) The total fees for such treatment that were waived for such civilians.

(5) With respect to medical debt incurred by such civilians from such treatment—

(A) the amount of such debt that was collected by the Department of Defense;

(B) the amount of such debt still owed to the Department; and

(C) the amount of debt transferred from the Department of Defense to the Department of the Treasury for collection.

(6) The number of such civilians from whom such medical debt was collected who did not possess medical insurance at the time of such treatment.

(7) The number of such civilians from whom such medical debt was collected who collected Social Security benefits at the time of such treatment.

(8) The number of such civilians from whom such medical debt was collected who, at the time of such treatment, earned—

(A) less than the poverty line;

(B) less than 200 percent of the poverty line;

(C) less than 300 percent of the poverty line; and

(D) less than 400 percent of the poverty line.

(9) An assessment of the process through which military medical treatment facilities seek to recover unpaid medical debt from such civilians, including whether the Department of Defense contracts with private debt collectors to recover such unpaid medical debt.

(10) An assessment of the process, if any, through which such civilians can apply to have medical debt for such treatment waived, forgiven, canceled, or otherwise determined to not be a financial obligation of the civilian.

(11) Such other information as the Comptroller General determines appropriate.

(c) REPORT.—Not later than 180 days after the completion of the assessment under subsection (a), the Comptroller General shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the assessment.

(d) DEFINITIONS.—In this section:

(1) CIVILIAN.—The term ''civilian'' means an individual who is not—

(A) a member of the Armed Forces;

(B) a contractor of the Department of Defense; or

(C) a civilian employee of the Department.

(2) COVERED BENEFICIARY.—The term ''covered beneficiary'' has the meaning given that term in section 1072(5) of title 10, United States Code.

(3) POVERTY LINE.—The term ''poverty line'' has the meaning given that term in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902).

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

Subtitle A—Industrial Base Matters

SEC. 801. POLICY RECOMMENDATIONS FOR IMPLEMENTATION OF EXECUTIVE ORDER 13806 (ASSESSING AND STRENGTHENING THE MANUFACTURING AND DEFENSE INDUSTRIAL BASE AND SUPPLY CHAIN RESILIENCY).

(a) SUBMISSION OF RECOMMENDATIONS TO SECRETARY OF DEFENSE.—In order to fully implement the July 21, 2017, Presidential Executive Order on Assessing and Strengthening the Manufacturing and Defense Industrial Base and Supply Chain Resiliency of the United States, not later than 540 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the Secretary of Defense a series of recommendations regarding United States industrial policies. The recommendations shall consist of specific executive actions, programmatic changes, regulatory changes, and legislative proposals and changes, as appropriate.

(b) SCOPE OF ASSESSMENT.—In developing the recommendations required under subsection (a), the Under Secretary shall assess—

(1) direct subsidies and investment in the economy;

(2) direct provision of credit and purchases of private sector bonds and equity;

(3) prize-based technology challenges for critical research and development milestones;

(4) capital controls and dollar policy;

(5) trade policy, including export control policy, government acquisition policy, and targeted protectionist policies;

(6) export promotion policies;

(7) foreign talent attraction and retention;

(8) graduate education policy; and

(9) expansion of existing or establishment of new public-private partnerships, including the Trusted Capital Marketplace.

(c) OBJECTIVES.—The recommendations made pursuant to subsection (a) shall aim to—

(1) facilitate only high-value design, engineering, and manufacturing activities;

(2) expand the defense industrial base to include friendly and capable allies and partners;

(3) preserve the viability of domestic and international suppliers;

(4) include export and productivity incentives;

(5) accord with standing international trade law; and

(6) strengthen the domestic national security industrial base, especially in areas currently dependent on foreign suppliers.

(d) CONSULTATION.—In assessing the areas specified in subsection (b) and developing the recommendations required under subsection (a), the Under Secretary shall consult or inaugurate studies with, as appropriate, the Joint Industrial Base Working Group, the Defense Science Board, the Defense Innovation Board, economists, commercial industry, and federally funded research and development centers.

(e) SUBMISSION OF RECOMMENDATIONS TO PRESIDENT.—Not later than 30 days after receiving the recommendations under subsection (a), the Secretary of Defense shall submit the recommendations, together with any additional views or recommendations, to the President, the Office of Management and Budget, the National Security Council, and the National Economic Council.

(f) SUBMISSION OF RECOMMENDATIONS TO CONGRESS.—Not later than 30 days after submitting the recommendations to the President under section (e), the Secretary of Defense shall submit the recommendations to and brief the congressional defense committees on the recommendations.

SEC. 802. ASSESSMENT OF NATIONAL SECURITY INNOVATION BASE.

(a) IN GENERAL.—Not later than 540 days after the date of the enactment of this Act, the Deputy Secretary of Defense shall submit to the Secretary of Defense an assessment of the economic forces and structures shaping the capacity of the national security innovation base and policy recommendations pertaining to the outcome of such assessment.

(b) ELEMENTS.—The assessment required under subsection (a) shall review the following matters as they pertain to the innovative and manufacturing capacity of the national security innovation base:

(1) Competition and antitrust policy.

(2) Immigration policy, including the policies germane to the attraction and retention of skilled immigrants.

(3) Graduate education funding and policy.

(4) Demand stabilization and social safety net policies.

(5) The structure and incentives of financial markets and businesses' access to credit.

(6) Trade policy, including export control policy.

(7) The tax code and its effect on investment, including the Federal research and development tax credit.

(8) Deregulation in critical economic sectors, land use, environment review, and construction and manufacturing activities.

(9) National economic and manufacturing infrastructure.

(10) Intellectual property reform.

(11) Federally funded investments in the economy, including research and development and advanced manufacturing.

(12) Federally funded procurement of goods and services.

(13) Federally funded investments to expand domestic manufacturing capabilities.

(c) ENGAGEMENT WITH CERTAIN ENTITIES.—In conducting the assessment required under subsection (a), the Deputy Secretary shall engage through appropriate mechanisms with the Defense Science Board, the Defense Innovation Board, the Defense Business Board, academic experts, commercial industry, and federally funded research and development centers.

(d) SUBMISSION OF ASSESSMENT.—Not later than 30 days after receiving the assessment and recommendations under subsection (a), the Secretary of Defense shall submit the assessment, together with recommendations and any additional views of the Secretary, to the President, the Office of Management and Budget, the National Security Council, the National Economic Council, and the congressional defense committees.

SEC. 803. IMPROVING IMPLEMENTATION OF POLICY PERTAINING TO THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(a) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE IMPLEMENTATION.—

(1) ASSESSMENT OF RESEARCH AND DEVELOPMENT, MANUFACTURING, AND PRODUCTION CAPABILITIES.—

(A) IN GENERAL.—In developing the strategy required by section 2501 of title 10, United States Code, carrying out the analysis of the national technology and industrial base required by section 2503 of such title, and performing the periodic assessments required under section 2505 of such title, the Secretary of Defense shall, in consultation with the Under Secretary of Defense for Acquisition and Sustainment and the Under Secretary of Research and Engineering, assess the research and development, manufacturing, and production capabilities of entities within the United States and non-United States members of the national technology and industrial base as well as other friendly nations.

(B) IDENTIFICATION OF SPECIFIC TECHNOLOGIES, COMPANIES, LABORATORIES, AND FACTORIES.—The assessment shall include identification of specific technologies, companies, laboratories, and factories of or located in the United States and the non-United States members of the national technology and industrial base of potential value to current and future Department of Defense plans and programs.

(2) POLICY AND GUIDANCE.—Consistent with section 2440 of title 10, United States Code, the Under Secretary of Defense for Acquisition and Sustainment shall develop and promulgate to the service and command acquisition executives, the heads of the appropriate defense agencies and field activities, and relevant program managers acquisition policy and guidance germane to the use of the research and development, manufacturing, and production capabilities identified pursuant to paragraph (1)(B) and the technologies, companies, laboratories, and factories in specific Department of Defense research and development, international cooperative research, procurement, and sustainment activities.

(b) COOPERATIVE RESEARCH AND DEVELOPMENT.—

(1) AUTHORITY TO ENTER INTO COOPERATIVE RESEARCH AND DEVELOPMENT PROJECTS WITH

NATIONS IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—Section 2350a(a)(2) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(F) A nation in the National Technology and Industrial Base, as defined by section 2500 of title 10, United States Code.''.

(2) REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to conform with subparagraph (F) of section 2350a(a)(2) of title 10, United States Code, as added by paragraph (1).

(c) REGULATORY COUNCIL.—Section 2502 of title 10, United States Code, is amended by inserting after subsection (d) the following new subsection:

''(e) NATIONAL TECHNOLOGY AND INDUSTRIAL BASE REGULATORY COUNCIL.—

''(1) ESTABLISHMENT.—The Chairman of the National Defense Technology and Industrial Base Council shall work with the equivalent designees in the countries that comprise the national technology and industrial base to establish the National Technology and Industrial Base Regulatory Council.

''(2) MEETINGS.—The National Technology and Industrial Base Regulatory Council shall meet biannually to harmonize respective policies and regulations, and to propose new legislation and regulations that increase the integration between the policies, persons, and organizations comprising the national technology and industrial base.

''(3) DUTIES.—The National Technology and Industrial Base Regulatory Council shall—

''(A) address and review issues related to industrial security, supply chain security, cybersecurity, regulating foreign direct investment and foreign ownership, control and influence mitigation, market research, technology assessment, and research cooperation within public and private research and development organizations and universities, technology and export control measures, acquisition processes and oversight, and management best practices; and

''(B) establish a mechanism for national technology and industrial base members to raise disputes that arise within the national technology and industrial base at a government-to-government level.''.

(d) RECOMMENDATIONS FOR ADDITIONAL MEMBERS OF THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—

(1) IN GENERAL.—The Secretary of Defense shall establish a process to consider the inclusion of additional member nations in the national technology and industrial base.

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

(A) analysis of the national security costs and benefits to the United States and allies of the inclusion of such additional member nation in the national technology and industrial base;

(B) analysis of the economic costs and benefits to entities within the United States and allies of the inclusion of such additional member nation into the national technology and industrial base, including an assessment of—

(i) specific shortfalls in the technological and industrial capacities of current member nations of the national technology and industrial base that would be addressed by inclusion of such additional member nation; and

(ii) specific areas in the industrial bases of current member nations of the national technology and industrial base that would likely be impacted by additional competition if such additional nation were included in the national technology and industrial base; and

(C) analysis of other factors as determined relevant by the Secretary.

(3) RECOMMENDED LEGISLATION.—

(A) IN GENERAL.—The Secretary of Defense may submit legislative proposals to Congress to add new nations to the national technology and industrial base.

(B) ELEMENTS.—Proposals submitted pursuant to subparagraph (A) shall include the following elements:

(i) A summary of the analyses performed pursuant to subsection (d)(2).

(ii) A set of metrics to assess the national security and economic benefits that such inclusion is expected to accrue to entities within the United States and allied nations.

(4) REPORT.—Not later than 540 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report with recommendations regarding whether to include in the national technology and industrial base each country with which the United States maintains a mutual defense treaty, a reciprocal defense procurement agreement, or other defense cooperation agreement. The report shall be based on assessments conducted using the process established under paragraph (1) and shall include, for each country recommended for inclusion, the information specified in paragraph (3)(B).

SEC. 804. MODIFICATION OF FRAMEWORK FOR MODERNIZING ACQUISITION PROCESSES TO ENSURE INTEGRITY OF INDUSTRIAL BASE.

Section 2509 of title 10, United States Code, as added by section 845(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is amended—

(1) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by inserting '', such as those identified through the Department of Defense's supply chain risk management process and by the Federal Acquisition Security Council, and'' after ''supply chain risks''; and

(ii) in clause (ii), by striking ''(other than optical transmission components)'';

(B) in subparagraph (C)—

(i) in clause (x), by striking ''; and'' and inserting a semicolon;

(ii) by redesignating clause (xi) as clause (xii); and

(iii) by inserting after clause (x) the following new clause:

''(xi) processes and procedures related to supply chain risk management, including those implemented pursuant to section 806 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2304 note); and''; and

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

''(E) Characterization and assessment of industrial base support policies, programs, and procedures, including—

''(i) limitations and acquisition guidance relevant to the national technology and industrial base (as defined in section 2500(1) of this title);

''(ii) limitations and acquisition guidance relevant to section 2533a of this title;

''(iii) the Industrial Base Analysis and Sustainment program, including direct support and common design activities;

''(iv) the Small Business Innovation Research program;

''(v) the Department of Defense Manufacturing Technology program;

''(vi) programs related to the Defense Production Act of 1950 (50 U.S.C. 4511 et seq.);

''(vii) the Trusted Capital Marketplace program; and

''(viii) programs in the military services.''; and

(2) in subsection (f)(2), by inserting '', and supporting policies, procedures, and guidance'' after ''pursuant to subsection (b)''.

SEC. 805. ASSESSMENTS OF INDUSTRIAL BASE CAPABILITIES AND CAPACITY.

(a) ASSESSMENTS.—The Secretary of Defense shall define intelligence and other information requirements, sources, and organizational responsibilities for assessing foreign adversary technological and industrial bases and conducting comparative analyses of such technological and industrial bases. The requirements, sources, and responsibilities shall include—

(1) examining the competitive advantages foreign adversaries are pursuing, including with respect to regulation, raw materials, educational capacity, labor, and capital accessibility;

(2) assessing relative cost, speed of product development, age and value of the installed capital base, leadership's technical competence and agility, nationally imposed inhibiting conditions, the availability of human and material resources, and the burdens of government oversight;

(3) a temporal evaluation of the competitive strengths and weaknesses of United States industry versus the directed priorities and capabilities of foreign adversary governments; and

(4) assessing any other issues that the Secretary of Defense determines appropriate.

(b) METHODOLOGY.—The Deputy Assistant Secretary of Defense for Industrial Policy shall incorporate inputs pursuant to subsection (a) as part of a methodology to continuously assess domestic and foreign industries, markets, and companies of significance to military and industrial advantage to identify supply chain vulnerabilities.

(c) REPORT.—

(1) IN GENERAL.—Not later than March 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on efforts to establish the continuous assessment activity required under subsections (a) and (b).

(2) ELEMENTS.—The report submitted under paragraph (1) shall include a consideration of whether it would be appropriate to task some of the assessment work to an organization independent of the Department, and any recommendations regarding which organization should perform such work.

SEC. 806. ANALYSES OF CERTAIN MATERIALS AND TECHNOLOGY SECTORS FOR ACTION TO ADDRESS SOURCING AND INDUSTRIAL CAPACITY.

(a) ANALYSES REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, acting through the Undersecretary for Acquisition and Sustainment and other appropriate officials, shall review the materials, processes, and technology sectors under subsection (c) to determine and develop appropriate actions, consistent with the policies, programs, and activities required under chapter 148 of title 10, United States Code, including—

(A) restricting procurement, with appropriate waivers for cost, emergency requirements, and non-availability of suppliers, including restricting procurement to—

(i) suppliers in the United States;

(ii) suppliers in the national technology and industrial base (as defined in section 2500(1) of title 10, United States Code);

(iii) suppliers in other allied nations; or

(iv) other suppliers;

(B) increasing investment to expand capacity or diversifying sources of supply or alternative approaches to addressing military requirements, through use of research and development or procurement activities and acquisition authorities;

(C) taking a combination of actions described under subparagraphs (A) and (B); or

(D) taking no actions, restrictions, or additional investment.

(2) CONSIDERATIONS.—The analyses conducted pursuant to paragraph (1) shall consider national security, economic, and treaty implications, as well as impacts on current and potential suppliers of goods and services.

(b) RECOMMENDATIONS.—The analyses conducted pursuant to subsection (a) shall be used to inform policy, agreements, guidance and reporting requirements under chapter 148 of title 10, United States Code, including—

(1) the annual report to Congress required under section 2504 of such title;

(2) the annual report on unfunded priorities of the national technology and industrial base required under section 2504a of such title;

(3) Department of Defense technology and industrial base policy guidance prescribed under section 2506 of such title;

(4) activities to modernize acquisition processes to ensure integrity of industrial base pursuant to section 2509 of such title;

(5) defense memoranda of understanding and related agreements considered in accordance with section 2531 of such title;

(6) other requirements as appropriate.

(c) MATERIALS, TECHNOLOGIES, AND PROCESSES OF INTEREST.—The Secretary of Defense shall prioritize undertaking analyses and making recommendations under this section for the following goods and services:

(1) Goods and services covered under existing restrictions, where a domestic non-availability determination has been made.

(2) Critical technologies identified in the National Defense Strategy.

(3) Technologies and sectors identified in reports required regarding the defense industrial base.

(4) Microelectronics.

(5) Printed circuit boards and other electronics components.

(6) Pharmaceuticals.

(7) Medical devices.

(8) Personal protective equipment.

(9) Rare earth materials.

(10) Synthetic graphite.

(11) Coal-based rayon carbon fibers.

SEC. 807. MICROELECTRONICS MANUFACTURING STRATEGY.

(a) IN GENERAL.—Not later than January 1, 2021, the Deputy Secretary of Defense, in consultation with the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary for Research and Engineering, and the Director of the Defense Advanced Research Projects Agency, shall submit to the Secretary of Defense and the Chairman of the Joint Chiefs of Staff a strategy to manufacture state-of-the art integrated circuits in the United States within a period of three to five years that includes a plan to explore and evaluate options for reestablishing microelectronics foundry services and the industrial capabilities associated with such services.

(b) ELEMENTS.—In developing the strategy required under subsection (a), the Under Secretary shall consider—

(1) multiple models of public-private partnerships to execute the strategy;

(2) processes and criteria for competitive selection of commercial companies, including companies headquartered in allied and partner countries, to provide design, foundry and assembly, and packaging services and to build and operate the industrial capabilities associated with such services;

(3) the role that the broader Federal Government should play in organizing and supporting the strategy, including any required direct or indirect funding support, or legislative and regulatory actions, including restricting procurements to domestic sources, and providing anti-trust and export control relief; and

(4) all potential funding sources and mechanisms for initial and sustaining investments.

(c) SUBMISSION OF STRATEGY TO PRESIDENT.—Not later February 1, 2021, the Secretary of Defense shall submit the strategy, together with any views and recommendations, and an estimated budget to implement the strategy, to the President, the National Security Council, and the National Economic Council.

(d) BRIEFING.—Not later than March 1, 2021, the Secretary of Defense shall submit the strategy to and brief the congressional defense committees on the strategy and the Secretary's recommendations.

SEC. 808. ADDITIONAL REQUIREMENTS PERTAINING TO PRINTED CIRCUIT BOARDS.

(a) PURCHASES.—Not later than one year after the date of enactment of this Act, the Secretary of Defense shall require for new contracts or other acquisition activities that contractors, or subcontractors at any tier, that provide covered printed circuit boards for use by the Department of Defense certify that, of the total value of the covered printed circuit boards provided by the contractor or subcontractor pursuant to a contract or subcontract with the Department of Defense, not less than the percentages set forth in subsection (b) were manufactured and assembled within a covered nation.

(b) IMPLEMENTATION.—

(1) ESTABLISHMENT OF REQUIRED PERCENTAGES.—In establishing the certification process under subsection (a), the Secretary shall establish and publish increasing percentages of values of the covered printed circuit boards under subsection (a) to be complied with by appropriate contractors and subcontractors, based on—

(A) assessment of covered nation capacity to supply printed circuit boards, over time;

(B) assessment of threats to national security capabilities from use of printed circuit boards from non-covered nations;

(C) economic benefits accrued by non-covered nations which would otherwise be accrued by covered nations;

(D) achieving a goal of production of 100 percent of manufacture and assembly of printed circuit boards in covered nations within ten years; and

(E) other criteria as determined appropriate.

(2) MINIMUM PERCENTAGES.—The percentages established by the Secretary under this subsection shall, in any case, be equal to or greater than, unless specifically directed by the Secretary for an individual contract or subcontract—

(A) 25 percent by October 1, 2023;

(B) 50 percent by October 1, 2025;

(C) 75 percent by October 1, 2029; and

(D) 100 percent by October 1, 2032.

(3) LIMITED EXCEPTIONS.—If the Secretary of Defense directs that a specific contract or subcontract is required to comply with a different percentage than those prescribed under this subsection, the Secretary shall notify the congressional defense committees not later than 30 days after such direction is issued, along with a rationale for the changed percentage.

(c) REMEDIATION.—In the event that a contractor or subcontractor is unable to complete the certification required under subsection (a), the Secretary may accept covered printed circuit boards from the contractor or subcontractor for an appropriate time period, not to exceed 18 months over a five-year period, 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 to—

(1) audit its supply chain to identify any areas of security vulnerability and compliance with section 224 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 119–92); and

(2) meet the requirements of subsection (a) within in an expedited fashion after the initial missed certification deadline to address national security threats.

(d) WAIVER.—A contractor may request that the Secretary of Defense waive the requirement for certification, and the Secretary may grant such a waiver, if the Secretary has conclusively determined that—

(1) there are no significant national security concerns regarding counterfeiting, quality, or unauthorized access created by any covered printed circuit boards provided to the Department of Defense by the contractor in the fiscal year under the certification requirement or the previous fiscal year;

(2) the contractor is otherwise in compliance with all relevant cybersecurity provisions relating to members of the defense industrial base, including section 244 of the National Defense Authorization Act for Fiscal Year 2020; and

(3) the waiver is required to support national security needs, particularly with respect to acquisitions of commercial items.

(e) AVAILABILITY AND COST EXCEPTIONS.—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 nations at reasonable cost, excluding comparisons with non-market economies, or in time to meet an operational requirement.

(f) DEFINITIONS.—In this section—

(1) the term ''covered printed circuit board'' means any printed circuit board that is a—

(A) noncommercial item; or

(B) commercial or commercially available off-the-shelf item that transmits or stores national security sensitive information for—

(i) telecommunications;

(ii) data communications;

(iii) data storage;

(iv) medical applications;

(v) networking;

(vi) fifth-generation cellular communications;

(vii) computing;

(viii) radar;

(ix) munitions; or

(x) any other system that the Secretary of Defense determines should be covered under this section; and

(2) the term ''covered nation'' means—

(A) the United States;

(B) a member nation of the national technology and industrial base under section 2500 of title 10, United States Code; or

(C) a nation that has agreed, in compliance with section 36 of the Arms Export Control Act (22 U.S.C. 2776) and section 2457 of title 10, United States Code—

(i) to comply with agreements with foreign governments requiring the United States to purchase supplies from foreign sources for the purposes of offsetting sales made by the United States Government or United States firms under approved programs serving defense requirements; or

(ii) along with the United States Government, to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country; or

(D) any country, other than the People's Republic of China, the Russian Federation, Iran, or the Democratic People's Republic of Korea, that the Secretary designates, upon a determination to be published in the Federal Register, that accepting covered printed circuit boards from which—

(i) is in the national security interests of the United States; and

(ii) does not pose a significant risk to national security systems.

(g) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit the Department of Defense from entering into a contract with an entity that connects to the facilities of a third party, for the purposes of backhaul, roaming, or interconnection arrangements, on the basis of the third party's noncompliance with the provisions of this section.

SEC. 809. STATEMENT OF POLICY WITH RESPECT TO SUPPLY OF STRATEGIC MINERALS AND METALS FOR DEPARTMENT OF DEFENSE PURPOSES.

(a) STATEMENT OF POLICY.—It is the policy of the United States that the Department of Defense shall pursue the following goals:

(1) Ensure, by 2030, secure sources of supply of strategic minerals and metals that will—

(A) fully meet the demands of the domestic defense industrial base;

(B) eliminate the dependence of the United States on unsecure sources of supply of strategic minerals and metals; and

(C) ensure that the Department of Defense is not reliant upon unsecure sources of supply for the processing or manufacturing of any strategic mineral and metal deemed essential to national security by the Secretary of Defense.

(2) Provide incentives for the defense industrial base to develop robust processing and manufacturing capabilities in the United States to refine strategic minerals and metals for Department of Defense purposes.

(3) Maintain secure sources of supply of strategic minerals and metals required to maintain current military requirements in the event that international supply chains are disrupted.

(4) Achieve the goals described in paragraphs (1) through (3) through, among other methods—

(A) the continued and expanded use of existing programs, such as the National Defense Stockpile administered by the Defense Logistics Agency; and

(B) the continued use of authorities under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.).

(b) STRATEGIC MINERALS AND METALS.—For purposes of this section, strategic minerals and metals include critical minerals, as defined pursuant to Executive Order 13817.

SEC. 810. REPORT ON STRATEGIC AND CRITICAL MINERALS AND METALS.

(a) REPORT REQUIRED.—Not later than June 30, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of a study, conducted for purposes of this section, concerning strategic and critical minerals and metals and vulnerabilities in supply chains of such minerals and metals.

(b) STRATEGIC AND CRITICAL MINERALS AND METALS.—For purposes of this section, strategic and critical minerals and metals are minerals and metals, including rare earth elements, that are necessary to meet national defense and national security requirements, including supply chain resiliency, and for the economic security of the United States.

(c) ELEMENTS.—The study required for purposes of the report under subsection (a) shall do the following:

(1) Identify the strategic and critical minerals and metals that are currently utilized by the Department of Defense.

(2) To the extent practicable, identify the overall annual tonnage of each strategic or critical mineral or metal identified pursuant to paragraph (1) that was utilized by the Department during the 10-year period ending on December 31, 2020.

(3) Identify domestic and international sources for the strategic and critical minerals and metals identified pursuant to paragraph (1).

(4) Identify risks to access to the strategic and critical minerals and metals identified pursuant to paragraph (1) from supply chain disruptions due to geopolitical, economic, and other vulnerabilities.

(5) Evaluate the benefits of a robust domestic supply chain for providing strategic and critical minerals and metals to Department manufacturing supply chains in real time.

(6) Evaluate the effects of the use of waivers by the Department of Defense Strategic Materials Protection Board on the domestic supply of strategic and critical minerals and metals.

(7) Recommend policies and procedures for the Department to ensure a capability to secure strategic and critical minerals and metals necessary for emerging technologies such as anti-microbial products, minerals, and metals for use in medical equipment among other technologies.

(8) Identify improvements required to the National Defense Stockpile in order to ensure the Department has access to the strategic and critical minerals and metals identified pursuant to paragraph (1).

(9) Evaluate the domestic processing and manufacturing capacity needed to supply the Department with the strategic and critical minerals and metals identified pursuant to paragraph (1) in an economic and secure manner.

(10) In consultation with the United States Geological Survey, identify domestic locations already verified to contain large supplies of strategic and critical minerals and metals identified pursuant to paragraph (1) with existing commercial manufacturing interest.

(11) Address any other matter relating to strategic and critical minerals and metals that the Secretary considers appropriate.

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

SEC. 811. STABILIZATION OF SHIPBUILDING INDUSTRIAL BASE WORKFORCE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Department of the Navy must explore and identify solutions, in consultation with the Department of Labor, to enhance shipbuilding workforce stability and ensure industry preparedness to construct the 355-ship fleet.

(b) WORKING GROUP TO STABILIZE SHIPBUILDING INDUSTRIAL BASE WORKFORCE.—

(1) IN GENERAL.—The Secretary of the Navy shall form a working group with the Secretary of Labor for the purpose of enhancing integration of programs, resources, and expertise to strengthen the shipbuilding industrial base, as well as to provide recommendations to Congress, to better stabilize the shipbuilding industrial base workforce and determine appropriate solutions for workforce fluctuations.

(2) DUTIES.—The working group shall carry out the following activities related to the ongoing challenges with workforce stability:

(A) Analyze existing Department of the Navy contracts with the shipbuilding industry and other relevant information to better anticipate future employment trends and tailor workforce resources and opportunities for workers most vulnerable to upcoming workforce fluctuations.

(B) Identify existing Department of Labor programs for unemployed, underemployed, and furloughed employees that could benefit the shipbuilding industrial base workforce during times of workload fluctuations and workforce instability, and explore potential partnerships to connect employees with appropriate resources.

(C) Explore possible cost sharing agreements to enable the Department of the Navy to contribute funding to existing Department of Labor workforce programs to support the shipbuilding workforce.

(D) Examine possible programs that will specifically assist furloughed employees who may sporadically rely on unemployment benefits.

(E) Explore opportunities for unemployed, underemployed, or furloughed employees to provide workforce training through temporary partnerships with States, technical schools, community colleges, and other local workforce development opportunities.

(F) Review existing training programs for the shipbuilding workforce to maximize relevant and necessary training opportunities that would broaden employee skillset during times of unemployment, underemployment, or furlough, where applicable.

(G) Assess the possibility of shipbuilding worker support programs to weather a period of unemployment, underemployment, or furlough, including compensation options, alternative employment, temporary stipends, or other worker support opportunities.

(H) Study cross-State credentialing requirements and identify any restrictions that inhibit the flexibility of the shipbuilding workforce to seek employment opportunities across State lines, and make recommendations to streamline licensing, credentialing, certification, and qualification requirements within the shipbuilding industry.

(I) Review additional or new contracting authorities that could enable the Department of the Navy to award short-term, flexible contracts that will prioritize work for unemployed, underemployed, or furloughed employees within the shipbuilding workforce.

(J) Identify specific workforce support programs to support suppliers of all sizes within the shipbuilding industrial base, and assess any additional support from prime contractors that would improve the stability of such suppliers.

(K) Assess whether greater collaboration with the United States Coast Guard and its shipbuilding contractors and subcontractors would improve workforce stability by assessing a totality of shipbuilding demands.

(L) Consider potential pilot programs that will specifically address shipbuilding industrial base workforce stability.

(M) Explore any additional opportunities to invest in recruiting, retaining, and training a skilled shipbuilding workforce.

(N) Consider and incorporate the findings and recommendations, as appropriate, of the report on shipbuilder training and the defense industrial base required under section 1037 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(3) NOTIFICATION REQUIREMENT REGARDING ESTABLISHMENT AND STRUCTURE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy, in coordination with the Secretary of Labor, shall notify the congressional defense committees regarding the membership and structure of the working group.

(4) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of the Navy, in consultation with the Secretary of Labor, shall submit to the congressional defense committees, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Education and Labor of the House of Representatives a report with the findings and recommendations of the working group.

SEC. 812. MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

Section 2534 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking paragraphs (2) through (5);

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

''(2) COMPONENTS FOR NAVAL VESSELS.—

''(A) Vessel propellers with a diameter of six feet or more.

''(B) The following components of vessels, to the extent they are unique to marine applications: gyrocompasses, electronic navigation chart systems, steering controls, propulsion and machinery control systems, and totally enclosed lifeboats.'';

(C) by redesignating paragraph (6) as paragraph (3); and

(D) in paragraph (3), as redesignated by subparagraph (C), by striking ''(k)'' and inserting ''(j)'';

(2) in subsection (b)—

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

(B) in paragraph (2), as redesignated by subparagraph (A), by striking ''subsection (a)(3)(A)(iii)'' and inserting ''subsection (a)(2)(A)'';

(3) in subsection (c)—

(A) by striking ''ITEMS.'' and all that follows through ''Subsection (a) does not apply'' in paragraph (1) and inserting ''ITEMS.—Subsection (a) does not apply''; and

(B) by striking paragraphs (2) though (5);

(4) in subsection (g)—

(A) by striking ''(1) This section'' and inserting ''This section''; and

(B) by striking paragraph (2);

(5) in subsection (h), by striking ''subsection (a)(3)(B)'' and inserting ''subsection (a)(2)(B)'';

(6) in subsection (i)(3), by striking ''Acquisition, Technology, and Logistics'' and inserting ''Acquisition and Sustainment'';

(7) by striking subsection (j); and

(8) by redesignating the first subsection designated subsection (k) as subsection (j).

SEC. 813. USE OF DOMESTICALLY SOURCED STAR TRACKERS IN NATIONAL SECURITY SATELLITES.

(a) IN GENERAL.— Except as provided in subsection (a), any acquisition executive of the Department of Defense who approves a contract for a national security satellite after October 1, 2021, shall require any star tracker system included in the design of such national security satellite to be domestically sourced.

(b) EXCEPTIONS.— The application of subsection (a) may be waived if the acquisition executive certifies in writing that—

(1) there is no available domestically sourced star tracker system that meets the national security satellite systems mission and design requirements;

(2) the cost of the available domestically sourced star tracker system is unreasonably priced based on a market survey; or

(3) an urgent and compelling national security need exists to necessitate a foreign-made star tracker.

(c) NATIONAL SECURITY SATELLITE DEFINED.— In this section, ''national security satellite'' is a satellite the principle purpose of which is to support the national security needs of the United States Government.

SEC. 814. MODIFICATION TO SMALL PURCHASE THRESHOLD EXCEPTION TO SOURCING REQUIREMENTS FOR CERTAIN ARTICLES.

Subsection (h) of section 2533a of title 10, United States Code, is amended to read as follows:

''(h) EXCEPTION FOR SMALL PURCHASES.— Subsection (a) does not apply to purchases for amounts not greater than $150,000. A proposed purchase or contract for an amount greater than $150,000 may not be divided into several purchases or contracts for lesser amounts in order to qualify for this exception. On October 1 of each year evenly divisible by 5, the Secretary of Defense may adjust the dollar threshold in this subsection based on changes in the Consumer Price Index. The Secretary shall publish notice of any such adjustment in the Federal Register, and the new price threshold shall take effect on the date of publication.''.

Subtitle B—Acquisition Policy and Management

SEC. 831. REPORT ON ACQUISITION RISK ASSESSMENT AND MITIGATION AS PART OF ADAPTIVE ACQUISITION FRAMEWORK IMPLEMENTATION.

(a) SERVICE ACQUISITION EXECUTIVES INPUT.—The Service Acquisition Executives shall report to the Secretary of Defense, the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Research and Engineering, and the Chief Information Officer of the Department of Defense how they are assessing, mitigating, and reporting on the following risks in acquisition programs:

(1) Technical risks in engineering, software, manufacturing and testing.

(2) Integration and interoperability risks, including complications related to systems working across multiple domains while using machine learning and artificial intelligence capabilities to continuously change and optimize system performance.

(3) Operations and sustainment risks, including as mediated by access to technical data and intellectual property rights.

(4) Workforce and training risks, including consideration of the role of contractors as part of the total workforce.

(5) Supply chain risks, including cybersecurity, foreign control and ownership of key elements of supply chains, and the consequences a fragile and weakening defense industrial base, combined with barriers to industrial cooperation with allies and partners pose for delivering systems and technologies in a trusted and assured manner.

(b) REPORT TO CONGRESS.—Not later than March 31, 2021, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the congressional defense committees a report including—

(1) the input received from the Service Acquisition Executives pursuant to subsection (a); and

(2) the views of the Under Secretary with respect to the matters described in paragraphs (1) through (5) of such subsection.

SEC. 832. COMPTROLLER GENERAL REPORT ON IMPLEMENTATION OF SOFTWARE ACQUISITION REFORMS.

(a) IN GENERAL.—Not later than March 15, 2021, the Comptroller General of the United States shall brief the congressional defense committees on the implementation by the Department of Defense of required acquisition reforms with respect to acquiring software for weapon systems, business systems, and other activities that are part of the defense acquisition system, with a report, or reports, to follow as agreed upon by the committees and the Comptroller General.

(b) ELEMENTS.—The briefing and report, or reports, required under subsection (a) shall include an assessment of the extent to which the Department of Defense has implemented requirements related to the following:

(1) Software acquisition studies and their implementation, including pursuant to section 872 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; Defense Innovation Board analysis of software acquisition regulations), section 868 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; implementation of recommendations of the final report of the Defense Science Board Task Force on the Design and Acquisition of Software for Defense Systems).

(2) Software acquisition activities pursuant to section 2322a of title 10, United States Code (related to consideration of certain maters during the acquisition of noncommercial computer software), section 875 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; pilot program for open source software), and section 800 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92, related to continuous integration and delivery of software applications and upgrades to embedded systems).

(3) Software acquisition pilots, including the pilot program pursuant to section 873 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; relating to the use of agile or iterative development methods to tailor major software-intensive warfighting systems and defense business systems) and the pilot program pursuant to section 874 of such Act (relating to using agile best practices for software development).

(c) ASSESSMENT OF ACQUISITION POLICY, GUIDANCE, AND PRACTICES.—Each report under subsection (a) should include an assessment of the extent to which Department of Defense software acquisition policy, guidance, and practices reflect implementation of relevant recommendations from related studies, pilot programs, and directives from the congressional defense committees.

(d) MODIFICATION OF REQUIREMENTS FOR COMPTROLLER GENERAL ASSESSMENT OF ACQUISITION PROGRAMS AND INITIATIVES.—Section 2229b(b)(2) of title 10, United States Code, is amended by striking ''a summary of organizational and legislative changes and emerging assessment methodologies since the last assessment, and a discussion of the implications'' and inserting ''a discussion of selected organizational, policy, and legislative changes, as determined appropriate by the Comptroller General, and the potential implications''.

(e) DEFENSE ACQUISITION SYSTEM DEFINED.—In this section, the term ''defense acquisition system'' has the meaning given that term in section 2545(2) of title 10, United States Code.

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

SEC. 841. AUTHORITY TO ACQUIRE INNOVATIVE COMMERCIAL PRODUCTS AND SERVICES USING GENERAL SOLICITATION COMPETITIVE PROCEDURES.

(a) AUTHORITY.—

(1) IN GENERAL.—Chapter 140 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2380c. Authority to acquire innovative commercial products and services using general solicitation competitive procedures

''(a) AUTHORITY.—The Secretary of Defense may acquire innovative commercial products and services through a competitive selection of proposals resulting from a general solicitation and the peer review of such proposals.

''(b) TREATMENT AS COMPETITIVE PROCEDURES.—Use of general solicitation competitive procedures under subsection (a) shall be considered to be use of competitive procedures for purposes of chapter 137 of this title.

''(c) LIMITATIONS.—(1) The Secretary may not enter into a contract or agreement in excess of $100,000,000 using the authority under subsection (a) without a written determination from the Under Secretary of Defense for Acquisition and Sustainment or the relevant

service acquisition executive of the efficacy of the effort to meet mission needs of the Department of Defense or the relevant military department.

''(2) Contracts or agreements entered into using the authority under subsection (a) shall be fixed-price, including fixed-price incentive fee contracts.

''(3) Notwithstanding section 2376(1) of this title, products and services acquired using the authority under subsection (a) shall be treated as commercial products and services.

''(d) CONGRESSIONAL NOTIFICATION REQUIRED.—(1) Not later than 45 days after the award of a contract for an amount exceeding $100,000,000 using the authority in subsection (a), the Secretary of Defense shall notify the congressional defense committees of such award.

''(2) Notice of an award under paragraph (1) shall include the following:

''(A) Description of the innovative commercial product or service acquired.

''(B) Description of the requirement, capability gap, or potential technological advancement with respect to which the innovative commercial product or service acquired provides a solution or a potential new capability.

''(C) Amount of the contract awarded.

''(D) Identification of contractor awarded the contract.

''(e) INNOVATIVE DEFINED.—. In this section, the term 'innovative' means—

''(1) any technology, process, or method, including research and development, that is new as of the date of submission of a proposal; or

''(2) any application that is new as of the date of submission of a proposal of a technology, process, or method existing as of such date.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 140 of title 10, United States Code, is amended by inserting after the item relating to section 2380b the following new item:

''2380c. Authority to acquire innovative commercial products and services using general solicitation competitive procedures.''.

(b) REPEAL OF OBSOLETE AUTHORITY.—Section 879 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 2302 note) is hereby repealed.

SEC. 842. TRUTH IN NEGOTIATIONS ACT THRESHOLD FOR DEPARTMENT OF DEFENSE CONTRACTS.

Section 2306a(a)(1) of title 10, United States Code, is amended—

(1) in subparagraph (B), by striking ''contract if'' and all that follows through clause (iii) and inserting ''contract if the price adjustment is expected to exceed $2,000,000.'';

(2) in subparagraph (C), by striking ''section and—'' and all that follows through clause (iii) and inserting ''section and the price of the subcontract is expected to exceed $2,000,000.''; and

(3) in subparagraph (D), by striking ''subcontract if—'' and all that follows through clause (ii) and inserting ''subcontract if the price adjustment is expected to exceed $2,000,000.''.

SEC. 843. REVISION OF PROOF REQUIRED WHEN USING AN EVALUATION FACTOR FOR DEFENSE CONTRACTORS EMPLOYING OR SUBCONTRACTING WITH MEMBERS OF THE SELECTED RESERVE OF THE RESERVE COMPONENTS OF THE ARMED FORCES.

Section 819 of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163; 119 Stat. 3385; 10 U.S.C. 2305 note) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsection (c) as subsection (b).

SEC. 844. CONTRACT AUTHORITY FOR ADVANCED DEVELOPMENT OF INITIAL OR ADDITIONAL PROTOTYPE UNITS.

(a) IN GENERAL.—Section 2302e of title 10, United States Code, is amended—

(1) in the heading, by striking ''**advanced development**'' and inserting ''**development and demonstration**''; and

(2) in subsection (a)(1), by striking ''provision of advanced component development, prototype,'' and inserting ''development and demonstration''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by striking the item relating to section 2302e and inserting the following new item:

''2302e. Contract authority for development and demonstration of initial or additional prototype units.''.

SEC. 845. DEFINITION OF BUSINESS SYSTEM DEFICIENCIES FOR 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) by striking ''significant deficiencies'' both places it appears and inserting ''material weaknesses'';

(2) by striking ''significant deficiency'' each place it appears and inserting ''material weakness''; and

(3) by amending paragraph (4) of subsection (g) to read as follows:

''(4) The term 'material weakness' means a deficiency, or combination of deficiencies, in internal control over risks related to Government contract compliance or other shortcomings in the system, such that there is a reasonable possibility that a material noncompliance will not be prevented, or detected and corrected, on a timely basis. A reasonable possibility exists when the likelihood of an event occurring is either reasonably possible, meaning the chance of the future event occurring is more than remote but less than likely, or is probable.''.

SEC. 846. REPEAL OF PILOT PROGRAM ON PAYMENT OF COSTS FOR DENIED GOVERNMENT ACCOUNTABILITY OFFICE BID PROTESTS.

Section 827 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91) is repealed.

Subtitle D—Provisions Relating to Major Defense Acquisition Programs

SEC. 861. IMPLEMENTATION OF MODULAR OPEN SYSTEMS ARCHITECTURE REQUIREMENTS.

(a) REQUIREMENTS FOR INTERFACE DELIVERY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Joint All Domain Command and Control Cross Functional Team under the supervision of the Department of Defense Chief Information Officer and the Joint Staff Director for Command, Control, Communications, and Computers/Cyber, shall prescribe regulations and issue guidance to the military services, defense agencies and field activities, and combatant commands, as appropriate, in order to—

(A) facilitate the Department of Defense's access to and utilization of system, major subsystem, and major component software-defined interfaces;

(B) fully meet the intent of chapter 144B of title 10, United States Code; and

(C) advance the Department's efforts to generate diverse and recomposable kill chains.

(2) ELEMENTS.—The regulations and guidance required in subsection (a)(1) shall include, at a minimum—

(A) requirements that each relevant program office characterizes the desired modularity of the system for which it is responsible, either, in the case of major defense acquisition programs, in the acquisition strategy required under section 2431a of title 10, United States Code, or, in the case of other programs, via other documentation, including—

(i) specification of which system, major subsystems, and major components should be able to execute without requiring coincident execution of other systems, major subsystems, and major components;

(ii) a default configuration specifying which systems, major subsystems, and major components should communicate with other systems, major subsystems, and major components; and

(iii) specification of what information should be communicated, the method of the communication, and the desired function of the communication;

(B) requirements that relevant Department of Defense contracts include mandates for the delivery of system, major subsystem, and major component software-defined interfaces for systems, major subsystems, and major components deemed relevant in the acquisition strategy or documentation referred to in subsection (a)(2)(a), including—

(i) software-defined interface syntax and properties, specifically governing how values are validly passed and received between major subsystems and components, in machine-readable format;

(ii) a machine-readable definition of the relationship between the delivered interface and existing common standards or interfaces available in the interface repository of subsection (c), if appropriate and available, using interface field transform technology developed under the Defense Advanced Research Projects Agency System of Systems Technology Integration Tool Chain for Heterogeneous Electronic Systems (STITCHES) program or technology that is functionally similar; and

(iii) documentation with functional descriptions of software-defined interfaces, conveying semantic meaning of interface elements, such as the function of a given interface field;

(C) requirements that relevant program offices, including those responsible for maintaining and upgrading legacy systems, that have awarded contracts that do not include the requirements specified in subparagraph (B) of paragraph (2) nevertheless acquire the items specified in clauses (i) through (iii) of such subparagraph, either through contractual updates, separate negotiations or contracts, or program management mechanisms; and

(D) requirements that program offices deliver these interfaces and the associated documentation to the controlled repository established under subsection (c).

(3) APPLICABILITY OF REGULATIONS AND GUIDANCE.—

(A) APPLICABILITY.—The regulations and guidance required under subsection (a)(1) shall apply, at a minimum, to program offices responsible for the prototyping, acquisition, or sustainment of new or existing cyber-physical weapon systems with software-defined interfaces, or with major subsystems or components with software-defined interfaces, developed or to be developed, wholly or in part with Federal funds, including those applicable program offices using other transaction authorities (OTA).

(B) EXTENSION OF SCOPE.—One year after the promulgation of the regulations and guidance required under subsection (a)(1) for cyber-physical systems, the Under Secretary of Defense for Acquisition and Sustainment shall extend the regulations and guidance to

apply to purely software systems, including business systems and cybersecurity systems. The Secretary may make the regulations and guidance applicable, as practicable, to program offices responsible for the acquisition of systems and capabilities under part 12 of the Federal Acquisition Regulation and commercially available off the-the-shelf items.

(C) INCLUSION OF SUBSYSTEMS AND COMPONENTS.—The major subsystems and components covered under paragraph (2)(A) shall include all subsystems and components covered by contract line items.

(b) RIGHTS IN INTERFACE SOFTWARE.—

(1) REGULATIONS.—Not later than one year after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall prescribe regulations to define the legitimate interest of the United States and of a contractor or subcontractor in interface software. The regulations shall be included in regulations of the Department of Defense prescribed as part of the Defense Supplement to the Federal Acquisition Regulation.

(2) LIMITATION ON REGULATIONS.—The regulations prescribed pursuant to paragraph (1) may not—

(A) impair any right of the United States or of any contractor or subcontractor with respect to patents or copyrights or any other right in software otherwise established by law; or

(B) impair the right of a contractor or subcontractor to receive from a third party a fee or royalty for the use of software pertaining to an item or process developed exclusively at private expense by the contractor or subcontractor, except as otherwise specifically provided by law.

(2) ELEMENTS.—Such regulations shall include the following provisions:

(A) In the case of a software interface that is developed by a contractor or subcontractor exclusively with Federal funds (other than an item developed under a contract or subcontract to which regulations under section 9(j)(2) of the Small Business Act (15 U.S.C. 638(j)(2)) apply), the United States shall have the unlimited and non-expiring right to use the software or release or disclose the software to persons outside the government or permit the use of the software by such persons.

(B) In the case of a software interface that is developed in part with Federal funds and in part at private expense and except in any case in which the Secretary of Defense determines that negotiation of different rights in such software would be in the best interest of the United States, the Government—

(i) shall have Government-purpose rights to the software interface, and, in addition, may release or disclose the software interface, or authorize others to do so, if—

(I) prior to release or disclosure, the intended recipient is subject to an exclusive for-Government-use and non-disclosure agreement;

(II) the intended recipient is a Government contractor receiving access to the interface for the performance of a Government contract; and

(III) the intended use is for the purpose of system, major subsystem, and major component segregation, interoperability, integration, or reintegration; and

(ii) may not use, or authorize other persons to use, interface software for commercial purposes.

(C) In the case of a software interface that is developed exclusively at private expense, the Government shall negotiate with the contractor or the subcontractor to best achieve, if practical, Government-purpose rights to the software interface and rights to release or disclose the software interface, or authorize others to do so, if—

(i) prior to release or disclosure, the intended recipient is subject to an exclusive for-Government use and non-disclosure agreement;

(ii) the intended recipient is a Government contractor receiving access to the interface for the performance of a Government contract; and

(iii) the intended use is for the purpose of system, major subsystem, and major component segregation, interoperability, integration and reintegration.

(c) INTERFACE REPOSITORY.—

(1) ESTABLISHMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall establish and maintain, at the appropriate classification level, an interface repository for interfaces, syntax and properties, documentation, and communication implementations delivered pursuant to the requirements established under subsection (a)(2)(B) and shall provide interfaces, access to interfaces, and relevant documentation to the military services, defense agencies and field activities, combatant commands, and contractors, as appropriate, to facilitate system, major subsystem, and major component segregation and reintegration.

(2) DISTRIBUTION OF INTERFACES.—Consistent with section 2320 of title 10, United States Code, and in accordance with subsection (b), the Under Secretary of Defense for Acquisition and Sustainment may distribute interfaces, access to interfaces, and relevant documentation to Government entities and contractors. Any such protected transfer or disclosure by the Government to a recipient is limited to only those data necessary for segregation, interoperability, integration, or reintegration.

(d) SYSTEM OF SYSTEMS INTEGRATION TECHNOLOGY AND EXPERIMENTATION.—

(1) DEMONSTRATIONS AND ASSESSMENT.—No later than one year after the date of the enactment of this Act, the Joint Staff Director for Command, Control, Communications, and Computers/Cyber and Department of Defense Chief Information Officer, through the Joint All Domain Command and Control Cross Functional Team, shall conduct demonstrations and complete an assessment of the technologies developed under the Defense Advanced Research Projects Agency's System of Systems Integration Technology and Experimentation program, including the STITCHES technology, and their applicability to the Joint All-Domain Command and Control architecture. The demonstrations and assessment shall include—

(A) at least three demonstrations of the use of the STITCHES technology to create, under constrained schedules and budgets, novel kill chains involving previously incompatible weapon systems, sensors, and command, control, and communication systems from multiple military services in cooperation with United States Indo-Pacific Command or United States European Command;

(B) an evaluation as to whether the communications enabled via the STITCHES technology are sufficient for military missions and whether the technology results in any substantial performance loss in communication between systems, major subsystems, and major components;

(C) an evaluation as to whether the STITCHES technology obviates the need to develop, impose, and maintain strict adherence to common communication and interface standards for Department of Defense systems;

(D) the appropriate roles and responsibilities of the Department of Defense Chief Information Officer, the Under Secretary of Defense for Acquisition and Sustainment, the geographic combatant commands, the military services, the Defense Advanced Research Projects Agency, and the defense industrial base in using and maintaining the STITCHES technology to generate diverse and recomposable kill chains as part of the Joint All-Domain Command and Control architecture; and

(E) coordination with the program manager for the Time Sensitive Targeting Defeat program under the Under Secretary of Defense for Research and Engineering and the Under Secretary of Defense for Intelligence.

(2) CHIEF INFORMATION OFFICER ASSESSMENT.—The Department of Defense Chief Information Officer shall assess the technologies developed under the Defense Advanced Research Projects Agency's System of Systems Integration Technology and Experimentation program, including the STITCHES interface field transform technology, and their applicability to the Department's business systems and cybersecurity tools. This assessment shall include—

(A) at least two demonstrations of the use of the STITCHES technology in enabling communication between business systems;

(B) in coordination with the Cross Functional Team under the Principal Cyber Adviser and the Integrated Adaptive Cyber Defense program office of the National Security Agency, at least two demonstrations of the use of the STITCHES technology in enabling communication between and orchestration of previously incompatible cybersecurity tools; and

(C) an evaluation as to how the STITCHES technology could be used in concert with or instead of existing cybersecurity standards, frameworks, and technologies designed to enable communication across cybersecurity tools.

(3) SUSTAINMENT OF STITCHES ENGINEERING RESOURCES AND CAPABILITIES DEVELOPED BY DARPA.—To conduct the demonstrations and assessments required under this subsection and to execute the Joint All Domain Command and Control program, the Joint All Domain Command and Control program office shall sustain the STITCHES engineering resources and capabilities developed by the Defense Advanced Research Projects Agency.

(e) TRANSFER OF RESPONSIBILITY FOR STITCHES.—One year after the date of enactment of this Act, the Secretary of Defense may transfer responsibility for maintaining the STITCHES engineering capabilities to a different organization.

(f) DEFINITIONS.—In this section:

(1) DESIRED MODULARITY.—The term ''desired modularity'' means the desired degree to which systems, major constitutive subsystems and components within a system, and major subsystems and components across subsystems can function as modules that can communicate across component boundaries and through interfaces and can be separated and recombined to achieve various effects, missions, or capabilities.

(2) MACHINE-READABLE FORMAT.—The term ''machine-readable format'' means a format that can be easily processed by a computer without human intervention.

SEC. 862. SUSTAINMENT REVIEWS.

(a) ANNUAL SUSTAINMENT REVIEWS.—Section 2441(a) of title 10, United States Code, is amended by inserting ''annually thereafter'' before ''throughout the life cycle of the weapon system''.

(b) SUBMISSION TO CONGRESS OF SUSTAINMENT REVIEWS.—Section 2441 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) SUBMISSION TO CONGRESS OF SUSTAINMENT REVIEWS.—(1) The Secretary of each military department shall submit no fewer than ten sustainment reviews required by this section to the congressional defense

committees annually. The Secretary of each military department shall select the ten reviews from among the systems with the highest independent cost estimates for the remainder of the life cycle of the program.

''(2) The Secretary shall submit the reviews required under paragraph (1) to the congressional defense committees annually not later than 30 days after submission of the President's annual budget request to Congress under section 1105 of title 31. The sustainment reviews shall be posted on a publicly available website maintained by the Director of the Cost Assessment and Program Evaluation office and, for those systems with operating and support cost growth, shall include comments from the military departments regarding actions being taken to reduce the operating and support costs. The reviews may include classified appendices, as appropriate.''.

(c) COMPTROLLER GENERAL STUDY.—Not later than 180 days after the Secretaries of the military departments post the initial sustainment reviews required under paragraph (1) of subsection (d) of section 2441 of title 10, United States Code (as added by subsection (b) of this section) on a publicly available website as required under paragraph (2) of such subsection (d), the Comptroller General of the United States shall assess steps the military departments are taking to quantify and address operating and support cost growth. The assessment shall include—

(1) an evaluation of—

(A) the causes of operating and support cost growth for selected systems covered by the sustainment reviews, as well as any other systems the Comptroller General determines appropriate;

(B) the extent to which the Department has mitigated operating and support cost growth of these systems; and

(C) any other issues related to potential operating and support cost growth the Comptroller General determines appropriate; and

(2) any recommendations of the Comptroller General, including steps the military departments could take to reduce operating and support cost growth for fielded weapon systems, as well as lessons learned to be incorporated in future weapon system acquisitions.

SEC. 863. RECOMMENDATIONS FOR FUTURE DIRECT SELECTIONS.

The Secretary of each military department shall provide to the congressional defense committees in the future-years defense program submitted under section 221 of title 10, United States Code, for fiscal year 2022 a list of at least one acquisition program for which it would be appropriate to have a large number of users provide direct assessment of the outcome of a competitive contract award.

SEC. 864. DISCLOSURES FOR CERTAIN SHIPBUILDING MAJOR DEFENSE ACQUISITION PROGRAM OFFERS.

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2339c. Disclosures for certain shipbuilding major defense acquisition program offers

''(a) GENERAL.—Any covered offeror seeking to be awarded a shipbuilding construction contract as part of a major defense acquisition program with funds from the Shipbuilding and Conversion, Navy account shall disclose with its offer and any subsequent offer revisions, including the final proposal revision offer, whether any part of the offeror's planned contract performance will or is expected to include foreign government subsidized performance, financing, financial guarantees, or tax concessions.

''(b) DISCLOSURE.—An offeror shall make a disclosure required under subsection (a) in a format prescribed by the Secretary of the Navy and shall include therein a specific description of the extent to which the offeror's planned contract performance will include, with or without contingencies, any foreign government subsidized performance, financing, financial guarantees, or tax concessions.

''(c) CONGRESSIONAL NOTIFICATION.—Not later than 5 days after awarding a contract described under subsection (a) to an offeror that made a disclosure under subsection (b), the Secretary of the Navy shall notify the congressional defense committees and summarize such disclosure.

''(d) DEFINITIONS.—In this section:

''(1) COVERED OFFEROR.—The term 'covered offeror' means any offeror that currently requires or may reasonably be expected to require during the period of contract performance a method to mitigate or negate foreign ownership under subsection (f)(6) of part 2004.34 of title 32, Code of Federal Regulations.

''(2) FOREIGN GOVERNMENT SUBSIDIZED PERFORMANCE.—The term 'foreign government subsidized performance' means any financial support, materiel, services, or guarantees of support, services, supply, performance, or intellectual property concessions, that may be provided to or for the offeror or the offeror's Department of Defense customer by a foreign government or entity effectively owned or controlled by a foreign government, which may have the effect of supplementing, supplying, servicing, or reducing the cost or price of an end item, or supporting, financing in whole or in part, or guaranteeing contract performance by the offeror.

''(3) MAJOR DEFENSE ACQUISITION PROGRAM.—The term 'major defense acquisition program' has the meaning given the term in section 2430 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of title 10, United States Code, is amended by inserting after the item relating to section 2339b the following new item:

''2339c. Disclosures for certain shipbuilding major defense acquisition program offers.''.

Subtitle E—Small Business Matters

SEC. 871. PROMPT PAYMENT OF CONTRACTORS.

Section 2307(a)(2) of title 10, United States Code, is amended—

(1) in subparagraph (A), by striking ''if a specific payment date is not established by contract''; and

(2) in subparagraph (B), by striking ''if—'' and all that follows through ''the prime contractor agrees'' in clause (ii) and inserting ''if the prime contractor agrees or proposes''.

SEC. 872. EXTENSION OF PILOT PROGRAM FOR STREAMLINED AWARDS FOR INNOVATIVE TECHNOLOGY PROGRAMS.

Section 873(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2306a) is amended by striking ''2020'' and inserting ''2023''.

Subtitle F—Provisions Related to Software-Driven Capabilities

SEC. 881. INCLUSION OF SOFTWARE IN GOVERNMENT PERFORMANCE OF ACQUISITION FUNCTIONS.

(a) INCLUSION OF SOFTWARE.—Section 1706(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(14) Program lead software.''.

(b) TECHNICAL AMENDMENTS.—Section 1706 of such title is further amended—

(1) in subsection (a), by striking ''for each major defense acquisition program and each major automated information system program'' and inserting ''for each acquisition program''; and

(2) by striking subsection (c).

SEC. 882. BALANCING SECURITY AND INNOVATION IN SOFTWARE DEVELOPMENT AND ACQUISITION.

(a) REQUIREMENTS FOR SOLICITATIONS OF COMMERCIAL AND DEVELOPMENTAL SOLUTIONS.—The Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Chief Information Officer of the Department of Defense, shall develop requirements for inclusion in solicitations for both commercial and developmental solutions, and for the evaluation of bids, of appropriate software security criteria, including—

(1) delineation of what processes were or will be used for a secure software development lifecycle, including management of supply chain and third-party software sources and component risks; and

(2) an associated vulnerability management plan or tools.

(b) SECURITY REVIEW OF CODE.—The Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Chief Information Officer of the Department of Defense, shall develop processes for security review of code for the purpose of publication and other procedures necessary to fully implement the pilot program required under section 875 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2223 note).

(c) COORDINATION WITH SOFTWARE ACQUISITION PATHWAY EFFORTS.—The requirements and procedures required under subsections (a) and (b) shall be developed in conjunction with the Department of Defense's efforts to incorporate input and finalize the procedures described in the Interim Procedures for Operation of the Software Acquisition Pathway.

SEC. 883. COMPTROLLER GENERAL REPORT ON INTELLECTUAL PROPERTY ACQUISITION AND LICENSING.

(a) IN GENERAL.—Not later than October 1, 2021, the Comptroller General of the United States shall submit to the congressional defense committees a report evaluating the implementation of the Department of Defense's Instruction on Intellectual Property Acquisition and Licensing (DODI 5010.44), established under section 2322 of title 10, United States Code.

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

(1) The extent to which the Department of Defense is fulfilling the core principles established in DODI 5010.44.

(2) The extent to which the Defense Acquisition University, Department of Defense components, and program offices are carrying out their responsibilities under DODI 5010.44.

(3) The progress of the Department in establishing an IP Cadre, including the extent to which such experts are executing their roles and responsibilities.

(4) The performance of the Department in assessing and demonstrating the implementation of DODI 5010.44, including the effectiveness of the IP Cadre;

(5) The effect implementation of DODI 5010.44 has had on particular acquisitions;

(6) Any other matters the Comptroller General determines appropriate.

Subtitle G—Other Matters

SEC. 891. SAFEGUARDING DEFENSE-SENSITIVE UNITED STATES INTELLECTUAL PROPERTY, TECHNOLOGY, AND OTHER DATA AND INFORMATION.

(a) IN GENERAL.—The Secretary of Defense shall establish, enforce, and track actions being taken to protect defense-sensitive United States intellectual property, technology, and other data and information, including hardware and software, from acquisition by the Government of the People's Republic of China.

(b) LIST OF CRITICAL TECHNOLOGY.—The Secretary of Defense shall establish and maintain a list of critical national security technology.

(c) RESTRICTIONS ON EMPLOYMENT OF DEFENSE INDUSTRIAL BASE EMPLOYEES WITH CHINESE COMPANIES.—The Secretary of Defense shall provide for mechanisms to restrict employees or former employees of the defense industrial base that contribute to the technology referenced in subsection (b) from working directly for companies wholly owned by, or under the direction of, the Government of the Peoples Republic of China.

(d) REPORTS.—

(1) DEPARTMENT OF DEFENSE REPORT.—Not later than May 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report on progress in implementing the measures described in subsections (a) through (c).

(2) COMPTROLLER GENERAL REPORT.— Not later than December 1, 2021, the Comptroller General of the United States shall submit to the congressional defense committees a report reviewing the report submitted under paragraph (1) and providing an assessment of the effectiveness of the measures implemented under this section.

(3) FORM.—The reports required under this subsection shall be submitted in unclassified form but may contain classified annexes.

SEC. 892. DOMESTIC COMPARATIVE TESTING ACTIVITIES.

Section 2350a(g)(1)(A) of title 10, United States Code, is amended by inserting ''and conventional defense equipment, munitions, and technologies manufactured and developed domestically'' after ''in subsection (a)(2)''.

SEC. 893. REPEAL OF APPRENTICESHIP PROGRAM.

(a) IN GENERAL.—Section 2870 of title 10, United States Code, as added by section 865 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is repealed.

(b) CONFORMING AMENDMENTS.—

(1) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter III of chapter 169 of title 10, United States Code, is amended by striking the item relating to section 2870.

(2) OBSOLETE PROVISION.—Section 865 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is repealed.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Office of the Secretary of Defense and Related Matters

SEC. 901. ASSISTANT SECRETARY OF DEFENSE FOR SPECIAL OPERATIONS AND LOW INTENSITY CONFLICT AND RELATED MATTERS.

(a) IN GENERAL.—

(1) CLARIFICATION OF CHAIN OF ADMINISTRATIVE COMMAND.—Section 138(b)(2) of title 10, United States Code, is amended—

(A) by redesignating clauses (i), (ii), and (iii) of subparagraph (B) as subclauses (I), (II), and (III), respectively;

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

(C) by inserting ''(A)'' after ''(2)'';

(D) in clause (i) of subparagraph (A), as redesignated by this paragraph, by inserting before the period at the end the following: ''through the administrative chain of command specified in section 167(f) of this title;'' and

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

''(B) In the discharge of the responsibilities specified in subparagraph (A)(i), the Assistant Secretary is immediately subordinate to the Secretary of Defense and the Deputy Secretary of Defense. No officer below the Secretary or the Deputy Secretary may intervene to exercise authority, direction, or control over the Assistant Secretary in the discharge of such responsibilities.''.

(2) TECHNICAL AMENDMENT.—Subparagraph (A) of such section, as redesignated by paragraph (2), is further amended in the matter preceding clause (i), as so redesignated, by striking ''section 167(j)'' and inserting ''section 167(k)''.

(b) FULFILLMENT OF SPECIAL OPERATIONS RESPONSIBILITIES.—

(1) IN GENERAL.—Section 139b of title 10, United States Code, is amended to read as follows:

''§ 139b. Secretariat for Special Operations; Special Operations Policy and Oversight Council

''(a) SECRETARIAT FOR SPECIAL OPERATIONS.—

''(1) IN GENERAL.—In order to fulfill the responsibilities of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict specified in section 138(b)(2)(A)(i) of this title, there shall be within the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict an office to be known as the 'Secretariat for Special Operations'.

''(2) PURPOSE.—The purpose of the Secretariat is to assist the Assistant Secretary in exercising authority, direction, and control with respect to the special operations-peculiar administration and support of the special operations command, including the readiness and organization of special operations forces, resources and equipment, and civilian personnel as specified in such section.

''(3) DIRECTOR.—The Director of the Secretariat for Special Operations shall be appointed by the Secretary of Defense from among individuals qualified to serve as the Director. The Director shall have a grade of Deputy Assistant Secretary of Defense.

''(4) ADMINISTRATIVE CHAIN OF COMMAND.—For purposes of the support of the Secretariat for the Assistant Secretary in the fulfillment of the responsibilities referred to in paragraph (1), the administrative chain of command is as specified in section 167(f) of this title. No officer below the Secretary of Defense or the Deputy Secretary of Defense (other than the Assistant Secretary) may intervene to exercise authority, direction, or control over the Secretariat in its support of the Assistant Secretary in the discharge of such responsibilities.

''(b) SPECIAL OPERATIONS POLICY AND OVERSIGHT COUNCIL.—

''(1) IN GENERAL.—In order to fulfill the responsibilities specified in section 138(b)(2)(A)(i) of this title, there shall also be within the Office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict a team known as the 'Special Operation Policy and Oversight Council'. The team is lead by the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, or the Assistant Secretary's designee..

''(2) PURPOSE.—The purpose of the Council is to integrate the functional activities of the headquarters of the Department of Defense in order to most efficiently and effectively provide for special operations forces and capabilities. In fulfilling this purpose, the Council shall develop and continuously improve policy, joint processes, and procedures that facilitate the development, acquisition, integration, employment, and sustainment of special operations forces and capabilities.

''(3) MEMBERSHIP.—The Council shall include the following:

''(A) The Assistant Secretary, who shall act as leader of the Council.

''(B) Appropriate senior representatives of each of the following:

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

''(ii) The Under Secretary of Defense for Management and Support.

''(iii) The Under Secretary of Defense (Comptroller).

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

''(v) The Under Secretary of Defense for Intelligence.

''(vi) The General Counsel of the Department of Defense.

''(vii) The other Assistant Secretaries of Defense under the Under Secretary of Defense for Policy.

''(viii) The military departments.

''(ix) The Joint Staff.

''(x) The United States Special Operations Command.

''(xi) Such other officials or Agencies, elements, or components of the Department of Defense as the Secretary of Defense considers appropriate.

''(4) OPERATION.—The Council shall operate continuously.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 139b and inserting the following new item:

''139b. Secretariat for Special Operations; Special Operations Policy and Oversight Council.''.

(c) DOD DIRECTIVE ON RESPONSIBILITIES OF ASD SOLIC.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall publish a Department of Defense directive establishing policy and procedures related to the exercise of authority, direction, and control of all special-operations peculiar administrative matters relating to the organization, training, and equipping of special operations forces by the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict as specified by section 138(b)(2)(A)(i) of title 10, United States Code, as amended by subsection (a)(1).

(2) MATTERS FOR INCLUDING.—The directive required by paragraph (1) shall include the following:

(A) A specification of responsibilities for coordination on matters affecting the organization, training, and equipping of special operations forces.

(B) An identification and specification of updates to applicable documents and instructions of the Department of Defense.

(C) Mechanisms to ensure the inclusion of the Assistant Secretary in all Departmental governance forums affecting the organization, training, and equipping of special operations forces.

(D) Such other matters as the Secretary considers appropriate.

(3) APPLICABILITY.— The directive required by paragraph (1) shall apply throughout the Department of Defense to all components of the Department of Defense.

(4) LIMITATION ON AVAILABILITY OF CERTAIN FUNDING PENDING PUBLICATION.—Of the amounts authorized to be appropriated by this Act for fiscal year 2021 for operation and maintenance, Defense-wide, and available for the Office of the Secretary of Defense, not more than 75 percent may be obligated or expended until the date that is 15 days after the date on which the Secretary publishes the directive required by paragraph (1).

SEC. 902. REDESIGNATION AND CODIFICATION IN LAW OF OFFICE OF ECONOMIC ADJUSTMENT.

(a) REDESIGNATION.—

(1) IN GENERAL.—The Office of Economic Adjustment in the Office of the Secretary of

Defense is hereby redesignated as the ''Office of Local Defense Community Cooperation''.

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the office referred to in paragraph (1) shall be deemed to be a reference to the ''Office of Local Defense Community Cooperation''.

(b) CODIFICATION IN LAW.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 146. Office of Local Defense Community Cooperation

''(a) IN GENERAL.—There is an Office of Local Defense Community Cooperation in the Office of the Under Secretary of Defense for Acquisition and Sustainment.

''(b) DIRECTOR.—The Office shall be headed by the Director of the Office of Local Defense Community Cooperation, who shall be assigned to such position by the Under Secretary from among civilian employees of the Department of Defense who are qualified to serve in the position.

''(c) FUNCTIONS.—Subject to the authority, direction, and control of the Under Secretary, the Office shall—

''(1) in cooperation with the other components, of the Department of Defense be the primary office within the Department for the provision of assistance to States, counties, municipalities, regions, and communities intended to—

''(A) foster greater cooperation with military installations in order to enhance the military mission, achieve facility and infrastructure savings and reduced operating costs, address encroachment and compatible land use issues, support military families, and increase military, civilian, and industrial readiness and resiliency; and

''(B) address impacts caused by changes in defense programs, including basing decisions, defense industry expansions or contractions, increases or reductions in Federal civilian or contractor personnel, and expansions, realignments, and closures of military installations;

''(2) provide support to the Economic Adjustment Committee within the Executive Office of the President, or any successor interagency coordination body; and

''(3) perform such other functions as the Secretary of Defense may prescribe.

''(d) ANNUAL REPORT TO CONGRESS.—Not later than June 1 each year, the Director of the Office of Local Defense Community Cooperation shall submit to the congressional defense committees a report on the activities of the Office during the preceding year, including the assistance provided pursuant to subsection (c)(1) during such year.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 4 of such title is amended by adding at the end the following new item:

''146. Office of Local Defense Community Cooperation.''.

SEC. 903. MODERNIZATION OF PROCESS USED BY THE DEPARTMENT OF DEFENSE TO IDENTIFY, TASK, AND MANAGE CONGRESSIONAL REPORTING REQUIREMENTS.

(a) ANALYSIS REQUIRED.—The Assistant Secretary of Defense for Legislative Affairs shall conduct an analysis of the process used by the Department of Defense to identify reports to Congress required by annual national defense authorization Acts, assign responsibility for preparation of such reports, and manage the completion and delivery of such reports to Congress for the purpose of identifying mechanisms to optimize and otherwise modernize the process.

(b) CONSULTATION.—The Assistant Secretary shall conduct the analysis required by subsection (a) with the assistance of and in consultation with the Chief Data Officer of the Department of Defense and the Director of the Defense Digital Service.

(c) ELEMENTS.—The analysis required by subsection (a) shall include the following:

(1) A business process reengineering of the process described in subsection (a).

(2) An assessment of applicable commercially available analytics tools, technologies, and services in connection with such business process reengineering.

(3) Such other actions as the Assistant Secretary considers appropriate for purposes of the analysis.

(d) BRIEFING.—Not later than November 15, 2020, the Assistant Secretary shall brief the congressional defense committees on the results of the analysis required by subsection (a). The briefing shall address the following:

(1) The results of the analysis and of the business process reengineering described in subsection (c)(1).

(2) A description of the actions being taken, and to be taken, to optimize and otherwise improve the process described in subsection (a).

(3) Such recommendations for administrative and legislative action as the Assistant Secretary considers appropriate to facilitate the optimization and improvement of the process described in subsection (a) as a result of the analysis and the business process reengineering.

(4) Such other matters as the Assistant Secretary considers appropriate in connection with the analysis, the business process reengineering and the optimization and improvement of the process described in subsection (a).

SEC. 904. INCLUSION OF VICE CHIEF OF THE NATIONAL GUARD BUREAU AS AN ADVISOR TO THE JOINT REQUIREMENTS OVERSIGHT COUNCIL.

Section 181(d)(3) of title 10, United States Code, is amended—

(1) in the heading, by inserting ''AND VICE CHIEF OF THE NATIONAL GUARD BUREAU'' after ''OF STAFF'';

(2) by striking ''of the Chiefs of Staff'' and inserting ''of—

''(A) the Chiefs of Staff'';

(3) by striking the period at the end and inserting ''; and''; and

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

''(B) the Vice Chief of the National Guard Bureau when matters involving non-Federalized National Guard capabilities in support of homeland defense or civil support missions are under consideration by the Council.''.

SEC. 905. ASSIGNMENT OF RESPONSIBILITY FOR THE ARCTIC REGION WITHIN THE OFFICE OF THE SECRETARY OF DEFENSE.

The Assistant Secretary of Defense for International Security Affairs shall assign responsibility for the Arctic region to the Deputy Assistant Secretary of Defense for the Western Hemisphere or any other Deputy Assistant Secretary of Defense the Secretary of Defense considers appropriate.

Subtitle B—Department of Defense Management Reform

SEC. 911. TERMINATION OF POSITION OF CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) TERMINATION.—

(1) IN GENERAL.—The position of Chief Management Officer of the Department of Defense is terminated, effective on the date specified by the Secretary of Defense, which date may not be later than September 30, 2022.

(2) NOTICE.—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on the effective date specified pursuant to paragraph (1).

(b) CONFORMING REPEAL OF ESTABLISHING AUTHORITY.—

(1) IN GENERAL.—Section 132a of title 10, United States Code, is repealed.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 4 of such title is amended by striking the item relating to section 132a.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the effective date specified pursuant to subsection (a)(1).

SEC. 912. REPORT ON ASSIGNMENT OF RESPONSIBILITIES, DUTIES, AND AUTHORITIES OF CHIEF MANAGEMENT OFFICER TO OTHER OFFICERS OR EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) REPORT.—Not later than 45 days before the effective date specified pursuant to section 911(a)(1), the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the following:

(1) The position and title of each officer or employee of the Department of Defense, and the component of such officer or employee, in whom the Secretary will vest responsibility and authority to perform responsibilities and duties, and exercise authorities, assigned to the Chief Management Officer of the Department of Defense, whether by statute or by directive, instruction, policy, or practice of the Department of Defense, on the termination of the position of Chief Management Officer under section 911.

(2) A description of the responsibilities, duties, and authorities, if any, assigned to the Chief Management Officer by statute that the Secretary recommends for discontinuation or modification, and a justification for such recommendation.

(3) A description of the responsibilities, duties, and authorities, if any, assigned to the Chief Management Officer by directive, instruction, policy, or practice of the Department that the Secretary recommends for discontinuation or modification, and a justification for such recommendation.

(4) A description of the general process and timeline for the effective transfer of each responsibility, duty, and authority assigned to the Chief Management Officer by statute or by policy, instruction, or practice of the Department to the officer or employee in whom such responsibility, duty, and authority will be vested as described in paragraph (1).

(5) A description of the manner and timeline in which the resources of the Chief Management Officer, including funding and human capital, will be realigned or repurposed to other organizations in the Office of the Secretary of Defense or to other components of the Department.

(6) A description of the general process and timeline for the assignment of responsibility of each issue under the jurisdiction of the Chief Management Officer current identified by the Comptroller General of the United States as ''high risk'' to an officer or employee in the Department who is specifically charged by the Secretary to initiate and sustain progress toward resolution of such issue.

(7) Such recommendations (including recommendations for legislative action) as the Secretary considers appropriate for additional authorities and resources (including funding and human capital resources) necessary to ensure that each officer or employee, in whom the Secretary vests responsibility and authority as described in paragraph (1) is capable of exercising such responsibility and authority effectively.

(8) Such other matters in connection with the termination of the position of Chief Management Officer, and the transition of the responsibilities, duties, and authorities of the Chief Management Officer in connection with such termination, as the Secretary considers appropriate.

(b) VESTING OF CERTAIN RESPONSIBILITIES, DUTIES, AND AUTHORITIES IN PARTICULAR OFFICERS.—In setting forth matters under paragraph (1) of subsection (a), the report required by that subsection shall address, in particular, the following:

(1) Vesting of responsibilities, duties, and authorities of the Chief Management Officer in the Deputy Secretary of Defense in the Deputy Secretary's capacity as the Chief Operating Officer of the Department of Defense for purposes of functions specified in section 1123 of title 31, United States Code.

(2) Vesting of responsibilities, duties, and authorities of the Chief Management Officer in the Performance Improvement Officer of the Department of Defense under section 142a of title 10, United States Code (as added by section 913 of this Act), for purposes of functions specified in section 1124 of title 31, United States Code.

(c) OTHER RESPONSIBILITIES, DUTIES AND AUTHORITIES.—In addition to any other responsibilities, duties, and authorities of the Chief Management Officer, the report required by subsection (a) shall specifically address responsibilities, duties, and authorities of the Chief Management Officer with respect to the following:

(1) Establishment of policies for, and the direction and management of, enterprise business operations and shared business services of the Department, as set forth in section 132a(b) of title 10, United States Code, and section 921(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2222 note).

(2) Exercise of authority, direction, and control over the Defense Agencies and Department of Defense Field Activities for shared business services and budget review, assessment, certification, and reporting, as set forth in subsections (b) and (c) of section 132a of title 10, United States Code, and section 192 of that title.

(3) Minimization of duplication of efforts, maximization of efficiency and effectiveness, and establishment of metrics for performance among and for all components of the Department, as set forth in section 132a(b) of title 10, United States Code.

(4) Issuance and maintenance of guidance on covered defense business systems, development and maintenance of the defense business enterprise architecture, exercise of authorities and responsibilities with respect to common enterprise data, leadership of and matters within the Defense Business Council, and service as the appropriate approval official in the case of certain covered defense business systems and programs, as set forth in section 2222 of title 10, United States Code.

(5) The Financial Improvement and Audit Remediation Plan, as set forth in section 240b of title 10, United States Code.

(6) Receipt of audit reports, as set forth in section 240d of title 10, United States Code.

(7) Discharge by the Department of the annual reviews required by section 11319 of title 40, United States Code.

(8) Business transformation efforts of the defense commissary system and the exchange stores system, as set forth in section 631 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(9) Analysis of Department business management and operations datasets, as set forth in section 922 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2222 note).

(10) Reviews, reports, and other actions required by sections 924, 925, 926, 927, and 1624 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, to the extent such reviews, reports, and actions have not been completed as of the date of the report under subsection (a).

(11) Science and technology activities in support of business systems information technology acquisition as set forth in section 217 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2445a note).

(12) Relationships with the Chief Management Officers of the military departments, and the development and update of a strategic management plan for the Department, as set forth in section 904 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) and the amendments made by that section.

SEC. 913. PERFORMANCE IMPROVEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

(a) PERFORMANCE IMPROVEMENT OFFICER.—

(1) IN GENERAL.—Chapter 4 of title 10, United States Code, is amended by inserting after section 142 the following new section:

"§ 142a. Performance Improvement Officer of the Department of Defense

"(a) There is an Performance Improvement Officer of the Department of Defense, who is designated as provided in section 1124(a)(1) of title 31.

"(b) The Performance Improvement Officer shall—

"(1) perform the duties and responsibilities, and exercise the powers set forth in section 1124 of title 31; and

"(2) perform such additional duties and responsibilities, and exercise such other powers, as the Secretary of Defense and the Deputy Secretary of Defense may prescribe.

"(c) Subject to the authority, direction, and control of the Secretary of Defense, the Performance Improvement Officer reports, without intervening authority, directly to the Deputy Secretary of Defense, in the Deputy Secretary's role as the Chief Operating Officer of the Department of Defense under section 1123 of title 31.

"(d) The Performance Improvement Officer may communicate views on matters within the responsibility of the Officer directly to the Deputy Secretary of Defense, without obtaining the approval or concurrence of any other officer in the Department of Defense.".

(2) CLERICAL AMENDMENT.—The table of section at the beginning of chapter 4 of such title is amended by inserting after the item relating to section 142 the following new item:

"142a. Performance Improvement Officer of the Department of Defense.".

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall take effect on such date as the Secretary of Defense shall specify for purposes of this section, which date may not be later than one day before the effective date specified by the Secretary pursuant to section 911(a)(1).

(2) NOTICE.—The Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a notice on the effective date specified pursuant to paragraph (1).

SEC. 914. ASSIGNMENT OF CERTAIN RESPONSIBILITIES AND DUTIES TO PARTICULAR OFFICERS OF THE DEPARTMENT OF DEFENSE.

(a) CERTAIN RESPONSIBILITIES AND DUTIES OF DEPUTY SECRETARY OF DEFENSE.—

(1) CHIEF OPERATING OFFICER OF THE DEPARTMENT OF DEFENSE.—Section 132 of title 10, United States Code, is amended—

(A) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

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

"(c)(1) In accordance with section 1123 of title 31, the Deputy Secretary performs the duties, has the responsibilities, and exercises the powers of the Chief Operating Officer of the Department of Defense.

"(2) Subject to the authority, direction, and control of the Secretary of Defense, the Deputy Secretary shall supervise the Performance Improvement Officer of the Department of Defense in the Officer's performance of duties and responsibilities specified in section 142a of this title.".

(2) DESIGNATION OF PRIORITY DEFENSE BUSINESS SYSTEMS.—Section 2222(h)(5)(B) of such title is amended by striking "the Chief Management Officer of the Department of Defense" and inserting "the Deputy Secretary of Defense, or such other officer of the Department of Defense as the Secretary or the Deputy Secretary may designate,".

(b) PERIODIC REVIEWS OF DEFENSE AGENCIES AND DEPARTMENT OF DEFENSE FIELD ACTIVITIES IN CONNECTION WITH BUSINESS ENTERPRISE REFORM.—Section 192(c) of such title is amended—

(1) by redesignating paragraph (3), as redesignated by section 923(a)(1) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1930), as paragraph (4);

(2) by redesignating paragraphs (1) and (2), as added by section 923(a)(2) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, as paragraphs (2) and (3), respectively;

(3) in paragraph (2), as redesignated by paragraph (2) of this subsection—

(A) in subparagraph (A), by striking "the Chief Management Officer of the Department of Defense" and inserting "the Secretary, the Deputy Secretary of Defense, or an officer of the Department of Defense designated by the Secretary or the Deputy Secretary";

(B) in subparagraph (B), by striking "the Chief Management Officer" and inserting "the officer conducting such review"; and

(C) in subparagraph (C), by striking "the Chief Management Officer" and inserting "the Secretary"; and

(4) in paragraph (3), as so redesignated, by striking "the Chief Management Officer" each place it appears in subparagraphs (A) and (B) and inserting "the officer conducting such review".

(c) RESPONSIBILITY OF UNDER SECRETARY OF DEFENSE (COMPTROLLER) FOR FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN.—Subsection (a) of section 240b of such title is amended to read as follows:

"(a) IN GENERAL.—The Under Secretary of Defense (Comptroller) shall, together with such other officers and employees of the Department of Defense as the Secretary of Defense or the Deputy Secretary of Defense may designate, shall maintain a plan to be known as the 'Financial Improvement and Audit Remediation Plan'.".

(d) PERFORMANCE IMPROVEMENT OFFICER FUNCTIONS FOR DEFENSE BUSINESS SYSTEMS.—Section 2222 of such title is amended—

(1) in subsection (e)(6)(C), by inserting "and the Performance Improvement Officer of the Department of Defense" after "The Director of Cost Assessment and Program Evaluation"; and

(2) in subsection (f)(2)(B)—

(A) by redesignating clauses (i) through (iii) as clauses (ii) through (iv), respectively; and

(B) by inserting before clause (ii), as redesignated by paragraph (1), the following new clause (i):

''(i) The Performance Improvement Officer of the Department of Defense.''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date specified in section 911(a)(1).

SEC. 915. ASSIGNMENT OF RESPONSIBILITIES AND DUTIES OF CHIEF MANAGEMENT OFFICER TO OFFICERS OR EMPLOYEES OF THE DEPARTMENT OF DEFENSE TO BE DESIGNATED.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) In section 240d(d)(1)(A), by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''any other officer or employee of the Department of Defense that the Secretary of Defense or the Deputy Secretary of Defense may designate for purposes of this section''.

(2) Section 2222 is amended—

(A) in subsection (c)(2)—

(i) by striking ''the Chief Management Officer of the Department of Defense,''; and

(ii) by striking ''and the Chief Management Officer of each of the military departments'' and inserting ''the Chief Management Officer of each of the military departments, and other appropriate officers or employees of the Department and its components'';

(B) in subsection (e)—

(i) in paragraph (1), by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''such officers or employees of the Department of Defense as the Secretary shall designate'';

(ii) in paragraph (6)—

(I) in subparagraph (A)—

(aa) by striking ''The Chief Management Officer of the Department of Defense'' and inserting ''Such officers of the Department of Defense as the Secretary shall designate''; and

(bb) by striking ''the Chief Management Officer'' and inserting ''such officers''; and

(II) in subparagraph (B), by striking ''The Chief Management Officer and the Under Secretary of Defense (Comptroller)'' and inserting ''The Under Secretary of Defense (Comptroller) and such other officers of the Department as the Secretary shall designate'';

(C) in subsection (f)(1), by striking ''the Chief Management Office and the Chief Information Office of the Department of Defense'' and inserting ''the Chief Information Officer of the Department of Defense and such other officers or employees of the Department of Defense as the Secretary may designate''; and

(D) in subsection (g)(2), by striking ''the Chief Management Officer of the Department of Defense'' each place it appears in subparagraphs (A) and (B)(ii) and inserting ''an officer or employee of the Department of Defense designated by the Secretary''.

(b) TITLE 40, UNITED STATES CODE.—Section 11319(d)(4) of title 40, United States Code, is amended by striking ''the Chief Management Officer of the Department of Defense (of any successor to such Officer)'' and inserting ''the officer of the Department of Defense designated by the Secretary of Defense or the Deputy Secretary of Defense for such purpose''.

(c) PUBLIC LAW 116–92.—Section 631(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''such officer of the Department of Defense as the Secretary of Defense or the Deputy Secretary of Defense may designate''.

(d) PUBLIC LAW 115–232.—The John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232) is amended as follows:

(1) In section 921(b)(1) (10 U.S.C. 2222 note)—

(A) in subparagraph (A), by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''such officer or employee of the Department of Defense as the Secretary of Defense or the Deputy Secretary of Defense shall designate'';

(B) in subparagraph (B)—

(i) in the subparagraph heading, by striking ''CMO'';

(ii) by striking ''the Chief Management Officer'' the first place it appears and inserting ''the Secretary shall, acting through such officer or employee of the Department as the Secretary or the Deputy Secretary shall designate''; and

(iii) by striking ''by the Chief Management Officer''.

(2) In section 922 (10 U.S.C. 2222 note)—

(A) in subsection (a), by striking ''The Chief Management Officer of the Department of Defense'' and inserting ''An officer or employee of the Department of Defense designated by the Secretary of Defense or the Deputy Secretary of Defense''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''The Chief Management Officer'' and inserting ''The officer or employee designated pursuant to subsection (a)''; and

(II) in subparagraph (B), by striking ''The Chief Management Officer'' and inserting ''such officer or employee''; and

(ii) in paragraph (2), by striking ''the Chief Management Officer shall take appropriate actions'' and inserting ''all appropriate actions shall be taken''.

(3) In section 924 (10 U.S.C. 191 note)—

(A) in subsection (a), by striking ''the Chief Management Officer of the Department of Defense'' in the matter preceding paragraph (1) and inserting ''such officer of the Department of Defense as the Secretary or Defense or the Deputy Secretary of Defense shall designate'';

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''the Chief Management Officer'' and inserting ''the officer designated pursuant to subsection (a)''; and

(ii) in subparagraph (B), by striking ''the Chief Management Officer'' and inserting ''such officer''; and

(C) in subsection (c)—

(i) by striking ''the Chief Management Officer'' the first place it appears and inserting ''the officer designated pursuant to subsection (a)''; and

(ii) by striking ''the Chief Management Officer'' the second place it appears and inserting ''such officer''.

(4) In section 925(a) (132 Stat. 1932), by striking ''the Chief Management Officer of the Department of Defense'' in the matter preceding paragraph (1) and inserting ''such officer of the Department of Defense as the Secretary or Defense or the Deputy Secretary of Defense shall designate''.

(5) In section 926(a) (132 Stat. 1932), by striking ''the Chief Management Officer of the Department of Defense'' in the matter preceding paragraph (1) and inserting ''such officer of the Department of Defense as the Secretary or Defense or the Deputy Secretary of Defense shall designate''.

(6) In section 927 (132 Stat. 1933)—

(A) in subsection (a), by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''such officer of the Department of Defense as the Secretary or Defense or the Deputy Secretary of Defense shall designate''; and

(B) in subsections (c) and (d), by striking ''the Chief Management Officer'' each place it appears and inserting ''the officer designated pursuant to subsection (a)''.

(7) In section 1624(a) (10 U.S.C. 2222 note)—

(A) in paragraph (1), by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''such officer of the Department of Defense as the Secretary or Defense or the Deputy Secretary of Defense shall designate'';

(B) by striking ''the Chief Management Officer'' each place it appears in paragraphs (2), (3), and (4) and inserting ''the officer designated pursuant to paragraph (1)''; and

(C) by inserting ''and Security'' after ''for Intelligence'' each place it appears.

(e) PUBLIC LAW 114–92.—The National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is amended as follows:

(1) In section 217—

(A) in subsection (a), by striking ''the Deputy Chief Management Officer, and the Chief Information Officer'' and inserting ''the Chief Information Officer, and any other officer of the Department of Defense designated by the Secretary of Defense or the Deputy Secretary of Defense for such purpose''; and

(B) in subsections (b), (f)(1)(A)(ii), and (f)(2)(B), by striking ''the Deputy Chief Management Officer'' each place it appears and inserting ''any officer designated pursuant to subsection (a)''.

(2) In section 881(a) (10 U.S.C. 2302 note), by striking ''the Deputy Chief Management Officer,''.

(f) PUBLIC LAW 110–81.—Section 904 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–81; 122 Stat. 273)) is amended—

(1) in subsection (b)(4), by striking ''the Chief Management Officer and Deputy Chief Management Officer of the Department of Defense'' and inserting ''such officer of the Department of Defense as the Secretary of Defense or the Deputy Secretary of Defense shall designate''; and

(2) in subsection (d)—

(A) in paragraph (1), by striking ''the Chief Management Officer of the Department of Defense'' and inserting ''such officer of the Department of Defense as the Secretary of Defense or the Deputy Secretary of Defense may designate for purposes of this subsection''; and

(B) in paragraph (3), by striking ''the Chief Management Officer'' and inserting ''the officer designated pursuant to paragraph (1)''.

(g) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date specified in section 911(a)(1).

SEC. 916. DEFINITION OF ENTERPRISE BUSINESS OPERATIONS FOR TITLE 10, UNITED STATES CODE.

Effective on the effective date specified in section 911(a)(1) of this Act, section 101(e) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(9) ENTERPRISE BUSINESS OPERATIONS.—The term 'enterprise business operations'—

''(A) means activities that constitute cross-cutting business operations used by multiple components of the Department of Defense, but excludes activities that are directly tied to a single military department or Department of Defense component; and

''(B) includes business-support functions designated by the Secretary of Defense or the Deputy Secretary of Defense, including aspects of financial management, healthcare, acquisition and procurement, supply chain and logistics, certain information technology, real property, and human resources operations.''.

SEC. 917. ANNUAL REPORT ON ENTERPRISE BUSINESS OPERATIONS OF THE DEPARTMENT OF DEFENSE.

(a) ANNUAL REPORT REQUIRED.—Not later than March 31 each year, the Secretary of Defense shall submit to Congress a report that includes the following:

(1) Each proposed budget for the enterprise business operations of a Defense Agency or Department of Defense Field Activity for the fiscal year beginning in the year in which such report is submitted.

(2) An identification of each proposed budget described in paragraph (1) that does not achieve required levels of efficiency and effectiveness for enterprise business operations.

(3) A discussion of the actions that the Secretary proposes to take, including recommendations for legislative action that the Secretary considers appropriate, to address inadequate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets described in paragraph (1).

(4) Any additional comments that the Secretary considers appropriate regarding inadequate levels of efficiency and effectiveness for enterprise business operations achieved by the proposed budgets described in paragraph (1).

(b) SUBMITTAL.—The Secretary may submit a report required by subsection (a) through the Deputy Secretary of Defense.

(c) ENTERPRISE BUSINESS OPERATIONS DEFINED.—In this section, the term ''enterprise business operations'' has the meaning given that term in paragraph (9) of section 101(e) of title 10, United States Code (as added by section 916 of this Act).

SEC. 918. CONFORMING AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) In section 131(b)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) through (9) as paragraphs (2) through (8), respectively; and

(C) in paragraph (7), as redesignated by subparagraph (B)—

(i) by redesignating subparagraphs (A) through (F) as subparagraphs (B) through (G), respectively; and

(ii) by inserting before subparagraph (B), as redesignated by clause (i), the following new subparagraph (A):

''(A) The Performance Improvement Officer of the Department of Defense.''.

(2) In section 133a(c)—

(A) in paragraph (1), by striking '', the Deputy Secretary of Defense, and the Chief Management Officer of the Department of Defense'' and inserting ''and the Deputy Secretary of Defense''; and

(B) in paragraph (2), by striking ''the Chief Management Officer,''.

(3) In section 133b(c)—

(A) in paragraph (1), by striking ''the Chief Management Officer of the Department of Defense,''; and

(B) in paragraph (2), by striking ''the Chief Management Officer,''.

(4) In section 137a(d), by striking ''the Chief Management Officer of the Department of Defense,''.

(5) In section 138(d), by striking ''the Chief Management Officer of the Department of Defense,''.

(6) In section 240b(b)(1)(C)(ii), by striking '', the Chief Management Officer,''.

(b) EXECUTIVE SCHEDULE LEVEL II.—Section 5313 of title 5, United States Code, is amended by striking the item relating to the Chief Management Officer of the Department of Defense.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the effective date specified in section 911(a)(1).

Subtitle C—Space Force Matters

PART I—AMENDMENTS TO INTEGRATE THE SPACE FORCE INTO LAW

SEC. 931. CLARIFICATION OF SPACE FORCE AND CHIEF OF SPACE OPERATIONS AUTHORITIES.

(a) COMPOSITION OF SPACE FORCE.—Section 9081 of title 10, United States Code, is amended by striking subsection (b) and inserting the following new subsection (b):

''(b) COMPOSITION.—The Space Force consists of—

''(1) the Regular Space Force;

''(2) all persons appointed or enlisted in, or conscripted into, the Space Force, including those not assigned to units, necessary to form the basis for a complete and immediate mobilization for the national defense in the event of a national emergency; and

''(3) all Space Force units and other Space Force organizations, including installations and supporting and auxiliary combat, training, administrative, and logistic elements.''.

(b) FUNCTIONS.—Section 9081 of title 10, United States Code, is further amended—

(1) by striking subsection (c) and inserting the following new subsection (c):

''(c) FUNCTIONS.—The Space Force shall be organized, trained, and equipped to—

''(1) provide freedom of operation for the United States in, from, and to space;

''(2) conduct space operations; and

''(3) protect the interests of the United States in space.''; and

(2) by striking subsection (d).

(c) CLARIFICATION OF CHIEF OF SPACE OPERATIONS AUTHORITIES.—Section 9082 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''general officers of the Air Force'' and inserting ''general, flag, or equivalent officers of the Space Force''; and

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

''(3) The President may appoint an officer as Chief of Space Operations only if—

''(A) the officer has had significant experience in joint duty assignments; and

''(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 664(d) of this title) as a general, flag, or equivalent officer of the Space Force.

''(4) The President may waive paragraph (3) in the case of an officer if the President determines such action is necessary in the national interest.'';

(2) in subsection (b), by striking ''grade of general'' and inserting ''grade in the Space Force equivalent to the grade of general in the Army, Air Force, and Marine Corps, or admiral in the Navy''; and

(3) in subsection (d)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) by redesignating paragraph (5) as paragraph (6); and

(C) by inserting after paragraph (4) the following new paragraph (5):

''(5) perform duties prescribed for the Chief of Space Operations by sections 171 and 2547 of this title and other provision of law; and''.

(d) REPEAL OF OFFICER CAREER FIELD FOR SPACE.—Section 9083 of title 10, United States Code, is repealed.

(e) REGULAR SPACE FORCE.—Chapter 908 of title 10, United States Code, as amended by subsection (d), is further amended by adding at the end the following new section 9083:

''§ 9083. Regular Space Force: composition

''(a) IN GENERAL.—The Regular Space Force is the component of the Space Force that consists of persons whose continuous service on active duty in both peace and war is contemplated by law, and of retired members of the Regular Space Force.

''(b) COMPOSITION.—The Regular Space Force includes—

''(1) the officers and enlisted members of the Regular Space Force; and

''(2) the retired officers and enlisted members of the Regular Space Force.''.

(f) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 908 of title 10, United States Code, is amended by striking the item relating to section 9083 and inserting the following new item:

''9083. Regular Space Force: composition.''.

SEC. 932. AMENDMENTS TO DEPARTMENT OF THE AIR FORCE PROVISIONS IN TITLE 10, UNITED STATES CODE.

(a) SUBTITLE.—

(1) HEADING.—The heading of subtitle D of title 10, United States Code, is amended to read as follows:

''Subtitle D—Air Force and Space Force''.

(2) TABLE OF SUBTITLES.—The table of subtitles at the beginning of such title is amended is amended by striking the item relating to subtitle D and inserting the following new item:

''D. Air Force and Space Force ..... 9011''.

(b) ORGANIZATION.—

(1) SECRETARY OF THE AIR FORCE.—Section 9013 of title 10, United States Code, is amended—

(A) in subsection (f), by inserting ''and officers of the Space Force'' after ''Officers of the Air Force''; and

(B) in subsection (g)(1), by inserting '', members of the Space Force,'' after ''members of the Air Force''.

(2) OFFICE OF THE SECRETARY OF THE AIR FORCE.—Section 9014 of such title is amended—

(A) in subsection (b), by striking paragraph (4) and inserting the following new paragraph (4)

''(4) The Inspector General of the Department of the Air Force.'';

(B) in subsection (c)—

(i) in paragraph (1), by striking ''and the Air Staff'' and inserting '', the Air Staff, and the Office of the Chief of Space Operations'';

(ii) in paragraph (2), by inserting ''or the Office of the Chief of Space Operations'' after ''the Air Staff'';

(iii) in paragraph (3), by striking ''to the Chief of Staff and to the Air Staff'' and all that follows through the end and inserting ''to the Chief of Staff of the Air Force and the Air Staff, and to the Chief of Space Operations and the Office of the Chief of Space Operations, and shall ensure that each such office or entity provides the Chief of Staff and Chief of Space Operations such staff support as the Chief concerned considers necessary to perform the Chief's duties and responsibilities.''; and

(iv) in paragraph (4)—

(I) by inserting ''and the Office of the Chief of Space Operations'' after ''the Air Staff''; and

(II) by inserting ''and the Chief of Space Operations'' after ''Chief of Staff'';

(C) in subsection (d)—

(i) in paragraph (1), by striking ''and the Air Staff'' and inserting '', the Air Staff, and the Office of the Chief of Space Operations'';

(ii) in paragraph (2), by inserting ''and the Office of the Chief of Space Operations'' after ''the Air Staff''; and

(iii) in paragraph (4), by striking ''to the Chief of Staff of the Air Force and to the Air Staff'' and all that follows through the end and inserting ''to the Chief of Staff of the Air Force and the Air Staff, and to the Chief of Space Operations and the Office of the Chief of Space Operations, and shall ensure that each such office or entity provides the Chief of Staff and Chief of Space Operations such staff support as the Chief concerned considers necessary to perform the Chief's duties and responsibilities.''; and

(D) in subsection (e)—

(i) by striking ''and the Air Staff'' and inserting '', the Air Staff, and the Office of the Chief of Space Operations''; and

(ii) by striking ''to the other'' and inserting ''to any of the others''.

(3) SECRETARY OF THE AIR FORCE: SUCCESSORS TO DUTIES.—Section 9017(4) of such title is amended by inserting before the period the following: ''of the Air Force and the Chief of Space Operations, in the order prescribed by the Secretary of the Air Force and approved by the Secretary of Defense''.

(4) INSPECTOR GENERAL.—Section 9020 of such title is amended—

(A) in subsection (a)—

(i) by inserting ''Department of the'' after ''Inspector General of the''; and

(ii) by inserting ''or the general, flag, or equivalent officers of the Space Force'' after ''general officers of the Air Force'';

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking ''or the Chief of Staff'' and inserting '', the Chief of Staff of the Air Force, or the Chief of Space Operations'';

(ii) in paragraph (1), by inserting ''Department of the'' before ''Air Force''; and

(iii) in paragraph (2), by striking ''or the Chief of Staff'' and inserting '', the Chief of Staff, or the Chief of Space Operations'' ; and

(C) in subsection (e), by inserting ''or the Space Force'' before ''for a tour of duty''.

(5) THE AIR STAFF: FUNCTION; COMPOSITION.—Section 9031(b)(8) of such title is amended by inserting ''or the Space Force'' after ''of the Air Force''.

(6) SURGEON GENERAL: APPOINTMENT; DUTIES.—Section 9036(b) of such title is amended—

(A) in paragraph (1), by striking ''Secretary of the Air Force and the Chief of Staff of the Air Force on all health and medical matters of the Air Force'' and inserting ''Secretary of the Air Force, the Chief of Staff of the Air Force, and the Chief of Space Operations on all health and medical matters of the Air Force and the Space Force''; and

(B) in paragraph (2)—

(i) by inserting ''and the Space Force'' after ''of the Air Force'' the first place it appears; and

(ii) by inserting ''and members of the Space Force'' after ''of the Air Force'' the second place it appears.

(7) JUDGE ADVOCATE GENERAL, DEPUTY JUDGE ADVOCATE GENERAL: APPOINTMENT; DUTIES.—Section 9037 of such title is amended—

(A) in subsection (e)(2)(B), by inserting ''or the Space Force'' after ''of the Air Force''; and

(B) in subsection (f)(1), by striking ''the Secretary of the Air Force or the Chief of Staff of the Air Force'' and inserting ''the Secretary of the Air Force, the Chief of Staff of the Air Force, or the Chief of Space Operations''.

(8) CHIEF OF CHAPLAINS: APPOINTMENT; DUTIES.—Section 9039(a) of such title is amended by striking ''in the Air Force'' and inserting ''for the Air Force and the Space Force''.

(9) PROVISION OF CERTAIN PROFESSIONAL FUNCTIONS FOR THE SPACE FORCE.—Section 9063 of such title is amended—

(A) in subsections (a) through (i), by striking ''in the Air Force'' each place it appears and inserting ''in the Air Force and the Space Force''; and

(B) in subsection (i), as amended by subparagraph (A), by inserting ''or the Space Force'' after ''members of the Air Force''.

(c) PERSONNEL.—

(1) GENDER-FREE BASIS FOR ACCEPTANCE OF ORIGINAL ENLISTMENTS.—

(A) IN GENERAL.—Section 9132 of title 10, United States Code, is amended by inserting ''or the Regular Space Force'' after ''Regular Air Force''.

(B) HEADING.—The heading of such section 9132 is amended to read as follows:

''§ 9132. Regular Air Force and Regular Space Force: gender-free basis for acceptance of original enlistments''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 913 of such title is amended by striking the item relating to section 9132 and inserting the following new item:

''9132. Regular Air Force and Regular Space Force: gender-free basis for acceptance of original enlistments.''.

(2) REENLISTMENT AFTER SERVICE AS AN OFFICER.—

(A) IN GENERAL.—Section 9138 of such title is amended in subsection (a)—

(i) by inserting ''or the Regular Space Force'' after ''Regular Air Force'' both places it appears; and

(ii) by inserting ''or the Space Force'' after ''officer of the Air Force'' both places it appears.

(B) HEADING.—The heading of such section 9132 is amended to read as follows:

''§ 9132. Regular Air Force and Regular Space Force: reenlistment after service as an officer''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 913 of such title, as amended by paragraph (1)(C), is further by striking the item relating to section 9138 and inserting the following new item:

''9138. Regular Air Force and Regular Space Force: reenlistment after service as an officer.''.

(3) APPOINTMENTS IN THE REGULAR AIR FORCE AND REGULAR SPACE FORCE.—

(A) IN GENERAL.—Section 9160 of such title is amended—

(i) by inserting ''or the Regular Space Force'' after ''Regular Air Force''; and

(ii) by inserting ''or the Space Force'' before the period.

(B) CHAPTER HEADING.—The heading of chapter 915 of such title is amended to read as follows:

''CHAPTER 915—APPOINTMENTS IN THE REGULAR AIR FORCE AND THE REGULAR SPACE FORCE''.

(C) TABLES OF CHAPTERS.—The table of chapters at the beginning of subtitle D of such title, and at the beginning of part II of subtitle D of such title, are each amended by striking the item relating to chapter 915 and inserting the following new item:

''915. Appointments in the Regular Air Force and the Regular Space Force ..... 9151''.

(4) RETIRED COMMISSIONED OFFICERS: STATUS.—Section 9203 of such title is amended by inserting ''or the Space Force'' after ''the Air Force''.

(5) DUTIES: CHAPLAINS; ASSISTANCE REQUIRED OF COMMANDING OFFICERS.—Section 9217(a) of such title is amended by inserting ''or the Space Force'' after ''the Air Force''.

(6) RANK: COMMISSIONED OFFICERS SERVING UNDER TEMPORARY APPOINTMENTS.—Section 9222 of such title is amended by inserting ''or the Space Force'' after ''the Air Force'' both places it appears.

(7) REQUIREMENT OF EXEMPLARY CONDUCT.—Section 9233 of such title is amended—

(A) in the matter preceding paragraph (1), by inserting ''and in the Space Force'' after ''the Air Force''; and

(B) in paragraphs (3) and (4), by inserting ''or the Space Force, respectively'' after ''the Air Force''.

(8) ENLISTED MEMBERS: OFFICERS NOT TO USE AS SERVANTS.—Section 9239 of such title is amended by inserting ''or the Space Force'' after ''Air Force'' both places it appears.

(9) PRESENTATION OF UNITED STATES FLAG UPON RETIREMENT.—Section 9251(a) of such title is amended by inserting ''or the Space Force'' after ''member of the Air Force''.

(10) SERVICE CREDIT: REGULAR ENLISTED MEMBERS; SERVICE AS AN OFFICER TO BE COUNTED AS ENLISTED SERVICE.—Section 9252 of such title is amended—

(A) by inserting ''or the Regular Space Force'' after ''Regular Air Force''; and

(B) by inserting ''in the Space Force,'' after ''in the Air Force,''.

(11) WHEN SECRETARY MAY REQUIRE HOSPITALIZATION.—Section 9263 of such title is amended by inserting ''or the Space Force'' after ''member of the Air Force''.

(12) DECORATIONS AND AWARDS.—

(A) IN GENERAL.—Chapter 937 of such title is amended by inserting ''or the Space Force'' after ''the Air Force'' each place it appears in the following provisions:

(i) Section 9271.

(ii) Section 9272.

(iii) Section 9273.

(iv) Section 9276.

(v) Section 9281 other than the first place it appears in subsection (a).

(vi) Section 9286(a) other than the first place it appears.

(B) MEDAL OF HONOR; AIR FORCE CROSS; DISTINGUISHED-SERVICE MEDAL: DELEGATION OF POWER TO AWARD.—Section 9275 of such title is amended by inserting before the period at the end the following: '', or to an equivalent commander of a separate space force or higher unit in the field''.

(13) TWENTY YEARS OR MORE: REGULAR OR RESERVE COMMISSIONED OFFICERS.—Section 9311(a) of such title is amended by inserting ''or the Space Force'' after ''officer of the Air Force''.

(14) TWENTY TO THIRTY YEARS: ENLISTED MEMBERS.—Section 9314 of such title is amended by inserting ''or the Space Force'' after ''member of the Air Force''.

(15) THIRTY YEARS OR MORE: REGULAR ENLISTED MEMBERS.—Section 9317 of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(16) THIRTY YEARS OR MORE: REGULAR COMMISSIONED OFFICERS.—Section 9318 of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(17) FORTY YEARS OR MORE: AIR FORCE OFFICERS.—

(A) IN GENERAL.—Section 9324 of such title is amended in subsections (a) and (b) by inserting ''or the Space Force'' after ''Air Force''.

(B) HEADING.—The heading of such section 9324 is amended to read as follows:

''§ 9324. Forty years or more: Air Force officers and Space Force officers''.

(C) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 941 of such title is amended by striking the item relating to section 9324 and inserting the following new item:

''9324. Forty years or more: Air Force officers and Space Force officers.''.

(18) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT; ENLISTED MEMBERS.—Section 9325(a) of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(19) COMPUTATION OF YEARS OF SERVICE: VOLUNTARY RETIREMENT; REGULAR AND RESERVE COMMISSIONED OFFICERS.—

(A) IN GENERAL.—Section 9326(a) of such title is amended—

(i) in the matter preceding paragraph (1), by inserting ''or the Space Force'' after ''of the Air Force''; and

(ii) in paragraph (1), by striking ''or the Air Force'' and inserting '', the Air Force, or the Space Force''.

(B) TECHNICAL AMENDMENTS.—Such section 9326(a) is further amended by striking ''his'' each place it appears and inserting ''the officer's''.

(20) COMPUTATION OF RETIRED PAY: LAW APPLICABLE.—Section 9329 of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(21) RETIRED GRADE.—

(A) HIGHER GRADE AFTER 30 YEARS OF SERVICE: WARRANT OFFICERS AND ENLISTED MEMBERS.—Section 9344 of such title is amended—

(i) in subsection (a), by inserting ''or the Space Force'' after ''member of the Air Force''; and

(ii) in subsection (b)—

(I) in paragraphs (1) and (3), by inserting ''or the Space Force'' after ''Air Force'' each place it appears; and

(II) in paragraph (2), by inserting ''or the Regular Space Force'' after ''Regular Air Force''.

(B) RESTORATION TO FORMER GRADE: RETIRED WARRANT OFFICERS AND ENLISTED MEMBERS.—Section 9345 of such title is amended by inserting ''or the Space Force'' after ''member of the Air Force''.

(C) RETIRED LISTS.—Section 9346 of such title is amended—

(i) in subsections (a) and (d), by inserting ''or the Regular Space Force'' after ''Regular Air Force'';

(ii) in subsection (b)(1), by inserting before the semicolon the following: '', or for commissioned officers of the Space Force other than of the Regular Space Force''; and

(iii) in subsections (b)(2) and (c), by inserting ''or the Space Force'' after ''Air Force''.

(22) RECOMPUTATION OF RETIRED PAY TO REFLECT ADVANCEMENT ON RETIRED LIST.—Section 9362(a) of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(23) FATALITY REVIEWS.—Section 9381(a) of such title is amended in paragraphs (1), (2), and (3) by inserting ''or the Space Force'' after ''Air Force''.

(d) TRAINING.—

(1) MEMBERS OF AIR FORCE: DETAIL AS STUDENTS, OBSERVERS, AND INVESTIGATORS AT EDUCATIONAL INSTITUTIONS, INDUSTRIAL PLANTS, AND HOSPITALS.—

(A) IN GENERAL.—Section 9401 of title 10, United States Code, is amended—

(i) in subsection (a), by inserting ''and members of the Space Force'' after ''members of the Air Force'';

(ii) in subsection (b), by inserting ''or the Regular Space Force'' after ''Regular Air Force'';

(iii) in subsection (c),by inserting ''or Reserve of the Space Force'' after ''Reserve of the Air Force'';

(iv) in subsection (e), by inserting ''or the Space Force'' after ''Air Force''; and

(v) in subsection (f)—

(I) by inserting ''or the Regular Space Force'' after ''Regular Air Force''; and

(II) by inserting ''or the Space Force Reserve'' after ''the reserve components of the Air Force''.

(B) TECHNICAL AMENDMENTS.—Subsection (c) of such section 9401 is further amended—

(i) by striking ''his'' and inserting ''the Reserve's''; and

(ii) by striking ''he'' and inserting ''the Reserve'',

(C) HEADING.—The heading of such section 9401 is amended to read as follows:

''§ 9401. Members of Air Force and Space Force: detail as students, observers and investigators at educational institutions, industrial plants, and hospitals''.

(D) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 951 of such title is amended by striking the item relating to section 9401 and inserting the following new item:

''9401. Members of Air Force and Space Force: detail as students, observers, and investigators at educational institutions, industrial plants, and hospitals.''.

(2) ENLISTED MEMBERS OF AIR FORCE: SCHOOLS.—

(A) IN GENERAL.—Section 9402 of such title is amended—

(i) in subsection (a)—

(I) in the first sentence, by inserting ''and enlisted members of the Space Force'' after ''members of the Air Force''; and

(II) in the third sentence, by inserting ''and Space Force officers'' after ''Air Force officers''; and

(ii) in subsection (b), by inserting ''or the Space Force'' after ''Air Force'' each place it appears.

(B) HEADING.—The heading of such section 9402 is amended to read as follows:

''§ 9402. Enlisted members Air Force or Space Force: schools''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 951 of such title is amended by striking the item relating to section 9402 and inserting the following new item:

''9402. Enlisted members of Air Force or Space Force: schools.''.

(3) SERVICE SCHOOLS: LEAVES OF ABSENCE FOR INSTRUCTORS.—Section 9406 of such title is amended by inserting ''or Space Force'' after ''Air Force''.

(4) DEGREE GRANTING AUTHORITY FOR UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY.—Section 9414(d)(1) of such title is amended by inserting ''or the Space Force'' after ''needs of the Air Force''.

(5) UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY: ADMINISTRATION.—Section 9414b(a)(2) is amended—

(A) by inserting ''or the Space Force'' after ''the Air Force'' each place it appears; and

(B) in subparagraph (B), by inserting ''or the equivalent grade in the Space Force'' after ''brigadier general''.

(6) COMMUNITY COLLEGE OF THE AIR FORCE: ASSOCIATE DEGREES.—Section 9415 of such title is amended—

(A) in subsection (a) in the matter preceding paragraph (1), by striking ''in the Air Force'' and inserting ''in the Department of the Air Force''; and

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''or the Space Force'' after ''Air Force'';

(ii) in paragraph (2), by striking ''other than'' and all that follows through the end and inserting ''other than the Air Force or the Space Force who are serving as instructors at Department of the Air Force training schools.''; and

(iii) in paragraph (3), by inserting ''or the Space Force'' after ''Air Force''.

(7) AIR FORCE ACADEMY ESTABLISHMENT; SUPERINTENDENT; FACULTY.—Section 9431(a) of such title is amended by striking ''Air Force cadets'' and inserting ''cadets''.

(8) AIR FORCE ACADEMY SUPERINTENDENT; FACULTY: APPOINTMENT AND DETAIL.—Section 9433(a) of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(9) AIR FORCE ACADEMY PERMANENT PROFESSORS; DIRECTOR OF ADMISSIONS.—

(A) IN GENERAL.—Section 9436 of such title is amended—

(i) in subsection (a)—

(I) in the first sentence, by inserting ''in the Air Force or the equivalent grade in the Space Force'' after ''colonel'';

(II) in the second sentence, by inserting ''and a permanent professor appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force'' after ''grade of colonel''; and

(III) in the third sentence, by inserting ''in the Air Force or the equivalent grade in the Space Force'' after ''lieutenant colonel''; and

(ii) in subsection (b)—

(I) in the first sentence, ''in the Air Force or the equivalent grade in the Space Force'' after ''colonel'' each place it appears; and

(II) in the second sentence, by inserting ''and a person appointed from the Regular Space Force has the grade equivalent to the grade of colonel in the Regular Air Force'' after ''grade of colonel''.

(B) TECHNICAL AMENDMENTS.—Subsections (a) and (b) of such section 9436 are further amended by striking ''he'' each place it appears and inserting ''such person''.

(10) CADETS: APPOINTMENT; NUMBERS, TERRITORIAL DISTRIBUTION.—

(A) IN GENERAL.—Section 9442 of such title is amended—

(i) by striking ''Air Force Cadets'' each place it appears and inserting ''cadets''; and

(ii) in subsection (b)(2), by inserting ''or the Regular Space Force'' after ''Regular Air Force''.

(B) TECHNICAL AMENDMENT.—Subsection (b)(4) of such section 9442 is amended by striking ''him'' and inserting ''the Secretary''.

(11) CADETS: AGREEMENT TO SERVE AS OFFICER.—Section 9448(a) of such title is amended—

(A) in paragraph (2)(A), by inserting ''or the Regular Space Force'' after ''Regular Air Force''; and

(B) in paragraph (3)(A), by inserting before the semicolon the following: ''or as a Reserve in the Space Force for service in the Space Force Reserve''.

(12) CADETS: ORGANIZATION; SERVICE; INSTRUCTION.—Section 9449 of such title is amended by striking subsection (d).

(13) CADETS: HAZING.—Section 9452(c) of such title is amended—

(A) by striking ''an Air Force cadet'' and inserting ''a cadet''; and

(B) by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(14) CADETS: DEGREE AND COMMISSION ON GRADUATION.—Section 9453(b) of such title is amended by inserting ''or in the equivalent grade in the Regular Space Force'' after ''Regular Air Force''.

(15) SUPPORT OF ATHLETIC PROGRAMS.—Section 9462(c)(2) of such title is amended by striking ''personnel of the Air Force'' and inserting ''personnel of the Department of the Air Force''.

(16) SCHOOLS AND CAMPS: ESTABLISHMENT: PURPOSE.—Section 9481 of such title is amended—

(A) by inserting '', the Space Force,'' after ''members of the Air Force,''; and

(B) by inserting ''or the Space Force Reserve'' after ''the Air Force Reserve''.

(17) SCHOOLS AND CAMPS: OPERATION.—Section 9482 of such title is amended—

(A) in paragraph (4), by inserting ''or the Regular Space Force'' after ''Regular Air Force''; and

(B) in paragraph (7), in the matter preceding subparagraph (A), by inserting ''or Space Force'' after ''Air Force''.

(e) SERVICE, SUPPLY, AND PROCUREMENT.—

(1) EQUIPMENT: BAKERIES, SCHOOLS, KITCHENS, AND MESS HALLS.—Section 9536 of title 10, United States Code, is amended in the matter preceding paragraph (1) by inserting ''or the Space Force'' after ''the Air Force''.

(2) RATIONS.—Section 9561 of such title is amended—

(A) in subsection (a)—

(i) in the first sentence, by inserting ''and the Space Force ration'' after ''the Air Force ration''; and

(ii) in the second sentence, by inserting ''or the Space Force'' after ''the Air Force''; and

(B) in subsection (b), by inserting ''or the Space Force'' after ''the Air Force''.

(3) CLOTHING.—Section 9562 of such title is amended by inserting ''and members of the Space Force'' after ''the Air Force''.

(4) CLOTHING: REPLACEMENT WHEN DESTROYED TO PREVENT CONTAGION.—Section 9563 of such title is amended by inserting ''or the Space Force'' after ''member of the Air Force''.

(5) COLORS, STANDARDS, AND GUIDONS OF DEMOBILIZED ORGANIZATIONS: DISPOSITION.—Section 9565 of such title is amended—

(A) in subsection (a), in the matter preceding paragraph (1), by inserting ''or the Space Force'' after ''organizations of the Air Force''; and

(B) in subsection (b), by inserting ''or the Space Force'' after ''the Air Force''.

(6) UTILITIES: PROCEEDS FROM OVERSEAS OPERATIONS.—Section 9591 of such title is amended by inserting ''or the Space Force'' after ''the Air Force''.

(7) QUARTERS: HEAT AND LIGHT.—Section 9593 of such title is amended by inserting ''and members of the Space Force'' after ''the Air Force''.

(8) AIR FORCE MILITARY HISTORY INSTITUTE: FEE FOR PROVIDING HISTORICAL INFORMATION TO THE PUBLIC.—

(A) IN GENERAL.—Section 9594 of such title is amended—

(i) in subsections (a) and (d), by inserting ''Department of the'' before ''Air Force Military History'' each place it appears; and

(ii) in subsection (e)(1)—

(I) by inserting ''Department of the'' before ''Air Force Military History''; and

(II) by inserting ''and the Space Force'' after ''materials of the Air Force''.

(B) HEADING.—The heading of such section 9594 is amended to read as follows:

''§ 9594. Department of the Air Force Military History Institute: fee for providing historical information to the public''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 967 of such title is amended by striking the item relating to section 9594 and inserting the following new item:

''9594. Department of the Air Force Military History Institute: fee for providing historical information to the public.''.

(9) SUBSISTENCE AND OTHER SUPPLIES: MEMBERS OF ARMED FORCES; VETERANS; EXECUTIVE OR MILITARY DEPARTMENTS AND EMPLOYEES; PRICES.—Section 9621 of such title is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting ''and members of the Space Force'' after ''the Air Force''; and

(ii) in paragraph (2), by inserting ''and officers of the Space Force'' after ''the Air Force'';

(B) in subsection (b), by inserting ''or the Space Force'' after ''the Air Force'';

(C) in subsection (c), by inserting ''or the Space Force'' after ''the Air Force'';

(D) in subsection (d), by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force'';

(E) in subsection (e)—

(i) by inserting ''or the Space Force'' after ''the Air Force'' the first place it appears; and

(ii) by inserting ''or the Space Force, respectively'' after ''the Air Force'' the second place it appears;

(F) in subsection (f), by inserting ''or the Space Force'' after ''the Air Force''; and

(G) in subsection (h)—

(i) by inserting ''or the Space Force'' after ''the Air Force'' the first place it appears; and

(ii) by inserting ''or members of the Space Force'' after ''members of the Air Force''.

(10) RATIONS: COMMISSIONED OFFICERS IN FIELD.—Section 9622 of such title is amended by inserting ''and commissioned officers of the Space Force'' after ''officers of the Air Force''.

(11) MEDICAL SUPPLIES: CIVILIAN EMPLOYEES OF THE AIR FORCE.—Section 9624(a) of such title is amended—

(A) by striking ''air base'' and inserting ''Air Force or Space Force military installation''; and

(B) by striking ''Air Force when'' and inserting ''Department of the Air Force when''.

(12) ORDNANCE PROPERTY: OFFICERS OF ARMED FORCES; CIVILIAN EMPLOYEES OF AIR FORCE.—

(A) IN GENERAL.—Section 9625 of such title is amended—

(i) in subsection (a), by inserting ''or the Space Force'' after ''officers of the Air Force''; and

(ii) in subsection (b), by striking ''the Air Force'' and inserting ''the Department of the Air Force''.

(B) HEADING.—The heading of such section is amended to read as follows:

''§ 9625. Ordnance property: officers of the armed forces; civilian employees of the Department of the Air Force; American National Red Cross; educational institutions; homes for veterans' orphans''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 969 of such title is amended by striking the item relating to section 9625 and inserting the following new item:

''9625. Ordnance property: officers of the armed forces; civilian employees of the Department of the Air Force; American National Red Cross; educational institutions; homes for veterans' orphans.''.

(13) SUPPLIES: EDUCATIONAL INSTITUTIONS.—Section 9627 of such title is amended—

(A) by inserting ''or the Space Force'' after ''for the Air Force'';

(B) by inserting ''or the Space Force'' after ''officer of the Air Force''; and

(C) by striking ''air science and tactics'' and inserting ''science and tactics''.

(14) SUPPLIES: MILITARY INSTRUCTION CAMPS.—Section 9654 of such title is amended—

(A) by inserting ''or Space Force'' after ''an Air Force''; and

(B) by striking ''air science and tactics'' and inserting ''science and tactics''.

(15) DISPOSITION OF EFFECTS OF DECEASED PERSONS BY SUMMARY COURT-MARTIAL.—Section 9712(a)(1) of such title is amended by inserting ''or the Space Force'' after ''the Air Force''.

(16) ACCEPTANCE OF DONATIONS: LAND FOR MOBILIZATION, TRAINING, SUPPLY BASE, OR AVIATION FIELD.—

(A) IN GENERAL.—Section 9771 of such title is amended in paragraph (2) by inserting ''or space mission-related facility'' after ''aviation field''.

(B) HEADING.—The heading of such section 9771 is amended to read as follows:

''§ 9771. Acceptance of donations: land for mobilization, training, supply base, aviation field, or space mission-related facility''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 979 of such title is amended by striking the item relating to section 9771 and inserting the following new item:

''9771. Acceptance of donations: land for mobilization, training, supply base, aviation field, or space mission-related facility.''.

(17) ACQUISITION AND CONSTRUCTION: AIR BASES AND DEPOTS.—

(A) IN GENERAL.—Section 9773 of such title is amended—

(i) in subsection (a)—

(I) by striking ''permanent air bases'' and inserting ''permanent Air Force and Space Force military installations'';

(II) by striking ''existing air bases'' and inserting ''existing installations''; and

(III) by inserting ''or the Space Force'' after ''training of the Air Force'';

(ii) in subsections (b) and (c), by striking ''air bases'' each place it appears and inserting ''installations'';

(iii) in subsection (b)(7), by inserting ''or Space Force'' after ''Air Force'';

(iv) in subsection (c)—

(I) in paragraph (1), by inserting ''or Space Force'' after ''Air Force''; and

(II) in paragraphs (3) and (4), by inserting ''or the Space Force'' after ''the Air Force'' both places it appears; and

(v) in subsection (f), by striking ''air base'' and inserting ''installation''.

(B) HEADING.—The heading of such section 9773 is amended to read as follows:

''§ 9773. Acquisition and construction: installations and depots''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 979 of such title is amended by striking the item relating to section 9773 and inserting the following new item:

''9773. Acquisition and construction: installations and depots.''.

(18) EMERGENCY CONSTRUCTION: FORTIFICATIONS.—Section 9776 of such title is amended by striking ''air base'' and inserting ''installation''.

(19) USE OF PUBLIC PROPERTY.—Section 9779 of such title is amended—

(A) in subsection (a), by inserting ''or the Space Force'' after ''economy of the Air Force''; and

(B) in subsection (b), by inserting ''or the Space Force'' after ''support of the Air Force''.

(20) DISPOSITION OF REAL PROPERTY AT MISSILE SITES.—Section 9781(a)(2) of such title is amended—

(A) in the matter preceding subparagraph (A), by striking ''Air Force'' and inserting ''Department of the Air Force'';

(B) in subparagraph (A), by striking ''Air Force'' the first two places it appears and inserting ''Department of the Air Force''; and

(C) in subparagraph (C), by striking ''Air Force'' and inserting ''Department of the Air Force''.

(21) MAINTENANCE AND REPAIR OF REAL PROPERTY.—Section 9782 of such title is amended in subsections (c) and (d) by inserting ''or the Space Force'' after ''the Air Force'' both places it appears.

(22) SETTLEMENT OF ACCOUNTS: REMISSION OR CANCELLATION OF INDEBTEDNESS OF MEMBERS.—Section 9837(a) of such title is amended by inserting ''or the Space Force'' after ''member of the Air Force''.

(23) FINAL SETTLEMENT OF OFFICER'S ACCOUNTS.—

(A) IN GENERAL.—Section 9840 of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(B) TECHNICAL AMENDMENTS.—Such section 9840 is further amended—

(i) by striking ''he'' each place it appears and inserting ''the officer''; and

(ii) by striking ''his'' each place it appears and inserting ''the officer's''.

(24) PAYMENT OF SMALL AMOUNTS TO PUBLIC CREDITORS.—Section 9841 of such title is amended by inserting ''or Space Force'' after ''official of Air Force''.

(25) SETTLEMENT OF ACCOUNTS OF LINE OFFICERS.—Section 9842 of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(f) SERVICE OF INCUMBENTS IN CERTAIN POSITIONS WITHOUT REAPPOINTMENT.—

(1) IN GENERAL.—The individual serving in a position under a provision of law specified in paragraph (2) as of the date of the enactment of this Act may continue to serve in such position after that date without further appointment as otherwise provided by such provision of law, notwithstanding the amendment of such provision of law by subsection (b).

(2) PROVISIONS OF LAW.—The provisions of law specified in this paragraph are the provisions of title 10, United States Code, as follows:

(A) Section 9020, relating to the Inspector General of the Department of the Air Force.

(B) Section 9036. relating to the Surgeon General of the Air Force.

(C) Section 9037(a), relating to the Judge Advocate General of the Air Force.

(D) Section 9037(d), relating to the Deputy Judge Advocate General of the Air Force.

(E) Section 9039, relating to the Chief of Chaplains for the Air Force and the Space Force.

SEC. 933. AMENDMENTS TO OTHER PROVISIONS OF TITLE 10, UNITED STATES CODE.

(a) DEFINITIONS.—Section 101(b)(13) of title 10, United States Code, is amended in paragraph (13), by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(b) OTHER PROVISIONS OF SUBTITLE A.—

(1) SPACE FORCE I.—Subtitle A of title 10, United States Code, as amended by subsection (a), is further amended by striking ''and Marine Corps'' each place it appears and inserting ''Marine Corps, and Space Force'' in the following provisions:

(A) Section 116(a)(1) in the matter preceding subparagraph (A).

(B) Section 533(a)(2).

(C) Section 646.

(D) Section 661(a).

(E) Section 712(a).

(F) Section 717(c)(1).

(G) Subsections (c) and (d) of section 741.

(H) Section 743.

(I) Section 1111(b)(4).

(J) Subsections (a)(2)(A) and (c)(2)(A)(ii) of section 1143.

(K) Section 1174(j).

(L) Section 1463(a)(1).

(M) Section 1566.

(N) Section 2217(c)(2).

(O) Section 2259(a).

(P) Section 2640(j).

(2) SPACE FORCE II.—

(A) IN GENERAL.—Such subtitle is further amended by striking ''Marine Corps,'' each place it appears and inserting ''Marine Corps, Space Force,'' in the following provisions:

(i) Section 123(a).

(ii) Section 172(a).

(iii) Section 518.

(iv) Section 747.

(v) Section 749.

(vi) Section 1552(c)(1).

(vii) Section 2632(c)(2)(A).

(viii) Section 2686(a).

(ix) Section 2733(a).

(B) HEADING.—The heading of section 747 of such title is amended to read as follows:

''§ 747. Command: when different commands of Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard join''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 43 of such title is amended by striking the item relating to section 747 and inserting the following new item:

''747. Command: when different commands of Army, Navy, Air Force, Marine Corps, Space Force, and Coast Guard join.''.

(3) SPACE FORCE III.—Such subtitle is further amended by striking ''or Marine Corps'' each place it appears and inserting ''Marine Corps, or Space Force'' in the following provisions:

(A) Section 125(b).

(B) Section 541(a).

(C) Section 601(a).

(D) Section 603(a).

(E) Section 619(a).

(F) Section 619a(a).

(G) Section 624(c).

(H) Section 625(b).

(I) Subsections (a) and (d) of section 631.

(J) Section 632(a).

(K) Section 637(a)(2).

(L) Section 638(a).

(M) Section 741(d).

(N) Section 771.

(O) Section 772.

(P) Section 773.

(Q) Section 1123.

(R) Section 1143(d).

(S) Section 1174(a)(2).

(T) Section 1251(a).

(U) Section 1252(a).

(V) Section 1253(a).

(W) Section 1375.

(X) Section 1413a(h).

(Y) Section 1551.

(Z) Section 1561(a).

(AA) Section 1731(a)(1)(A)(ii).

(BB) Section 2102(a).

(CC) Section 2103a(a)(2).

(DD) Section 2104(b)(5).

(EE) Section 2107.

(FF) Section 2421.

(GG) Section 2631(a).

(HH) Section 2787(a).

(4) REGULAR SPACE FORCE I.—Such subtitle is further amended by striking ''or Regular Marine Corps'' each place it appears and inserting ''Regular Marine Corps, or Regular Space Force'' in the following provisions:

(A) Section 531(c).

(B) Section 532(a) in the matter preceding paragraph (1).

(C) Subsections (a)(1), (b)(1), and (f) of section 533.

(D) Section 633(a).

(E) Section 634(a).

(F) Section 635.

(G) Section 636(a).

(H) Section 647(c).

(I) Section 688(b)(1).

(J) Section 1181.

(5) REGULAR SPACE FORCE II.—Such subtitle is further amended by striking ''Regular Marine Corps,'' each place it appears and inserting ''Regular Marine Corps, Regular Space Force,'' in the following provisions:

(A) Section 505.

(B) Section 506.

(C) Section 508.

(6) TRANSFER, ETC. OF FUNCTIONS, POWERS, AND DUTIES.—Section 125(b) of such title, as amended by paragraph (3)(A), is further amended by striking ''or 9062(c)'' and inserting ''9062(c), or 9081''.

(7) JOINT STAFF MATTERS.—

(A) APPOINTMENT OF CHAIRMAN; GRADE AND RANK.—Section 152 of such title is amended—

(i) in subsection (b)(1)(C), by striking ''or the Commandant of the Marine Corps'' and inserting ''the Commandant of the Marine Corps, or the Chief of Space Operations''; and

(ii) in subsection (c), by striking ''or, in the case of the Navy, admiral'' and inserting '', in the case of the Navy, admiral, or, in the case of an officer of the Space Force, the equivalent grade,''.

(B) INCLUSION OF SPACE FORCE ON JOINT STAFF.—Section 155(a) of such title is amended—

(i) in paragraph (2) by inserting ''the Space Force and'' before ''the Coast Guard'';

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

(iii) by inserting after paragraph (2) the following new paragraph (3):

''(3) Officers of the Space Force assigned to serve on the Joint Staff shall be selected by the Chairman in a number that, to the extent practicable, bears the same proportion to the numbers of officers of the armed forces selected under paragraph (2) as the number of Regular members of the Space Force bears to the number of Regular members of the armed forces specified in that paragraph (with the Navy and the Marine Corps treated as a single armed force for purposes of this paragraph).''.

(8) ARMED FORCES POLICY COUNCIL.—Section 171(a) of such title is amended—

(A) in paragraph (15), by striking ''and'';

(B) in paragraph (16), by striking the period and inserting ''; and''; and

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

''(17) the Chief of Space Operations.''.

(9) JOINT REQUIREMENTS OVERSIGHT COUNCIL.—Section 181(c)(1) of such title is amended by adding at the end the following new subparagraph:

''(F) A Space Force officer in the grade equivalent to the grade of general in the Army, Air Force, or Marine Corps, or admiral in the Navy.''.

(10) UNFUNDED PRIORITIES.—Section 222a(b) of such title is amended—

(A) by redesignating paragraph (5) as paragraph (6); and

(B) by inserting after paragraph (4) the following new paragraph:

''(5) The Chief of Space Operations.''.

(11) THEATER SECURITY COOPERATION EXPENSES.—Section 312(b)(3) of such title is amended by inserting ''the Chief of Space Operations,'' after ''the Commandant of the Marine Corps,''.

(12) WESTERN HEMISPHERE INSTITUTE.—Section 343(e)(1)(E) of such title is amended by inserting ''or Space Force'' after ''for the Air Force''.

(13) ORIGINAL APPOINTMENTS OF COMMISSIONED OFFICERS.—Section 531(a) of such title is amended—

(A) in paragraph (1), by striking ''and in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy'' and inserting ''in the grades of ensign, lieutenant (junior grade), and lieutenant in the Regular Navy, and in the equivalent grades in the Regular Space Force''; and

(B) in paragraph (2), by striking ''and in the grades of lieutenant commander, commander, and captain in the Regular Navy'' and inserting ''in the grades of lieutenant commander, commander, and captain in the Regular Navy, and in the equivalent grades in the Regular Space Force''.

(14) SERVICE CREDIT UPON ORIGINAL APPOINTMENT AS A COMMISSIONED OFFICER.—Section 533(b)(2) of such title is amended by striking ''or captain in the Navy'' and inserting '', captain in the Navy, or an equivalent grade in the Space Force''.

(15) SENIOR JOINT OFFICER POSITIONS: RECOMMENDATIONS TO THE SECRETARY OF DEFENSE.—Section 604(a)(1)(A) of such title is

amended by inserting ''and the name of at least one Space Force officer'' after ''Air Force officer''.

(16) FORCE SHAPING AUTHORITY.—Section 647(a)(2) of such title is amended by striking ''of that armed force''.

(17) MEMBERS: REQUIRED SERVICE.—Section 651(b) of such title is amended by striking ''of his armed force''.

(18) CAREER FLEXIBILITY TO ENHANCE RETENTION OF MEMBERS.—Section 710(c)(1) of such title is amended by striking ''the armed force concerned'' and inserting ''an armed force''.

(19) SENIOR MEMBERS OF MILITARY STAFF COMMITTEE OF UNITED NATIONS.—Section 711 of such title is amended by inserting ''or the Space Force'' after ''Air Force''.

(20) RANK: CHIEF OF SPACE OPERATIONS.—

(A) IN GENERAL.—Section 743 of such title is amended by striking ''and the Commandant of the Marine Corps'' and inserting ''the Commandant of the Marine Corps, and the Chief of Space Operations''.

(B) HEADING.—The heading of such section 743 is amended to read as follows:

''§ 743. Rank: Chief of Staff of the Army; Chief of Naval Operations; Chief of Staff of the Air Force; Commandant of the Marine Corps; Chief of Space Operations''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 43 of such title is amended by striking the item relating to section 743 and inserting the following new item:

''743. Rank: Chief of Staff of the Army; Chief of Naval Operations; Chief of Staff of the Air Force; Commandant of the Marine Corps; Chief of Space Operations.''.

(21) UNIFORM CODE OF MILITARY JUSTICE.—Chapter 47 of such title (the Uniform Code of Military Justice) is amended—

(A) in section 822(a)(7) (article 22(a)(7)), by striking ''Marine Corps'' and inserting ''Marine Corps, or the commanding officer of a corresponding unit of the Space Force'';

(B) in section 823(a) (article 23(a))—

(i) in paragraph (2)—

(I) by striking ''Air Force base'' and inserting ''Air Force or Space Force military installation''; and

(II) by striking ''or the Air Force'' and inserting ''the Air Force, or the Space Force''; and

(ii) in paragraph (4), by inserting ''or a corresponding unit of the Space Force'' after ''Air Force''; and

(C) in section 824(a)(3) (article 24(a)(3)), by inserting ''or a corresponding unit of the Space Force'' after ''Air Force''.

(22) SERVICE AS CADET OR MIDSHIPMAN NOT COUNTED FOR LENGTH OF SERVICE.—Section 971(b)(2) of such title is amended by striking ''or Air Force'' and inserting '', Air Force, or Space Force''.

(23) REFERRAL BONUS.—Section 1030(h)(3) of such title is amended by inserting ''and the Space Force'' after ''concerning the Air Force''.

(24) RETURN TO ACTIVE DUTY FROM TEMPORARY DISABILITY.—Section 1211(a) of such title is amended—

(A) in the matter preceding paragraph (1), by striking ''or the Air Force'' and inserting '', the Air Force, or the Space Force''; and

(B) in paragraph (6)—

(i) by striking ''or the Air Force, who'' and inserting ''the Air Force, or the Space Force who''; and

(ii) by striking ''or the Air Force, as'' and inserting ''the Air Force, or the Space Force, as''.

(25) YEARS OF SERVICE.—Section 1405(c) of such title is amended by striking ''or Air Force'' and inserting '', Air Force, or Space Force''.

(26) RETIRED PAY BASE FOR PERSONS WHO BECAME MEMBERS BEFORE SEPTEMBER 8, 1980.—Section 1406 of such title is amended—

(A) in the heading of subsection (e), by inserting ''AND SPACE FORCE'' after ''AIR FORCE''; and

(B) in subsection (i)(3)—

(i) in subparagraph (A)—

(I) by redesignating clause (v) as clause (vi); and

(II) by inserting after clause (iv) the following new clause (v):

''(v) Chief of Space Operations.''; and

(ii) in subparagraph (B)—

(I) by redesignating clause (v) as clause (vi); and

(II) by inserting after clause (iv) the following new clause (v):

''(v) The senior enlisted advisor of the Space Force.''.

(27) SPECIAL REQUIREMENTS FOR MILITARY PERSONNEL IN THE ACQUISITION FIELD.—

(A) IN GENERAL.—Section 1722a(a) of such title is amended by striking ''and the Commandant of the Marine Corps (with respect to the Army, Navy, Air Force, and Marine Corps, respectively)'' and inserting '', the Commandant of the Marine Corps, and the Chief of Space Operations (with respect to the Army, Navy, Air Force, Marine Corps, and Space Force, respectively)''.

(B) CLARIFYING AMENDMENT.—Such section 1722a(a) is further amended by striking ''the Under Secretary of Defense for Acquisition, Technology, and Logistics'' and inserting ''the Under Secretary of Defense for Acquisition and Sustainment''.

(28) SENIOR MILITARY ACQUISITION ADVISORS.—Section 1725(e)(1)(C) of such title is amended by inserting ''and Space Force'' before the period.

(29) MILITARY FAMILY READINESS COUNCIL.—Section 1781a(b)(1) of such title is amended by striking ''Marine Corps, and Air Force'' each place it appears and inserting ''Air Force, Marine Corps, and Space Force''.

(30) FINANCIAL ASSISTANCE PROGRAM FOR SPECIALLY SELECTED MEMBERS.—Section 2107 of such title is amended—

(A) in subsection (a)—

(i) by striking ''or as a'' and inserting '', as a''; and

(ii) by inserting ''or as an officer in the equivalent grade in the Space Force'' after ''Marine Corps,'';

(B) in subsection (b)—

(i) in paragraph (3), by striking ''the reserve component of the armed force in which he is appointed as a cadet or midshipman'' and inserting ''the reserve component of an armed force''; and

(ii) in paragraph (5), by striking ''reserve component of that armed force'' each place it appears and inserting ''reserve component of an armed force''; and

(C) in subsection (d), by striking ''second lieutenant or ensign'' and inserting ''second lieutenant, ensign, or an equivalent grade in the Space Force''.

(31) SPACE RAPID CAPABILITIES OFFICE.—Section 2273a(d) of such title is amended by striking paragraph (3).

(32) ACQUISITION-RELATED FUNCTIONS OF CHIEFS OF THE ARMED FORCES.—Section 2547(a) of such title is amended by striking ''and the Commandant of the Marine Corps'' and inserting ''the Commandant of the Marine Corps, and the Chief of Space Operations''.

(33) AGREEMENTS RELATED TO MILITARY TRAINING, TESTING, AND OPERATIONS.—Section 2684a(i) of such title is amended by inserting ''Space Force,'' before ''or Defense-wide activities'' each place it appears.

(c) PROVISIONS OF SUBTITLE B.—

(1) IN GENERAL.—Subtitle B of title 10, United States Code, is amended by striking ''or Marine Corps'' each place it appears and inserting ''Marine Corps, or Space Force'' in the following provisions:

(A) Section 7452(c).

(B) Section 7621(d).

(2) COMPUTATION OF YEARS OF SERVICE.—Section 7326(a)(1) of such title is amended by striking ''or the Air Force'' and inserting '', the Air Force, or the Space Force''.

(d) PROVISIONS OF SUBTITLE C.—

(1) CADETS; HAZING.—Section 8464(f) of title 10, United States Code, is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(2) SALES PRICES.—

(A) IN GENERAL.—Section 8802 of such title is amended by striking ''or the Air Force'' and inserting '', the Air Force, or the Space Force''.

(B) HEADING.—The heading of such section 8802 is amended to read as follows:

''§ 8802. Sales: members of Army, Air Force, and Space Force; prices''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 879 of such title is amended by striking the item relating to section 8802 and inserting the following new item:

''8802. Sales: members of Army, Air Force, and Space Force; prices.''.

(3) SALES TO CERTAIN VETERANS.—Section 8803 of such title is amended by striking ''or the Marine Corps'' and inserting ''the Marine Corps, or the Space Force''.

(4) SUBSISTENCE AND OTHER SUPPLIES.—Section 8806(d) of such title is amended by striking ''or Air Force or Marine Corps'' and inserting '', Air Force, Marine Corps, or Space Force''.

(5) SCOPE OF CHAPTER ON PRIZE.—Section 8851(a) of such title is amended by striking ''or the Air Force'' and inserting '', the Air Force, or the Space Force''.

SEC. 934. AMENDMENTS TO PROVISIONS OF LAW RELATING TO PAY AND ALLOWANCES.

(a) DEFINITIONS.—Section 101 of title 37, United States Code, is amended—

(1) in paragraphs (3) and (4), by inserting ''Space Force,'' after ''Marine Corps,'' each place it appears; and

(2) in paragraph (5)(C), by inserting ''and the Space Force'' after ''Air Force''.

(b) BASIC PAY RATES.—

(1) COMMISSIONED OFFICERS.—Footnote 2 of the table titled ''COMMISSIONED OFFICERS'' in section 601(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note) is amended by inserting after ''Commandant of the Marine Corps,'' the following: ''Chief of Space Operations,''.

(2) ENLISTED MEMBERS.—Footnote 2 of the table titled ''ENLISTED MEMBERS'' in section 601(c) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 37 U.S.C. 1009 note) is amended by inserting after ''Sergeant Major of the Marine Corps,'' the following: ''the senior enlisted advisor of the Space Force,''.

(c) PAY GRADES: ASSIGNMENT TO; GENERAL RULES.—Section 201(a) of title 37, United States Code, is amended—

(1) by striking ''(a) For the purpose'' and inserting ''(a)(1) Subject to paragraph (2), for the purpose''; and

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

''(2) For the purpose of computing their basic pay, commissioned officers of the Space Force are assigned to the pay grades in the table in paragraph (1) by grade or rank in the Air Force that is equivalent to the grade or rank in which such officers are serving in the Space Force.''.

(d) PAY OF SENIOR ENLISTED MEMBERS.—Section 210(c) of title 37, 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):

''(5) The senior enlisted advisor of the Space Force.''.

(e) ALLOWANCES OTHER THAN TRAVEL AND TRANSPORTATION ALLOWANCES.—

(1) PERSONAL MONEY ALLOWANCE.—Section 414 of title 37, United States Code, is amended—

(A) in subsection (a)(5), by inserting ''Chief of Space Operations,'' after ''Commandant of the Marines Corps,''; and

(B) in subsection (b), by inserting ''the senior enlisted advisor of the Space Force,'' after ''the Sergeant Major of the Marine Corps,''.

(2) CLOTHING ALLOWANCE: ENLISTED MEMBERS.—Section 418(d) of such title is amended—

(A) in paragraph (1), by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''; and

(B) in paragraph (4), by striking ''or the Marine Corps'' and inserting ''the Marine Corps, or the Space Force''.

(f) TRAVEL AND TRANSPORTATION ALLOWANCES: PARKING EXPENSES.—Section 481i(b) of title 37, United States Code, is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(g) LEAVE.—

(1) ADDITION OF SPACE FORCE.—Chapter 9 of title 37, United States Code, is amended by inserting ''Space Force,'' after ''Marines Corps,'' each place it appears in the following provisions:

(A) Subsections (b)(1) and (e)(1) of section 501.

(B) Section 502(a).

(C) Section 503(a).

(2) ADDITION OF REGULAR SPACE FORCE.—Section 501(b)(5)(C) of such title is amended by striking ''or Regular Marine Corps'' and inserting ''Regular Marine Corps, or Regular Space Force''.

(3) TECHNICAL AMENDMENTS.—Chapter 9 of such title is further amended as follows:

(A) In section 501(b)(1)—

(i) by striking ''his'' each place it appears and inserting ''the member's''; and

(ii) by striking ''he'' and inserting ''the member''.

(B) In section 502—

(i) by striking ''his designated representative'' each place it appears and inserting ''the Secretary's designated representative'';

(ii) in subsection (a), by striking ''he'' each place it appears and inserting ''the member''; and

(iii) in subsection (b), by striking ''his'' and inserting ''the member's''.

(h) ALLOTMENT AND ASSIGNMENT OF PAY.—

(1) IN GENERAL.—Subsections (a), (c), and (d) of section 701 of title 37, United States Code, are each amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(2) TECHNICAL AMENDMENTS.—Such section 701 is further amended—

(A) in subsection (a), by striking ''his'' and inserting ''the officer's'';

(B) in subsection (b), by striking ''his'' and inserting ''the person's''; and

(C) in subsection (c), by striking ''his pay, and if he does so'' and inserting ''the member's pay, and if the member does so''.

(3) HEADING.—The heading of such section 701 is amended to read as follows:

''§ 701. Members of the Army, Navy, Air Force, Marine Corps, and Space Force; contract surgeons''.

(4) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 13 of such title is amended by striking the item relating to section 701 and inserting the following new item:

''701. Members of the Army, Navy, Air Force, Marine Corps, and Space Force; contract surgeons.''.

(i) FORFEITURE OF PAY.—

(1) FORFEITURE FOR ABSENCE FOR INTEMPERATE USE OF ALCOHOL OR DRUGS.—

(A) IN GENERAL.—Section 802 of title 37, United States Code, is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(B) TECHNICAL AMENDMENTS.—Such section 802 is further amended by striking ''his'' each place it appears and inserting ''the member's''.

(2) FORFEITURE WHEN DROPPED FROM ROLLS.—

(A) IN GENERAL.—Section 803 of such title is amended by striking ''or the Air Force'' and inserting '', the Air Force, or the Space Force''.

(B) HEADING.—The heading of such section 803 is amended to read as follows:

''§ 803. Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 15 of such title is amended by striking the item relating to section 803 and inserting the following new item:

''803. Commissioned officers of the Army, Air Force, or Space Force: forfeiture of pay when dropped from rolls.''.

(j) EFFECT ON PAY OF EXTENSION OF ENLISTMENT.—Section 906 of title 37, United States Code, is amended by inserting ''Space Force,'' after ''Marine Corps,''.

(k) ADMINISTRATION OF PAY.—

(1) PROMPT PAYMENT REQUIRED.—

(A) IN GENERAL.—Section 1005 of title 37, United States Code, is amended by striking ''and of the Air Force'' and inserting '', the Air Force, and the Space Force''.

(B) HEADING.—The heading of such section 1005 is amended to read as follows:

''§ 1005. Army, Air Force, and Space Force: prompt payments required''.

(C) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 15 of such title is amended by striking the item relating to section 803 and inserting the following new item:

''1005. Army, Air Force, and Space Force: prompt payments required.''.

(2) DEDUCTIONS FROM PAY.—

(A) IN GENERAL.—Section 1007 of such title is amended—

(i) in subsections (b), (d), (f), and (g), by striking ''or the Air Force'' and inserting '', the Air Force, or the Space Force''; and

(ii) in subsection (e), by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(B) TECHNICAL AMENDMENTS.—Such section 1007 is further amended—

(i) in subsection (b), by striking ''him'' and inserting ''the member'';

(ii) in subsection (d), by striking ''his'' each place it appears and inserting ''the member's''; and

(iii) in subsection (f)—

(I) by striking ''his'' and inserting ''the officer's''; and

(II) by striking ''he'' both places it appears and inserting ''the officer''.

SEC. 935. AMENDMENTS RELATING TO PROVISIONS OF LAW ON VETERANS' BENEFITS.

(a) ADDITION OF SPACE SERVICE TO REFERENCES TO MILITARY, NAVAL, OR AIR SERVICE.—Title 38, United States Code, is amended by striking ''or air service'' and inserting ''air, or space service'' each place it appears in the following provisions:

(1) Paragraphs (2), (5), (12), (16), (17), (18), (24), and (32) of section 101.

(2) Section 105(a).

(3) Section 106(b).

(4) Section 701.

(5) Paragraphs (1) and (2)(A) of section 1101.

(6) Section 1103.

(7) Section 1110.

(8) Subsections (b)(1) and (c)(1) of section 1112.

(9) Section 1113(b).

(10) Section 1131.

(11) Section 1132.

(12) Section 1133.

(13) Section 1137.

(14) Section 1141.

(15) Section 1153.

(16) Section 1301.

(17) Subsections (a) and (b) of section 1302.

(18) Section 1310(b).

(19) Section 1521(j).

(20) Section 1541(h).

(21) Subsections (a)(2)(B) and (e)(3) of section 1710.

(22) Section 1712(a).

(23) Section 1712A(c).

(24) Section 1717(d)(1).

(25) Subsections (b) and (c) of section 1720A.

(26) Section 1720D(c)(3).

(27) Section 1720E(a).

(28) Section 1720G(a)(2)(B).

(29) Subsections (b)(2), (e)(1), and (e)(4) of section 1720I.

(30) Section 1781(a)(3).

(31) Section 1783(b)(1).

(32) Section 1922(a).

(33) Section 2002(b)(1).

(34) Section 2101A(a)(1).

(35) Subsections (a)(1)(C) and (d) of section 2301.

(36) Section 2302(a).

(37) Section 2303(b)(2).

(38) Subsections (b)(4)(A) and (g)(2) of section 2306.

(39) Section 2402(a)(1).

(40) Section 3018B(a).

(41) Section 3102(a)(1)(A)(ii).

(42) Subsections (a) and (b)(2)(A) of section 3103.

(43) Section 3113(a).

(44) Section 3501(a).

(45) Section 3512(b)(1)(B)(iii).

(46) Section 3679(c)(2)(A).

(47) Section 3701(b)(2).

(48) Section 3712(e)(2).

(49) Section 3729(c)(1).

(50) Subparagraphs (A) and (B) of section 3901(1).

(51) Subsections (c)(1)(A) and (d)(2)(B) of section 5103A.

(52) Section 5110(j).

(53) Section 5111(a)(2)(A).

(54) Section 5113(b)(3)(C).

(55) Section 5303(e).

(56) Section 6104(c).

(57) Section 6105(a).

(58) Subsections (a)(1) and (b)(3) of section 6301.

(59) Section 6303(b).

(60) Section 6304(b)(1).

(61) Section 8301.

(b) DEFINITIONS.—

(1) ARMED FORCES.—Paragraph (10) of section 101 of title 38, United States Code, is amended by inserting ''Space Force,'' after ''Air Force,''.

(2) SECRETARY CONCERNED.—Paragraph (25)(C) of such section is amended by inserting ''or the Space Force'' before the semicolon.

(3) SPACE FORCE RESERVE.—Paragraph (27) of such section is amended—

(A) by redesignating subparagraphs (E) through (G) as subparagraphs (F) through (H), respectively; and

(B) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) the Space Force Reserve;''.

(c) PLACEMENT OF EMPLOYEES IN MILITARY INSTALLATIONS.—Section 701 of title 38, United States Code, is amended by striking ''and Air Force'' and inserting ''Air Force, and Space Force''.

(d) CONSIDERATION TO BE ACCORDED TIME, PLACE, AND CIRCUMSTANCES OF SERVICE.—Section 1154(b) of title 38, United States Code, is amended by striking ''or air organization'' and inserting ''air, or space organization''.

(e) PREMIUM PAYMENTS.—Section 1908 of title 38, United States Code, is amended by inserting ''Space Force,'' after ''Marine Corps,''.

(f) SECRETARY CONCERNED FOR GI BILL.—Section 3020(l)(3) of title 38, United States Code, is amended by inserting ''or the Space Force'' before the semicolon.

(g) DEFINITIONS FOR POST-9/11 GI BILL.—Section 3301(2)(C) of title 38,United States Code, is amended by inserting ''or the Space Force'' after ''Air Force''.

(h) PROVISION OF CREDIT PROTECTION AND OTHER SERVICES.—Section 5724(c)(2) of title 38, United States Code, is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

SEC. 936. AMENDMENTS TO OTHER PROVISIONS OF THE UNITED STATES CODE.

(a) TITLE 5; DEFINITION OF ARMED FORCES.—Section 2101(2) of title 5, United States Code, is amended by inserting after ''Marine Corps,'' the following: ''Space Force,''.

(b) TITLE 14.—

(1) VOLUNTARY RETIREMENT.—Section 2152 of title 14, United States Code, is amended by striking ''or Marine Corps'' and inserting ''Marine Corps, or Space Force''.

(2) COMPUTATION OF LENGTH OF SERVICE.—Section 2513 of such title is amended by inserting after ''Air Force,'' the following: ''Space Force,''.

(c) TITLE 18; FIREARMS AS NONMAILABLE.—Section 1715 of such title is amended by inserting ''Space Force,'' after ''Marine Corps,''.

(d) TITLE 31.—

(1) DEFINITIONS RELATING TO CLAIMS.—Section 3701(a)(7) of title 31, United States Code, is amended by inserting ''Space Force,'' after ''Marine Corps,''.

(2) COLLECTION AND COMPROMISE.—Section 3711(f) of such title is amended in paragraphs (1) and (3) by inserting ''Space Force,'' after ''Marine Corps,'' each place it appears.

(e) TITLE 41; HONORABLE DISCHARGE CERTIFICATE IN LIEU OF BIRTH CERTIFICATE.—Section 6309(a) of title 41, United States Code, is amended by inserting ''Space Force,'' after ''Marine Corps,''.

(f) TITLE 51; POWERS OF THE ADMINISTRATION IN PERFORMANCE OF FUNCTIONS.—Section 20113(l) of title 51, United States Code, is amended—

(1) in the subsection heading, by striking ''SERVICES'' and inserting ''FORCES''; and

(2) by striking ''and Marine Corps'' and inserting ''Marine Corps, and Space Force''.

SEC. 937. APPLICABILITY TO OTHER PROVISIONS OF LAW.

(a) SECRETARY OF DEFENSE AUTHORITY.—The authority of the Secretary of Defense with respect to the Air Force or members of the Air Force under any covered provision of law may be exercised by the Secretary with respect to the Space Force or members of the Space Force.

(b) SECRETARY OF THE AIR FORCE AUTHORITY.—The authority of the Secretary of the Air Force with respect to the Air Force or members of the Air Force under any covered provision of law may be exercised with respect to the Space Force or members of the Space Force.

(c) BENEFITS FOR MEMBERS.—A member of the Space Force shall be eligible for any benefit under a covered provision of law that is available to a member of the Air Force under the same terms and conditions as the provision of law applies to members of the Air Force.

(d) COVERED PROVISION OF LAW DEFINED.—In this section, the term ''covered provision of law'' means a provision of law other than a provision of title 5, 10, 14, 18, 31, 37, 38, 41, or 51, United States Code.

PART II—OTHER MATTERS

SEC. 941. MATTERS RELATING TO RESERVE COMPONENTS FOR THE SPACE FORCE.

(a) LIMITATION ON ESTABLISHMENT OF SPACE NATIONAL GUARD.—

(1) IN GENERAL.—The Space National Guard may not be established as a reserve component of the Space Force until the Secretary of Defense certifies in writing, to the congressional defense committees that a Space National Guard is the organization best suited to discharge in an effective and efficient manner the missions intended to be assigned to the Space National Guard.

(2) BASIS FOR CERTIFICATION.—The certification must be based on the results of a study conducted for purposes of this subsection by the Assistant Secretary of the Air Force for Manpower and Reserve Affairs.

(3) PROPOSED MISSIONS.—The certification shall include a description of each mission proposed to be assigned to the Space National Guard in connection with the certification.

(b) SPACE FORCE RESERVE.—

(1) INCLUSION WITHIN SPACE FORCE.—Section 9081(b)(2) of title 10, United States Code, is amended by inserting '', including the Regular Space Force and the Space Force Reserve,'' after ''space forces''.

(2) NAMED RESERVE COMPONENT.—Section 10101 of title 10, United States Code, is amended—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following new paragraph (7):

''(7) The Space Force Reserve.''.

(3) COMPOSITION.—

(A) IN GENERAL.—Chapter 1003 of such title is amended—

(i) by redesignating section 10114 as section 10115; and

(ii) by inserting after section 10113 the following new section 10114:

''§ 10114. Space Force Reserve: composition

''The Space Force Reserve is a reserve component of the Space Force to provide a reserve for active duty. It consists of the members of the officers' section of the Space Force Reserve and of the enlisted section of the Space Force Reserve.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1003 of such title is amended by striking the item relating to section 10114 and inserting the following new items:

''10114. Space Force Reserve: composition.
''10115. Coast Guard Reserve.''.

(4) SPACE FORCE RESERVE COMMAND.—

(A) IN GENERAL.—Chapter 1006 of such title is amended by adding at the end the following new section:

''§ 10175. Space Force Reserve Command

''(a) ESTABLISHMENT OF COMMAND.—The Secretary of the Air Force, with the advice and assistance of the Chief of Space Operations, shall establish a Space Force Reserve Command. The Space Force Reserve Command shall be operated as a separate command of the Space Force.

''(b) COMMANDER.—The Chief of Space Force Reserve is the Commander of the Space Force Reserve Command. The commander of the Space Force Reserve Command reports directly to the Chief of Space Operations.

''(c) ASSIGNMENT OF FORCES.—The Secretary of the Air Force—

''(1) shall assign to the Space Force Reserve Command all forces of the Space Force Reserve stationed in the continental United States other than forces assigned to the unified combatant command for special operations forces established pursuant to section 167 of this title; and

''(2) except as otherwise directed by the Secretary of Defense in the case of forces assigned to carry out functions of the Secretary of the Air Force specified in section 9013 of this title, shall assign to the combatant commands all such forces assigned to the Space Force Reserve Command under paragraph (1) in the manner specified by the Secretary of Defense.''.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1006 of such title is amended by adding at the end the following new item:

''10175. Space Force Reserve Command.''.

(c) MILITARY PERSONNEL MANAGEMENT.—Any authority in title 10, United States Code, may be applied to a member of the Space Force Reserve in the same manner as such authority is applied to a similarly situated member of the Air Force Reserve. In the application of such authority to a member of the Space Force Reserve, any reference to a grade of a member of in the Air Force or Air Force Reserve shall be deemed to refer to the equivalent grade in the Space Force or Space Force Reserve.

(d) REPORT ON INTEGRATION OF SPACE FORCE RESERVE INTO LAW.—Not later than 270 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 or Representatives a report setting forth the amendments to title 10, United States Code, and any other laws, necessary to fully integrate the Space Force Reserve into statutory authorities on the personnel, activities, missions, and management of the Space Force.

SEC. 942. TRANSFERS OF MILITARY AND CIVILIAN PERSONNEL TO THE SPACE FORCE.

(a) PROHIBITION ON INVOLUNTARY TRANSFER.—A member of the Armed Forces or civilian employee of the Department of Defense may not be transferred to the military or civilian part of the Space Force, as the case may be, without the consent of such member or employee.

(b) STATUS WITHIN SPACE FORCE UPON TRANSFER.—Any member of the Armed Forces or civilian employee of the Department of Defense who is transferred to the Space Force shall, after transfer, have the status of member or civilian employee, as the case may be, of the Space Force.

(c) DETAIL OR ASSIGNMENT OF MEMBERS.—

(1) PERMANENT NATURE OF DETAIL OR ASSIGNMENT.—The detail or assignment of any member of the Armed Forces to the Space Force on or after the date of the enactment of this Act shall be permanent, and shall be treated as a transfer to which subsection (b) applies.

(2) ACKNOWLEDGMENT OF NATURE.—Any member undergoing a detail or assignment described in paragraph (1) shall execute a written acknowledgment, before undergoing such detail or assignment, of the permanent nature of the detail or assignment by reason of paragraph (1).

SEC. 943. LIMITATION ON TRANSFER OF MILITARY INSTALLATIONS TO THE JURISDICTION OF THE SPACE FORCE.

(a) LIMITATION.—A military installation (whether or not under the jurisdiction of the Department of the Air Force) may not be transferred to the jurisdiction or command of the Space Force until the Secretary of the Air Force briefs the congressional defense

committees on the results of a business case analysis, conducted by the Secretary in connection with the transfer, of the cost and efficacy of the transfer.

(b) TIMING OF BRIEFING.—The briefing on a business case analysis conducted pursuant to subsection (a) shall be provided not later than 15 days after the date of the completion of the business case analysis by the Secretary.

Subtitle D—Organization and Management of Other Department of Defense Offices and Elements

SEC. 951. ANNUAL REPORT ON ESTABLISHMENT OF FIELD OPERATING AGENCIES.

(a) IN GENERAL.—Subchapter I of chapter 134 of title 10, United States Code, is amended by inserting after section 2245 the following new section:

"§ 2246. Establishment of field operating agencies: annual report

''(a) ANNUAL REPORT REQUIRED.—Not later than January 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on each, if any, field operating agency established during the preceding year.

''(b) ELEMENTS.—Each report under subsection (a) shall include, for each field operating agency covered by such report, the following:

''(1) The name of such agency.

''(2) The physical location of such agency.

''(3) The title and grade (whether military or civilian) of the head of such agency.

''(4) The chain of command, supervision, or authority through which the head of such agency reports to the Office of the Secretary of Defense or the military department or Armed Forces headquarters, as applicable.

''(5) The mission of such agency.

''(6) The number of personnel authorized to be assigned to such agency, and the number of such authorizations encumbered by military personnel and civilian employees of the Department of Defense or military department, as applicable.

''(7) The purpose underlying the establishment of such agency.

''(8) Any cost savings or other efficiencies that have accrued, or are anticipated to accrue, to the Department of Defense or any of its components in connection with the establishment and operation of such agency.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 134 of such title is amended by inserting after the item relating to section 2245 the following new item:

''2246. Establishment of field operating agencies: annual report.''.

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).

SEC. 1002. APPLICATION OF FINANCIAL IMPROVEMENT AND AUDIT REMEDIATION PLAN TO FISCAL YEARS FOLLOWING FISCAL YEAR 2020.

Section 240b(a)(2)(A)(iii) of title 10, United States Code, is amended by striking ''for fiscal year 2018'' and all that follows and inserting ''for each fiscal year after fiscal year 2020 occurs by not later than March 31 following such fiscal year;''.

Subtitle B—Counterdrug Activities

SEC. 1011. CODIFICATION OF AUTHORITY FOR JOINT TASK FORCES OF THE DEPARTMENT OF DEFENSE TO SUPPORT LAW ENFORCEMENT AGENCIES CONDUCTING COUNTERTERRORISM OR COUNTER-TRANSNATIONAL ORGANIZED CRIME ACTIVITIES.

(a) CODIFICATION OF SECTION 1022 OF FY 2004 NDAA.—Chapter 15 of title 10, United States Code, is amended by adding at the end a new section 285 consisting of—

(1) a heading as follows:

"§ 285. Authority for joint task forces to support law enforcement agencies conducting counterterrorism or counter-transnational organized crime activities"; and

(2) a text consisting of the text of section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (10 U.S.C. 271 note).

(b) CONFORMING AMENDMENTS IN CONNECTION WITH CODIFICATION.—Section 285 of title 10, United States Code, as added by subsection (a), is amended—

(1) in subsection (b), by striking ''During fiscal years 2006 through 2022, funds for drug interdiction'' and inserting ''Funds for drug interdiction'';

(2) in subsection (c), by striking ''of each year in which the authority in subsection (a) is in effect'' and inserting ''each year'';

(3) in subsection (d)—

(A) in paragraph (1), by striking the paragraph designation and all that follows through ''Support'' in paragraph (2)(A) and inserting ''(1) Support'';

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

(C) in paragraph (2), as so redesignated, by striking ''subparagraph (A)'' and inserting ''paragraph (1)''; and

(4) in subsection (e)—

(A) in paragraph (1), by striking ''of title 10, United States Code'' and inserting ''of this title''; and

(B) by striking the second paragraph (2).

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 15 of such title is amended by adding at the end the following new item:

''285. Authority for joint task forces to support law enforcement agencies conducting counterterrorism or counter-transnational organized crime activities.''.

(d) CONFORMING REPEAL.—Section 1022 of the National Defense Authorization Act for Fiscal Year 2004 is repealed.

Subtitle C—Naval Vessels and Shipyards

SEC. 1021. MODIFICATION OF AUTHORITY TO PURCHASE USED VESSELS WITH FUNDS IN THE NATIONAL DEFENSE SEALIFT FUND.

Section 2218(f)(3) of title 10, United States Code, is amended—

(1) by striking subparagraphs (E) and (G); and

(2) by redesignating subparagraph (F) as subparagraph (E).

SEC. 1022. WAIVER DURING WAR OR THREAT TO NATIONAL SECURITY OF RESTRICTIONS ON OVERHAUL, REPAIR, OR MAINTENANCE OF VESSELS IN FOREIGN SHIPYARDS.

Section 8680 of title 10, United States Code, is amended—

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

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

''(c) WAIVER.—(1) The Secretary of the Navy may waive the restrictions in subsections (a) and (b) for the duration of a period of threat to the national security interests of the United States upon a written determination by the Secretary that such a waiver is necessary in the national security interest of the United States.

''(2) Not later than 15 days after making a determination under paragraph (1), the Secretary shall provide to the congressional defense committees a written notification on the determination.

''(3) In this subsection, the term 'period of threat to the national security interests of the United States' means the following:

''(A) A period of war.

''(B) Any other period determined by Secretary of Defense in which the national security interests of the United States are threatened by the application, or the imminent danger of application, of physical force by any foreign government or agency against the United States, citizens of the United States, the property of citizens of the United States, or the commercial interests of citizens of the United States.''.

SEC. 1023. MODIFICATION OF WAIVER AUTHORITY ON PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF CERTAIN LEGACY MARITIME MINE COUNTERMEASURE PLATFORMS.

(a) IN GENERAL.—Section 1046(b)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public law 115–91; 131 Stat. 1556) is amended by striking ''certifies'' and inserting '', with the concurrence of the Director of Operational Test and Evaluation, certifies in writing''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to waivers under subsection (b)(1) of section 1046 of the National Defense Authorization Act for Fiscal Year 2018 of the prohibition under subsection (a) of that section that occur on or after that date.

SEC. 1024. EXTENSION OF AUTHORITY FOR REIMBURSEMENT OF EXPENSES FOR CERTAIN NAVY MESS OPERATIONS AFLOAT.

Section 1014(b) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4585), as most recently amended by section 1023(a) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 966), is further amended by striking ''September 30, 2020'' and inserting ''September 30, 2025''.

SEC. 1025. SENSE OF CONGRESS ON ACTIONS NECESSARY TO ACHIEVE A 355-SHIP NAVY.

It is the sense of Congress that to achieve the national policy of the United States to have available, as soon as practicable, not fewer than 355 battle force ships—

(1) the Navy must be adequately resourced to increase the size of the Navy in accordance with the national policy, which includes the associated ships, aircraft, personnel, sustainment, and munitions;

(2) across fiscal years 2021 through 2025, the Navy should start construction on not fewer than—

(A) 12 Arleigh Burke-class destroyers;

(B) 10 Virginia-class submarines;

(C) 2 Columbia-class submarines;

(D) 3 San Antonio-class amphibious ships;

(E) 1 LHA-class amphibious ship;

(F) 6 John Lewis-class fleet oilers; and

(G) 5 guided missile frigates;

(3) new guided missile frigate construction should increase to a rate of between two and four ships per year once design maturity and construction readiness permit;

(4) the Columbia-class submarine program should be funded with additions to the Navy budget significantly above the historical average, given the critical single national mission that these vessels will perform and the high priority of the shipbuilding budget for implementing the National Defense Strategy;

(5) stable shipbuilding rates of construction should be maintained for each vessel class, utilizing multi-year or block buy contract authorities when appropriate, until a deliberate transition plan is identified; and

(6) prototyping of potential new shipboard subsystems should be accelerated to build knowledge systematically, and, to the maximum extent practicable, shipbuilding prototyping should occur at the subsystem-level in advance of ship design.

Subtitle D—Counterterrorism

SEC. 1031. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO THE UNITED STATES.

Section 1033 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1953), as amended by section 1043 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

SEC. 1032. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1036 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1551), as most recently amended by section 1045 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''fiscal year 2018, 2019, or 2020'' and inserting ''fiscal years 2018 through 2021''.

SEC. 1033. EXTENSION OF PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, TO CERTAIN COUNTRIES.

Section 1035 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as amended by section 1042 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

SEC. 1034. EXTENSION OF PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

Section 1034(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1954), as amended by section 1044 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 1041. INCLUSION OF DISASTER-RELATED EMERGENCY PREPAREDNESS ACTIVITIES AMONG LAW ENFORCEMENT ACTIVITIES AUTHORITIES FOR SALE OR DONATION OF EXCESS PERSONAL PROPERTY OF THE DEPARTMENT OF DEFENSE.

(a) INCLUSION.—Subsection (a)(1)(A) of section 2576a of title 10, United States Code, is amended by inserting ''disaster-related emergency preparedness,'' after ''counterterrorism,''.

(b) PREFERENCE IN TRANSFERS.—Subsection (d) of such section is amended to read as follows:

''(d) PREFERENCE FOR CERTAIN TRANSFERS.—In considering applications for the transfer of personal property under this section, the Secretary shall give a preference to applications indicating that the transferred property will be used in the counterdrug, counterterrorism, disaster-related emergency preparedness, or border security activities of the recipient agency. Applications that request vehicles used for disaster-related emergency preparedness, such as high-water rescue vehicles, should receive the highest preference.''.

SEC. 1042. EXPENDITURE OF FUNDS FOR DEPARTMENT OF DEFENSE CLANDESTINE ACTIVITIES THAT SUPPORT OPERATIONAL PREPARATION OF THE ENVIRONMENT.

(a) AUTHORITY.—Subject to subsections (b) through (d), the Secretary of Defense may expend up to $15,000,000 in any fiscal year for clandestine activities for any purpose the Secretary determines to be proper for preparation of the environment for operations of a confidential nature. Such a determination is final and conclusive upon the accounting officers of the United States. The Secretary may certify the amount of any such expenditure authorized by the Secretary that the Secretary considers advisable not to specify, and the Secretary's certificate is sufficient voucher for the expenditure of that amount.

(b) FUNDS.—Funds for expenditures under this section in a fiscal year shall be derived from amounts authorized to be appropriated for that fiscal year for operation and maintenance, Defense-wide.

(c) LIMITATION ON DELEGATION.—The Secretary of Defense may not delegate the authority under this section with respect to any expenditure in excess of $100,000.

(d) EXCLUSION OF INTELLIGENCE ACTIVITIES.—

(1) IN GENERAL.—This section does not constitute authority to conduct, or expend funds for, intelligence, counterintelligence, or intelligence-related activities.

(2) DEFINITIONS.—In this subsection, the terms ''intelligence'' and ''counterintelligence'' have the meaning given those terms in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(e) ANNUAL REPORT.—Not later than December 31 each year, the Secretary of Defense shall submit to the congressional defense committees a report on expenditures made under this section during the fiscal year preceding the year in which the report is submitted. Each report shall include, for each expenditure under this section during the fiscal year covered by such report—

(1) the amount and date of such expenditure;

(2) a detailed description of the purpose for which such expenditure was made;

(3) an explanation why other authorities available to the Department of Defense could not be used for such expenditure; and

(4) any other matters the Secretary considers appropriate.

SEC. 1043. CLARIFICATION OF AUTHORITY OF MILITARY COMMISSIONS UNDER CHAPTER 47A OF TITLE 10, UNITED STATES CODE, TO PUNISH CONTEMPT.

(a) CLARIFICATION.—

(1) IN GENERAL.—Subchapter IV of chapter 47A of title 10, United States Code, is amended by adding at the end the following new section:

''§ 949o–1. Contempt

''(a) AUTHORITY TO PUNISH.—(1) With respect to any proceeding under this chapter, a judicial officer specified in paragraph (2) may punish for contempt any person who—

''(A) uses any menacing word, sign, or gesture in the presence of the judicial officer during the proceeding;

''(B) disturbs the proceeding by any riot or disorder; or

''(C) willfully disobeys a lawful writ, process, order, rule, decree, or command issued with respect to the proceeding.

''(2) A judicial officer referred to in paragraph (1) is any of the following:

''(A) Any judge of the United States Court of Military Commission Review.

''(B) Any military judge detailed to a military commission or any other proceeding under this chapter.

''(b) PUNISHMENT.—The punishment for contempt under subsection (a) may not exceed confinement for 30 days, a fine of $1,000, or both.

''(c) REVIEW.—(1) A punishment under this section—

''(A) is not reviewable by the convening authority of a military commission under this chapter;

''(B) if imposed by a military judge, shall constitute a judgment, subject to review in the first instance only by the United States Court of Military Commission Review and then only by the United States Court of Appeals for the District of Columbia Circuit; and

''(C) if imposed by a judge of the United States Court of Military Commission Review, shall constitute a judgment of the court subject to review only by the United States Court of Appeals for the District of Columbia Circuit.

''(2) In reviewing a punishment for contempt imposed under this section, the reviewing court shall affirm such punishment unless the court finds that imposing such punishment was an abuse of the discretion of the judicial officer who imposed such punishment.

''(3) A petition for review of punishment for contempt imposed under this section shall be filed not later than 60 days after the date on which the authenticated record upon which the contempt punishment is based and any contempt proceedings conducted by the judicial officer are served on the person punished for contempt.

''(d) PUNISHMENT NOT CONVICTION.—Punishment for contempt is not a conviction or sentence within the meaning of section 949m of this title. The imposition of punishment for contempt is not governed by other provisions of this chapter applicable to military commissions, except that the Secretary of

Defense may prescribe procedures for contempt proceedings and punishments, pursuant to the authority provided in section 949a of this title.''.

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

''949o–1. Contempt.''.

(b) CONFORMING AMENDMENTS.—Section 950t of title 10, United States Code, is amended—

(1) by striking paragraph (31); and

(2) by redesignating paragraph (32) as paragraph (31).

(c) RULE OF CONSTRUCTION.—The amendments made by subsections (a) and (b) shall not be construed to affect the lawfulness of any punishment for contempt adjudged prior to the effective date of such amendments.

(d) APPLICABILITY.—The amendments made by subsections (a) and (b) shall take effect on the date of the enactment of this Act, and shall apply with respect to conduct by a person that occurs on or after such date.

SEC. 1044. PROHIBITION ON ACTIONS TO INFRINGE UPON FIRST AMENDMENT RIGHTS OF PEACEABLE ASSEMBLY AND PETITION FOR REDRESS OF GRIEVANCES.

Amounts authorized to be appropriated by this Act shall not be used for any program, project, or activity, or any use of personnel, to conduct actions against United States citizens that infringe upon their rights under the First Amendment to the Constitution peaceably to assemble and/or to petition the Government for a redress of grievances.

SEC. 1045. ARCTIC PLANNING, RESEARCH, AND DEVELOPMENT.

(a) ARCTIC PLANNING AND IMPLEMENTATION.—

(1) IN GENERAL.—The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall begin planning and implementing such changes as may be necessary for requirements, training, equipment, doctrine, and capability development of the Armed Forces should an expanded role of the Armed Forces in the Arctic be determined by the Secretary to be in the national security interests of the United States.

(2) TRAINING.—In carrying out paragraph (1), the Secretary shall direct the Armed Forces to carry out training in the Arctic or training relevant to carrying out military operations in the Arctic.

(b) ARCTIC RESEARCH AND DEVELOPMENT PROGRAM.—

(1) IN GENERAL.—If pursuant to subsection (a), the Secretary of Defense determines that an expanded role for the Armed Forces is in the national security interests of the United States, the Secretary shall establish a research and development program on the current and future requirements and needs of the Armed Forces for operations in the Arctic.

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

(A) Development of materiel solutions for operating in extreme weather environments of the Arctic, including equipment for individual members of the Armed Forces, ground vehicles, and communications systems.

(B) Development of a plan for fielding future weapons platforms able to operate in Arctic conditions for surface combatants, submarines, aviation platforms, assault craft unit connectors, auxiliaries, littoral craft, unmanned aerial vehicles, and any other systems that may be needed in the Arctic.

(C) Development of capabilities to monitor, assess, and predict environmental and weather conditions in the Arctic and their effect on military operations.

(D) Determining requirements for logistics and sustainment of the Armed Forces operating in the Arctic.

SEC. 1046. CONSIDERATION OF SECURITY RISKS IN CERTAIN TELECOMMUNICATIONS ARCHITECTURE FOR FUTURE OVERSEAS BASING DECISIONS OF THE DEPARTMENT OF DEFENSE.

The Secretary of Defense shall take into account the security risks of 5G and 6G telecommunications network architecture, including the use of telecommunications equipment provided by at-risk vendors such as Huawei Technologies Company, Ltd., and the Zhongxing Telecommunications Equipment Corporation (ZTE), in all future overseas stationing decisions of the Department of Defense, including—

(1) security risks from threats to operational and information security of United States military personnel and equipment; and

(2) the sufficiency of potential mitigation by the Department and the host nation concerned of such security risks, including through cost-sharing agreements related to such mitigation.

SEC. 1047. FOREIGN MILITARY TRAINING PROGRAMS.

(a) SHORT TITLE.—This section may be cited as the ''Secure United States Bases Act''.

(b) DEFINITIONS.—In this section:

(1) APPROPRIATE DEFENSE COMMITTEES.—The term ''appropriate defense committees'' means—

(A) the Committee on Armed Services of the Senate; and

(B) the Committee on Armed Services of the House of Representatives.

(2) COVERED INDIVIDUALS.—The term ''covered individuals'' 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)(i) is selected, nominated, or accepted for training or education for a period of more than 30 days occurring on a Department of Defense installation or facility within the United States; or

(ii) is an immediate family member accompanying any foreign national who has been selected, nominated, or accepted for such training or education.

(3) IMMEDIATE FAMILY MEMBER.—The term ''immediate family member'' means—

(A) spouse;

(B) parents and stepparents;

(C) siblings, stepsiblings, and half-siblings; and

(D) children and stepchildren.

(4) UNITED STATES.—The term ''United States'' means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and Guam.

(c) ESTABLISHMENT OF VETTING PROCEDURES; MONITORING REQUIREMENTS FOR CERTAIN MILITARY TRAINING.—

(1) ESTABLISHMENT OF VETTING PROCEDURES.—

(A) 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, including—

(i) biographic and biometric screening of covered individuals;

(ii) continuous review of whether covered individuals should continue to be authorized such physical access;

(iii) biographic checks of the covered individual's immediate family members; and

(iv) any other measures that the Secretary of Defense determines appropriate for vetting.

(B) INFORMATION REQUIRED.—The Secretary of Defense shall identify the information required to conduct the vetting.

(C) COLLECTION OF INFORMATION.—The Secretary of Defense shall—

(i) collect information to vet individuals under the procedures established under this subsection; and

(ii) as required for the effective implementation of this section, shall seek to enter into agreements with the relevant Federal departments and agencies to facilitate the sharing of information in the possession of such departments and agencies concerning the covered individuals.

(2) DETERMINATION AUTHORITY.—

(A) REVIEW.—The results of vetting—

(i) will be reviewed within the Department of Defense by an organization with an assigned security and counterintelligence mission; and

(ii) will be the basis for that organization's recommendation regarding whether physical access should be authorized by the appropriate authority.

(B) EFFECT OF DENIAL.—If the organization recommends that a covered individual not be authorized physical access to Department of Defense installations and facilities within the United States, such physical access may only be authorized for such covered individual by the Secretary of Defense or the Deputy Secretary of Defense.

(C) NOTIFICATION.—The Secretary of State shall be notified of any covered individuals who are not authorized physical access based on the results of the vetting under this subsection.

(3) ADDITIONAL SECURITY MEASURES.—Beginning on the date that is 181 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) ensure that all Department of Defense Common Access Cards issued to foreign nationals in the United States—

(i) comply with the credentialing standards issued by the Office of Personnel Management; and

(ii) include a visual indicator, as required by the standard developed by the National Institute of Standards and Technology;

(B) ensure that physical access by covered individuals is limited, as appropriate, to Department of Defense installations or facilities within the United States that are directly associated with their training or education or necessary to access authorized benefits;

(C) establish a policy regarding the possession of firearms on Department of Defense property by covered individuals; and

(D) ensure that covered individuals who have been granted physical access are incorporated into the Department of Defense Insider Threat Program.

(4) NOTIFICATION.—The Secretary of Defense shall notify the appropriate congressional committees of the establishment of the procedures required under paragraph (1).

(d) REPORTING REQUIREMENTS.—

(1) BRIEFING.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the appropriate congressional committees regarding the establishment of any Department of Defense policy or guidance related to the implementation of this section.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the appropriate congressional committees regarding the impact and effects of this section, including—

(A) any positive or negative impacts on the training of foreign military students;

(B) the effectiveness of the vetting procedures implemented in preventing harm to United States military personnel or communities;

(C) how any of the negative impacts have been mitigated; and

(D) a proposed plan to mitigate any ongoing negative impacts to the vetting and training of foreign military students by the Department of Defense.

SEC. 1048. REPORTING OF ADVERSE EVENTS RELATING TO CONSUMER PRODUCTS ON MILITARY INSTALLATIONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that any adverse event related to a consumer product that occurs on a military installation is reported on the internet website saferproducts.gov.

(b) DEFINITIONS.—In this section:

(1) ADVERSE EVENT.—The term ''adverse event'' means—

(A) any event that indicates that a consumer product—

(i) fails to comply with an applicable consumer product safety rule or with a voluntary consumer product safety standard upon which the Consumer Product Safety Commission has relied under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058);

(ii) fails to comply with any other rule, regulation, standard, or ban under that Act or any other Act enforced by the Commission;

(iii) contains a defect which could create a substantial product hazard described in section 15(a)(2) of the Consumer Product Safety Act (15 U.S.C. 2064(a)(2)); or

(iv) creates an unreasonable risk of serious injury or death; or

(B) any other harm described in subsection (b)(1)(A) of section 6A of the Consumer Product Safety Act (15 U.S.C. 2055a) and required to be reported in the database established under subsection (a) of that section.

(2) CONSUMER PRODUCT.—The term ''consumer product'' has the meaning given that term in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052).

SEC. 1049. INCLUSION OF UNITED STATES NAVAL SEA CADET CORPS AMONG YOUTH AND CHARITABLE ORGANIZATIONS AUTHORIZED TO RECEIVE ASSISTANCE FROM THE NATIONAL GUARD.

Section 508(d) of title 32, United States Code, is amended—

(1) by redesignating paragraph (14) as paragraph (15); and

(2) by inserting after paragraph (13) the following new paragraph (14):

''(14) The United States Naval Sea Cadet Corps.''.

SEC. 1050. DEPARTMENT OF DEFENSE POLICY FOR THE REGULATION OF DANGEROUS DOGS.

(a) IN GENERAL.—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) MILITARY COMMUNITIES DEFINED.—In this section, the term ''military communities'' means—

(1) all installations of the Department; and

(2) all military housing, including privatized military housing under subchapter IV of chapter 169 of title 10, United States Code.

SEC. 1051. SENSE OF CONGRESS ON THE BASING OF KC–46A AIRCRAFT OUTSIDE THE CONTIGUOUS UNITED STATES.

It is the sense of Congress that the Secretary of the Air Force, as part of the strategic basing process for KC–46A aircraft at installations outside the contiguous United States (OCONUS), should—

(1) consider the benefits derived from basing such aircraft at locations that—

(A) support day-to-day air refueling operations, operations plans of multiple combatant commands, and flexibility for contingency operations;

(B) have—

(i) a strategic location that is essential to the defense of the United States and its interests;

(ii) receivers for boom or probe-and-drogue combat training opportunities with joint and international partners; and

(iii) sufficient airfield and airspace availability and capacity to meet requirements;

(C) possess facilities that take full advantage of existing infrastructure to provide—

(i) runway, hangars, and aircrew and maintenance operations; and

(ii) sufficient fuel receipt, storage, and distribution for 5-day peacetime operating stock; and

(D) minimize overall construction and operational costs;

(2) prioritize United States responsiveness and flexibility to continued long-term great power competition and other major threats, as outlined in the 2017 National Security Strategy and the 2018 National Defense Strategy; and

(3) take into account the advancement of adversary weapons systems, with respect to both capacity and range.

Subtitle F—Studies and Reports

SEC. 1061. REPORT ON POTENTIAL IMPROVEMENTS TO CERTAIN MILITARY EDUCATIONAL INSTITUTIONS OF THE DEPARTMENT OF DEFENSE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than December 1, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth the results of a review and assessment, obtained by the Secretary for purposes of the report, of the potential effects on the military education provided by the educational institutions of the Department of Defense specified in subsection (b) of the actions described in subsection (c).

(2) CONDUCTING ORGANIZATION.—The review and assessment required for purposes of the report shall be performed by an organization selected by the Secretary from among organizations independent of the Department that have expertise in the analysis of matters in connection with higher education.

(b) EDUCATIONAL INSTITUTIONS OF THE DEPARTMENT OF DEFENSE.—The educational institutions of the Department of Defense specified in this subsection are the following:

(1) The senior level service schools and intermediate level service schools (as such terms are defined in section 2151(b) of title 10, United States Code).

(2) The Air Force Institute of Technology.

(3) The National Defense University.

(4) The Joint Special Operations University.

(5) The Army Armament Graduate School.

(6) Any other military educational institution of the Department specified by the Secretary for purposes of this section.

(c) ACTIONS.—The actions described in this subsection with respect to the educational institutions of the Department of Defense specified in subsection (b) are the following:

(1) Modification of admission and graduation requirements.

(2) Expansion of use of case studies in curricula for professional military education.

(3) Reduction or expansion of degree-granting authority.

(4) Reduction or expansion of the acceptance of research grants.

(5) Reduction of the number of attending students generally.

(6) Modification of military personnel career milestones in order to prioritize instructor positions.

(7) Increase in educational and performance requirements for military personnel selected to be instructors.

(8) Expansion of ''visiting'' or ''adjunct'' faculty.

(9) Modification of civilian faculty management practices, including employment practices.

(10) Reduction of the number of attending students through the sponsoring of education of an increased number of students at non-Department of Defense institutions of higher education.

(11) Modification of enlisted personnel management and career milestones to increase attendance at non-Department of Defense institutions of higher education

(d) ADDITIONAL ELEMENTS.—In addition to the matters described in subsection (a), the review and report under this section shall also include the following:

(1) A comparison of admission standards and graduation requirements of the educational institutions of the Department of Defense specified in subsection (b) with admission standards and graduation requirements of public and private institutions of higher education that are comparable to the educational institutions of the Department of Defense.

(2) A comparison of the goals and missions of the educational institutions of the Department of Defense specified in subsection (b) with the goals and missions of such public and private institutions of higher education.

(3) Any other matters the Secretary considers appropriate for purposes of this section.

(e) JCS EVALUATION OF REVIEW AND ASSESSMENT.—Not later than 90 days after the date on which the report required by subsection (a) is submitted to Congress, the Chairman of the Joint Chiefs of Staff shall, in consultation with the other members of the Joint Chiefs of Staff, submit to the Committees on Armed Services of the Senate and the House of Representatives a report setting forth any evaluation by the Joint Chiefs of Staff of the review and assessment covered by the report under subsection (a).

SEC. 1062. REPORTS ON STATUS AND MODERNIZATION OF THE NORTH WARNING SYSTEM.

(a) REPORT ON STATUS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the status of the North Warning System.

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

(A) A description and assessment of the status and operational integrity of the infrastructure of the North Warning System.

(B) An assessment of the technology currently used by the North Warning System compared with the technology considered necessary by the Commander of the North American Aerospace Defense Command to detect current and anticipated threats.

(C) An assessment of the infrastructure and ability of the Alaska Radar System to integrate into the broader North Warning System.

(D) An assessment of the ability of the North Warning System to integrate with current and anticipated space-based sensor platforms.

(b) REPORT ON PLAN FOR MODERNIZATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a report setting forth a plan for the modernization of the capabilities provided by the current North Warning System.

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

(A) A detailed timeline for the modernization of the North Warning System based on the status of the system as reported pursuant to subsection (a).

(B) The technological advancements necessary for ground-based North Warning System sites to address current and anticipated threats (as specified by the Commander of the North American Aerospace Defense Command).

(C) An assessment of the number of future North Warning System sites required in order to address current and anticipated threats (as so specified).

(D) Any new or complementary technologies required to accomplish the mission of the North Warning System.

(E) The cost and schedule, by year, of the plan.

SEC. 1063. STUDIES ON THE FORCE STRUCTURE FOR MARINE CORPS AVIATION.

(a) STUDIES REQUIRED.—The Secretary of Defense shall provide for performance of three studies on the force structure for Marine Corps aviation through 2030.

(b) RESPONSIBILITY FOR STUDIES.—One of the three studies performed pursuant to subsection (a) shall be performed by each of the following:

(1) The Secretary of the Navy, in consultation with the Commandant of the Marine Corps.

(2) An appropriate Federally funded research and development center (FFRDC), as selected by the Secretary for purposes of this section.

(3) An appropriate organization described in section 501(c)(3) of the Internal Revenue Code of 1986 which is exempt from taxation under section 501(a) of such code, as selected by the Secretary for purposes of this section.

(c) PERFORMANCE.—

(1) INDEPENDENT PERFORMANCE.—Each study performed pursuant to subsection (a) shall be performed independently of each other such study,

(2) MATTERS TO BE CONSIDERED.—In performing a study pursuant to subsection, the officer or entity performing the study take into account, within the context of the current force structure for Marine Corps aviation, the following:

(A) The 2018 National Defense Strategy and the 2018 National Military Strategy.

(B) The Marine Corps Force Design 2030.

(C) Potential roles and missions for Marine Corps aviation given new operating concepts for the Marine Corps.

(D) The potential for increased requirements for survivable and dispersed strike aircraft.

(E) The potential for increased requirements for tactical or intratheater lift, amphibious lift, or surface connectors.

(d) STUDY RESULTS.—The results of each study performed pursuant to subsection (a) shall include the following:

(1) The various force structures for Marine Corps aviation through 2030 considered under such study, together with the assumptions and possible scenarios identified for each such force structure.

(2) A recommendation for the force structure for Marine Corps aviation through 2030, including the following in connection with such force structure:

(A) Numbers and type of aviation assets, numbers and types of associated unmanned assets, and basic capabilities of each such asset.

(B) A description and assessment of the deviation of such force structure from the most recent Marine Corps Aviation Plan.

(C) Any other information required for assessment of such force structure, including supporting analysis.

(3) A presentation and discussion of minority views among participants in such study.

(e) REPORT.—

(1) IN GENERAL.—Not later than April 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report setting forth the results of each study performed pursuant to subsection (a).

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

Subtitle G—Other Matters

SEC. 1081. DEPARTMENT OF DEFENSE STRATEGIC ARCTIC PORTS.

(a) REPORT.—Not later than March 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an updated assessment of the estimated cost of constructing, maintaining, and operating a strategic port in the Arctic at each potential site evaluated in the report pursuant to section 1752(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92). The report under this subsection shall include, for each potential site at which construction of such a port could be completed by 2030, an estimate of the number of days per year that such port would be usable by vessels of the Navy and the Coast Guard.

(b) DESIGNATION OF STRATEGIC ARCTIC PORTS.—Not later than 90 days after the date on which the report required by subsection (a) is submitted, the Secretary of Defense may, in consultation with the Chairman of the Joint Chiefs of Staff, the Commanding General of the United States Army Corps of Engineers, the Commandant of the Coast Guard, and the Administrator of the Maritime Administration, designate one or more ports as Department of Defense Strategic Arctic Ports from the sites identified in the report referred to in subsection (a).

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to authorize any additional appropriations for the Department of Defense for the establishment of any port designated pursuant to this section.

(d) ARCTIC DEFINED.—In this section, the term ''Arctic'' has the meaning given that term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

SEC. 1082. PERSONAL PROTECTIVE EQUIPMENT MATTERS.

(a) BRIEFINGS ON FIELDING OF NEWEST GENERATIONS OF PPE TO THE ARMED FORCES.—

(1) BRIEFINGS REQUIRED.—Not later than January 31, 2021, each Secretary of a military department shall submit to Congress a briefing on the fielding of the newest generations of personal protective equipment (PPE) to the Armed Forces under the jurisdiction of such Secretary.

(2) ELEMENTS.—Each briefing under paragraph (1) shall include, for each Armed Force covered by such briefing, the following:

(A) A description and assessment of the fielding of newest generations of 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 fielding of such generations of equipment to such members.

(C) A description and assessment of challenges in the fielding of such generations of equipment to such members, including cost overruns, contractor delays, and other challenges.

(b) SYSTEM FOR TRACKING DATA ON INJURIES AMONG MEMBERS OF THE ARMED FORCES IN USE OF NEWEST GENERATION PPE.—

(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 paragraph 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) BRIEFING.—Not later than January 31, 2025, the Director shall submit to Congress a briefing on the prevalence among members of the Armed Forces of preventable injuries attributable to ill-fitting or malfunctioning personal protective equipment.

(c) ASSESSMENTS OF MEMBERS OF THE ARMED FORCES OF INJURIES INCURRED IN CONNECTION WITH ILL-FITTING OR MALFUNCTIONING PPE.—

(1) IN GENERAL.—Each health assessment specified in paragraph (2) that is undertaken after the date of the enactment of this Act shall include the following:

(A) 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.

(B) In the case members who have so incurred such an injury, one or more elements of self-evaluation of such injury by such members for purposes of facilitating timely documentation and enhanced monitoring of such members and injuries.

(2) ASSESSMENTS.—The health assessments specified in this paragraph are the following:

(A) The annual Periodic Health Assessment (PHA) of members of the Armed Forces.

(B) The post-deployment health assessment of members of the Armed Forces.

SEC. 1083. ESTIMATE OF DAMAGES FROM FEDERAL COMMUNICATIONS COMMISSION ORDER 20–48.

(a) LIMITATION, ESTIMATE, AND CERTIFICATION.—None of the funds authorized to be appropriated by this Act for fiscal year 2021 may be used by the Secretary of Defense to comply with the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48) until the Secretary—

(1) submits to the congressional defense committees an estimate of the extent of covered costs and the range of eligible reimbursable costs associated with interference resulting from such order and authorization to the Global Positioning System of the Department of Defense; and

(2) certifies to the congressional defense committees that the estimate submitted under paragraph (1) is accurate with a high degree of certainty.

(b) COVERED COSTS.—For purposes of this section, covered costs include costs that would be incurred—

(1) to upgrade, repair, or replace potentially affected receivers of the Federal Government;

(2) to modify, repair, or replace equipment, spares, associated ancillary equipment, software, facilities, operating manuals, training, or compliance with regulations, including with regard to the underlying platform or system in which a capability of the Global Positioning System is embedded; and

(3) for personnel of the Department to engineer, validate, and verify that any required remediation provides the Department with the same operational capability for the affected system prior to terrestrial operation in the 1525 to 1559 megahertz or 1626.5 to 1660.5 megahertz bands of electromagnetic spectrum.

(c) RANGE OF ELIGIBLE REIMBURSABLE COSTS.—For purposes of this section, the range of eligible reimbursable costs includes—

(1) costs associated with engineering, equipment, software, site acquisition, and construction;

(2) any transaction expense that the Secretary determines is legitimate and prudent;

(3) costs relating to term-limited Federal civil servant and contractor staff; and

(4) the costs of research, engineering studies, or other expenses the Secretary determines reasonably incurred.

SEC. 1084. MODERNIZATION EFFORT.

(a) DEFINITIONS.—In this section—

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

(2) the term ''covered agency''—

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

(B) includes the Department of Defense;

(3) 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));

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

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

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

(b) 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—

(1) 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;

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

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

(A) increasing the efficiency of that infrastructure;

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

(C) increasing the accuracy of that infrastructure;

(D) validating models used by that infrastructure; and

(E) monitoring and enforcing requirements that are imposed on covered agencies with respect to the use of Federal spectrum by covered agencies;

(4) 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;

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

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

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

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

(c) SPECTRUM INFORMATION TECHNOLOGY MODERNIZATION.—

(1) 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.

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

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

(B) 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;

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

(D) 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 requirements of subchapter II of chapter 35 of title 44, United States Code;

(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—

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

(II) 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;

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

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

(i) a description of—

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

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

(ii) a plan for standardizing—

(I) electromagnetic spectrum analysis tools;

(II) modeling and simulation processes and technologies; and

(III) databases to provide technical interference assessments that are usable across the Federal Government as part of a common spectrum management infrastructure for covered agencies;

(iii) a plan for each covered agency to implement a modernization plan described in subsection (d)(1) that is tailored to the particular timeline of the agency;

(G) identification of manually intensive processes involved in managing Federal spectrum and proposed enhancements to those processes;

(H) metrics to evaluate the success of the modernization efforts described in that paragraph and any similar future efforts; and

(I) an estimate of the cost of the modernization efforts described in that paragraph and any future maintenance with respect to the modernized infrastructure of the NTIA described in that paragraph, including the cost of any personnel and equipment relating to that maintenance.

(d) INTERAGENCY INPUTS.—

(1) 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 subsection (c).

(2) CONTENTS.—Each report submitted by the head of a covered agency under paragraph (1) shall—

(A) 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 subsection (b);

(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 subsection (c); and

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

(I) a strategy for the integration of systems or the flow of data among the Armed Forces, the military departments, the Defense Agencies and Department of Defense Field Activities, and other components of the Department of Defense;

(II) 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

(III) 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

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

(3) NOTIFICATION OF CONGRESS.—Upon submission of the report required under paragraph (1), the head of each covered agency shall notify Congress that the head of the covered agency has submitted the report.

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

(1) 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;

(2) after all of the reports required under subsection (d) have been submitted, conduct oversight of the implementation of the modernization plans submitted by the NTIA and covered agencies under subsections (c) and (d), respectively;

(3) not later than 1 year after the date on which the Comptroller General begins conducting oversight under paragraph (2), and annually thereafter, submit a report regarding that oversight to—

(A) with respect to the implementation of the modernization plan of the Department of Defense, the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives; and

(B) 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

(4) provide regular briefings to—

(A) 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

(B) 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.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Subtitle A—Department of Defense Matters

SEC. 1101. ENHANCED PAY AUTHORITY FOR CERTAIN ACQUISITION AND TECHNOLOGY POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Subchapter I of chapter 87 of title 10, United States Code, is amended by inserting after section 1701a the following new section:

"§ 1701b. Enhanced pay authority for certain acquisition and technology positions

''(a) IN GENERAL.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the Office of the Secretary of Defense and the military departments in attracting and retaining high-quality acquisition and technology experts in positions responsible for managing and developing complex, high-cost, technological acquisition efforts of the Department of Defense.

''(b) APPROVAL REQUIRED.—The program may be carried out only with approval as follows:

''(1) Approval of the Under Secretary of Defense for Acquisition and Sustainment, in the case of positions in the Office of the Secretary of Defense.

''(2) Approval of the service acquisition executive of the military department concerned, in the case of positions in a military department.

''(c) POSITIONS.—The positions described in this subsection are positions that—

''(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

''(2) are critical to the successful accomplishment of an important acquisition or technology development mission.

''(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

''(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Under Secretary of Defense for Acquisition and Sustainment or the service acquisition executive concerned, as applicable.

''(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of Defense.

''(e) LIMITATIONS.—

''(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

''(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in the Office of the Secretary of Defense and more than five positions in each military department at any one time.

''(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having terms less than five years.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 87 of such title is amended by inserting after the item relating to section 1701a the following new item:

''1701b. Enhanced pay authority for certain acquisition and technology positions.''.

(c) REPEAL OF PILOT PROGRAM.—

(1) IN GENERAL.—Section 1111 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 1701 note) is repealed.

(2) CONTINUATION OF PAY.—The repeal in paragraph (1) shall not be interpreted to prohibit the payment of basic pay at rates fixed under such section 1111 before the date of the enactment of this Act for positions having terms that continue after that date.

SEC. 1102. ENHANCED PAY AUTHORITY FOR CERTAIN RESEARCH AND TECHNOLOGY POSITIONS IN THE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE.

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

"§ 2358c. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories

''(a) IN GENERAL.—The Secretary of Defense may carry out a program using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the military departments in attracting and retaining high quality acquisition and technology experts in positions responsible for managing and performing complex, high-cost research and technology development efforts in the science and technology reinvention laboratories of the Department of Defense.

''(b) APPROVAL REQUIRED.—The program may be carried out in a military department only with the approval of the service acquisition executive of the military department concerned.

''(c) POSITIONS.—The positions described in this subsection are positions in the science and technology reinvention laboratories of the Department of Defense that—

''(1) require expertise of an extremely high level in a scientific, technical, professional, or acquisition management field; and

''(2) are critical to the successful accomplishment of an important research or technology development mission.

''(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

''(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the service acquisition executive concerned.

''(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of the military department concerned.

''(e) LIMITATIONS.—

''(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

''(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to more than five positions in each military department at any one time.

''(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having a term of less than five years.

''(f) SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES OF THE DEPARTMENT OF DEFENSE DEFINED.—In this section, the term 'science and technology reinvention laboratories of the Department of Defense' means the laboratories designated as science and technology reinvention laboratories by section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (10 U.S.C. 2358 note).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 139 of such title is amended by inserting after the item relating to section 2358b the following new item:

''2358c. Enhanced pay authority for certain research and technology positions in science and technology reinvention laboratories.''.

(c) REPEAL OF PILOT PROGRAM.—

(1) IN GENERAL.—Section 1124 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2456; 10 U.S.C. 2358 note) is repealed.

(2) CONTINUATION OF PAY.—The repeal in paragraph (1) shall not be interpreted to prohibit the payment of basic pay at rates fixed under such section 1124 before the date of the enactment of this Act for positions having terms that continue after that date.

SEC. 1103. EXTENSION OF ENHANCED APPOINTMENT AND COMPENSATION AUTHORITY FOR CIVILIAN PERSONNEL FOR CARE AND TREATMENT OF WOUNDED AND INJURED MEMBERS OF THE ARMED FORCES.

Section 1599c(b) of title 10, United States Code, is amended by striking ''December 31, 2020'' both places it appears and inserting ''December 31, 2025''.

SEC. 1104. EXTENSION OF OVERTIME RATE AUTHORITY FOR DEPARTMENT OF THE NAVY EMPLOYEES PERFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking ''September 30, 2021'' and inserting ''September 30, 2023''.

SEC. 1105. EXPANSION OF DIRECT HIRE AUTHORITY FOR CERTAIN DEPARTMENT OF DEFENSE PERSONNEL TO INCLUDE INSTALLATION MILITARY HOUSING OFFICE POSITIONS SUPERVISING PRIVATIZED MILITARY HOUSING.

Section 9905(a) of title 5, United States Code, is amended by adding at the end the following new paragraph:

''(11) Any position in the military housing office of a military installation whose primary function is supervision of military housing covered by subchapter IV of chapter 169 of title 10.''.

SEC. 1106. EXTENSION OF SUNSET OF INAPPLICABILITY OF CERTIFICATION OF EXECUTIVE QUALIFICATIONS BY QUALIFICATION CERTIFICATION REVIEW BOARD OF OFFICE OF PERSONNEL MANAGEMENT FOR INITIAL APPOINTMENTS TO SENIOR EXECUTIVE SERVICE POSITIONS IN DEPARTMENT OF DEFENSE.

Section 1109(e) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2010; 5 U.S.C. 3393 note) is amended by striking ''on the date'' and all that follows and inserting ''on August 13, 2023.''

SEC. 1107. PILOT PROGRAM ON ENHANCED PAY AUTHORITY FOR CERTAIN HIGH-LEVEL MANAGEMENT POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program to assess the feasibility and advisability of using the pay authority specified in subsection (d) to fix the rate of basic pay for positions described in subsection (c) in order to assist the Department of Defense in attracting and retaining personnel with significant experience in high-level management of complex organizations and enterprise functions in order to lead implementation by the Department of the National Defense Strategy.

(b) APPROVAL REQUIRED.—The pilot program may be carried out only with approval as follows:

(1) Approval of the Deputy Secretary of Defense, in the case of a position not under the authority, direction, and control of an Under Secretary of Defense and not under the authority, direction, and control of the Under Secretary of a military department.

(2) Approval of the applicable Under Secretary of Defense, in the case of a position under the authority, direction, and control of an Under Secretary of Defense.

(3) Approval of the Under Secretary or an Assistant Secretary of the military department concerned, in the case of a position in a military department.

(c) POSITIONS.—The positions described in this subsection are positions that require expertise of an extremely high level in innovative leadership and management of enterprise-wide business operations, including financial management, health care, supply chain and logistics, information technology, real property stewardship, and human resources, across a large and complex organization.

(d) RATE OF BASIC PAY.—The pay authority specified in this subsection is authority as follows:

(1) Authority to fix the rate of basic pay for a position at a rate not to exceed 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the applicable official under subsection (b).

(2) Authority to fix the rate of basic pay for a position at a rate in excess of 150 percent of the rate of basic pay payable for level I of the Executive Schedule, upon the approval of the Secretary of Defense.

(e) LIMITATIONS.—

(1) IN GENERAL.—The authority in subsection (a) may be used only to the extent necessary to competitively recruit or retain individuals exceptionally well qualified for positions described in subsection (c).

(2) NUMBER OF POSITIONS.—The authority in subsection (a) may not be used with respect to—

(A) more than 10 positions in the Office of the Secretary of Defense and components of the Department of Defense other than the military departments at any one time; and

(B) more than five positions in each military department at any one time.

(3) TERM OF POSITIONS.—The authority in subsection (a) may be used only for positions having terms less than five years.

(4) PAST SERVICE.—An individual may not be appointed to a position pursuant to the authority provided by subsection (a) if the individual separated or retired from Federal civil service or service as a commissioned officer of an Armed Force on a date that is less than five years before the date of such appointment of the individual.

(f) TERMINATION.—

(1) IN GENERAL.—The authority to fix rates of basic pay for a position under this section shall terminate on October 1, 2025.

(2) CONTINUATION OF PAY.—Nothing in paragraph (1) shall be construed to prohibit the payment after October 1, 2025, of basic pay at rates fixed under this section before that date for positions whose terms continue after that date.

SEC. 1108. PILOT PROGRAM ON EXPANDED AUTHORITY FOR APPOINTMENT OF RECENTLY RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN THE DEPARTMENT OF DEFENSE.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense shall carry out a pilot program to assess the feasibility and advisability of expanding the use of the authority in section 3326 of title 5, United States Code, to appoint retired members of the Armed Forces described in subsection (b) of that section to positions in the Department of Defense described in subsection (b) of this section.

(b) POSITIONS.—

(1) IN GENERAL.—The positions in the Department described in this subsection are positions classified at or below GS–13 under the General Schedule under subchapter III of chapter 53 of title 5, United States Code, or an equivalent level under another wage system, in the competitive service—

(A) to which appointments are authorized using Direct Hire Authority or Expedited Hiring Authority; and

(B) that have been certified by the Secretary of the military department concerned as lacking sufficient numbers of potential applicants who are not retired members of the Armed Forces.

(2) LIMITATION ON DELEGATION OF CERTIFICATION.—The Secretary of a military department may not delegate the authority to make a certification described in paragraph (1)(B) to an individual in a grade lower than colonel, captain in the Navy, or an equivalent grade in the Space Force, or an individual with an equivalent civilian grade.

(c) DURATION.—The duration of the pilot program shall be three years.

(d) REPORT.—Not later than two years after the commencement of the pilot program, the Secretary of Defense shall submit to the congressional defense committees a report on the pilot program. The report shall include the following:

(1) A description of the pilot program, including the positions to which appointments are authorized to be made under the pilot program and the number of retired members appointed to each such position under the pilot program.

(2) Any other matters in connection with the pilot program that the Secretary considers appropriate.

SEC. 1109. DIRECT HIRE AUTHORITY AND RELOCATION INCENTIVES FOR POSITIONS AT REMOTE LOCATIONS.

(a) IN GENERAL.—Chapter 81 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 1599i. Direct hire authority and relocation incentives for positions at remote locations

''(a) DIRECT HIRE AUTHORITY.—

''(1) IN GENERAL.—The Secretary of Defense may appoint, without regard to any provision of subchapter I of chapter 33 of title 5, qualified applicants to positions in the competitive service to fill vacancies at covered locations.

''(2) COVERED LOCATIONS.—For purposes of this section, a covered location is a location for which the Secretary has determined that critical hiring needs are not being met due to the geographic remoteness or isolation or extreme climate conditions of the location.

''(b) RELOCATION INCENTIVES.—

''(1) IN GENERAL.—An individual appointed to a position pursuant to subsection (a) may be paid a relocation incentive in connection with the relocation of the individual to the location of the position.

''(2) AMOUNT.—The amount of a relocation incentive payable to an individual under this subsection may not exceed the amount equal to—

''(A) 25 percent of the annual rate of basic pay of the employee for the position concerned as of the date on which the service period in such position agreed to by the individual under paragraph (3) commences; multiplied by

''(B) the number of years (including fractions of a year) of such service period (not to exceed four years).

''(3) SERVICE AGREEMENT.—To receive a relocation incentive under this subsection, an individual appointed to a position under subsection (a) shall enter into an agreement with the Secretary of Defense to complete a period of service at the covered location. The period of obligated service of the individual at such location under the agreement may not exceed four years. The agreement shall include such repayment or alternative employment obligations as the Secretary considers appropriate for failure of the individual to complete the period of obligated service specified in the agreement.

''(4) RELATIONSHIP TO OTHER RELOCATION PAY.—A relocation incentive paid to an individual for a relocation under this subsection is in addition to any other relocation incentive or payment payable to the individual for such relocation by law.

''(c) SUNSET.—Effective on September 30, 2022, the authority provided under subsection (a) and the authority to provide relocation incentives under subsection (b) shall expire.''.

(b) OUTCOME MEASUREMENTS.—The Secretary of Defense shall develop outcome measurements to evaluate the effect of the authority provided under subsection (a) of section 1599i of title 10, United States Code, as added by subsection (a), and any relocation incentives provided under subsection (b) of such section.

(c) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2022, the Secretary of Defense shall submit to the congressional defense committees a report on the effect of the authority provided under subsection (a) of section 1599i of title 10, United States Code, as added by subsection (a), and any relocation incentives provided under subsection (b) of such section.

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

(A) A description and assessment of the effectiveness and achievements of the authority and relocation incentives described in paragraph (1), including—

(i) the number of employees hired to covered locations described in section 1599i(a)(2) of title 10, United States Code, as added by subsection (a); and

(ii) the cost-per-placement of such employees.

(B) A comparison of the effectiveness and use of the authority and relocation incentives described in paragraph (1) to authorities under title 5, United States Code, used by the Department of Defense before the date of the enactment of this Act to support hiring at remote or rural locations.

(C) An assessment of—

(i) the minority community outreach efforts made in using the authority and providing relocation incentives described in paragraph (1); and

(ii) participation outcomes.

(D) Such other matters as the Secretary considers appropriate.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 81 of title 10, United States Code, is amended by adding at the end the following new item:

''1599i. Direct hire authority and relocation incentives for positions at remote locations.''.

SEC. 1110. MODIFICATION OF DIRECT HIRE AUTHORITY FOR CERTAIN PERSONNEL INVOLVED WITH DEPARTMENT OF DEFENSE MAINTENANCE ACTIVITIES.

Section 9905(a)(1) of title 5, United States Code, is amended by striking ''including'' and all that follows and inserting the following: ''including—

''(A) depot-level maintenance and repair; and

''(B) support functions for such activities.''.

SEC. 1110A. FIRE FIGHTERS ALTERNATIVE WORK SCHEDULE DEMONSTRATION PROJECT FOR THE NAVY REGION MID-ATLANTIC FIRE AND EMERGENCY SERVICES.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commander, Navy Region Mid-Atlantic, shall establish and carry out, for a period of not less than five 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 employee of the Navy Region Mid-Atlantic Fire and Emergency Services, 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 Commander, 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 after the date on which the demonstration project under this section terminates, the Commander, Navy Region Mid-Atlantic, shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report 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.

Subtitle B—Government-Wide Matters

SEC. 1111. 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. 1112. 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. 1113. TECHNICAL AMENDMENTS TO AUTHORITY FOR REIMBURSEMENT OF FEDERAL, STATE, AND LOCAL INCOME TAXES INCURRED DURING TRAVEL, TRANSPORTATION, AND RELOCATION.

(a) IN GENERAL.—Section 5724b(b) of title 5, United States Code, is amended—

(1) by striking ''or relocation expenses reimbursed'' and inserting ''and relocation expenses reimbursed''; and

(2) by striking ''of chapter 41'' and inserting ''or chapter 41''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on January 1, 2018, immediately after the coming into effect of the amendments made by subsection (a) of section 1114 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), as provided for in subsection (c) of such section 1114.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. AUTHORITY TO BUILD CAPACITY FOR ADDITIONAL OPERATIONS.

Section 333(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(8) Cyberspace operations.''.

SEC. 1202. AUTHORITY TO BUILD CAPACITY FOR AIR SOVEREIGNTY OPERATIONS.

Section 333(a) of title 10, United States Code, as amended by section 1201, is further amended—

(1) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(2) by inserting after paragraph (6) the following new paragraph (7):

''(7) Air sovereignty operations.''.

SEC. 1203. MODIFICATION TO THE INTER-EUROPEAN AIR FORCES ACADEMY.

Section 350(b) of title 10, United States Code, is amended by striking ''that are'' and all that follows through the period at the end and inserting ''that are—

''(1) members of the North Atlantic Treaty Organization;

''(2) signatories to the Partnership for Peace Framework Documents; or

''(3)(A) within the United States Africa Command area of responsibility; and

''(B) eligible for assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).''.

SEC. 1204. MODIFICATION TO SUPPORT OF SPECIAL OPERATIONS FOR IRREGULAR WARFARE.

Subsection (a) of section 1202 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1639), as most recently amended by section 1207 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''$10,000,000'' and inserting ''$15,000,000''.

SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT BORDER SECURITY OPERATIONS OF CERTAIN FOREIGN COUNTRIES.

(a) FUNDS AVAILABLE FOR SUPPORT.—Subsection (b) of section 1226 of the National Defense Authorization Act for Fiscal Year 2016 (22 U.S.C. 2151 note) is amended to read as follows:

''(b) FUNDS AVAILABLE FOR SUPPORT.—Amounts to provide support under the authority of subsection (a) may be derived only from amounts authorized to be appropriated and available for operation and maintenance, Defense-wide.''.

(b) EXTENSION.—Subsection (h) of such section is amended by striking ''December 31, 2021'' and inserting ''December 31, 2023''.

SEC. 1206. MODIFICATION OF AUTHORITY FOR PARTICIPATION IN MULTINATIONAL CENTERS OF EXCELLENCE.

(a) IN GENERAL.—Section 344 of title 10, United States Code, is amended—

(1) in the section heading, by striking ''**multinational military centers of excellence**'' and inserting ''**multinational centers of excellence**'';

(2) by striking ''multinational military center of excellence'' each place it appears and inserting ''multinational center of excellence'';

(3) by striking ''multinational military centers of excellence'' each place it appears

and inserting ''multinational centers of excellence'';

(4) in subsection (b)(1), by inserting ''or entered into by the Secretary of State,'' after ''Secretary of State,'';

(5) in subsection (e)—

(A) in the subsection heading, by striking ''MULTINATIONAL MILITARY CENTER OF EXCELLENCE '' and inserting ''MULTINATIONAL CENTER OF EXCELLENCE'';

(B) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and moving the subparagraphs two ems to the right;

(C) in the matter preceding subparagraph (A), as so redesignated, by striking ''means an entity'' and inserting ''means—

''(1) an entity'';

(D) in subparagraph (D), as so redesignated, by striking the period at the end and inserting ''; and''; and

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

''(2) the European Centre of Excellence for Countering Hybrid Threats, established in 2017 and located in Helsinki, Finland.'';

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

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

''(e) NOTIFICATION.—Not later than 30 days before the date on which the Secretary of Defense authorizes participation under subsection (a) in a new multinational center of excellence, the Secretary shall notify the congressional defense committees of such participation.''.

(b) CONFORMING AMENDMENT.—Title 10, United States Code, is amended, in the table of sections at the beginning of subchapter V of chapter 16, by striking the item relating to section 344 and inserting the following:

''344. Participation in multinational centers of excellence.''.

SEC. 1207. IMPLEMENTATION OF THE WOMEN, PEACE, AND SECURITY ACT OF 2017.

(a) 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 undertake activities consistent with the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202) and with the guidance specified in this section, including—

(1) establishing Department of Defense-wide policies and programs that advance the implementation of that Act, including military doctrine and Department-specific and combatant command-specific programs;

(2) ensuring the Department sufficient personnel to serve as gender advisors, including by hiring and training full-time equivalent personnel, as necessary, and establishing roles, responsibilities, and requirements for gender advisors;

(3) the deliberate integration of gender analysis into relevant training for members of the Armed Forces across ranks, as described in the Women's Entrepreneurship and Economic Empowerment Act of 2018 (Public Law 115–428; 132 Stat. 5509); and

(4) security cooperation activities that further the implementation of the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202).

(b) BUILDING PARTNER DEFENSE INSTITUTION AND SECURITY FORCE CAPACITY.—

(1) INCORPORATION OF GENDER ANALYSIS AND PARTICIPATION OF WOMEN INTO SECURITY COOPERATION ACTIVITIES.—Consistent with the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202), the Secretary of Defense, in coordination with the Secretary of State, shall seek to incorporate gender analysis and participation by women, as appropriate, into the institutional and national security force capacity-building activities of security cooperation programs carried out under title 10, United States Code, including by—

(A) incorporating gender analysis and women, peace, and security priorities, including sex-disaggregated data, into educational and training materials and programs authorized by section 333 of title 10, United States Code;

(B) advising on the recruitment, employment, development, retention, and promotion of women in such national security forces, including by—

(i) identifying existing military career opportunities for women;

(ii) exposing women and girls to careers available in such national security forces and the skills necessary for such careers; and

(iii) encouraging women's and girls' interest in such careers by highlighting as role models women of the United States and applicable foreign countries in uniform;

(C) addressing sexual harassment and abuse against women within such national security forces;

(D) integrating gender analysis into security sector policy, planning, and training for such national security forces; and

(E) improving infrastructure to address the requirements of women serving in such national security forces, including appropriate equipment for female security and police forces.

(2) BARRIERS AND OPPORTUNITIES.—Partner country assessments conducted in the course of Department security cooperation activities to build the capacity of the national security forces of foreign countries shall include attention to the barriers and opportunities with respect to strengthening recruitment, employment, development, retention, and promotion of women in the military forces of such partner countries.

(c) DEPARTMENT-WIDE POLICIES ON WOMEN, PEACE, AND SECURITY.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall initiate a process to establish standardized policies described in subsection (a)(1).

(d) FUNDING.—The Secretary of Defense may use funds authorized to be appropriated in each fiscal year to the Department of Defense for operation and maintenance as specified in the table in section 4301 for carrying out the full implementation of the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202) and the guidance on the matters described in paragraphs (1) through (4) of subsection (a) and subparagraphs (A) through (E) of subsection (b)(1).

(e) ANNUAL REPORT.—Not later than one year after the date of the enactment of this Act, and annually thereafter through 2025, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the steps the Department has taken to implement the Women, Peace, and Security Act of 2017 (Public Law 115–68; 131 Stat. 1202), including—

(1) a description of the progress made on each matter described in paragraphs (1) through (4) of subsection (a) and subparagraphs (A) through (E) of subsection (b)(1); and

(2) an identification of the amounts used for such purposes.

(f) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1208. TED STEVENS CENTER FOR ARCTIC SECURITY STUDIES.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the congressional defense committees a plan to establish a Department of Defense Regional Center for Security Studies for the Arctic.

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

(A) A description of the benefits of establishing such a center, including the manner in which the establishment of such a center would benefit United States and Department interests in the Arctic region.

(B) A description of the mission and purpose of such a center, including specific policy guidance from the Office of the Secretary of Defense.

(C) An analysis of suitable reporting relationships with the applicable combatant commands.

(D) An assessment of suitable locations for such a center that are—

(i) in proximity to other academic institutions that study security implications with respect to the Arctic region;

(ii) in proximity to the designated lead for Arctic affairs of the United States Northern Command;

(iii) in proximity to a central hub of assigned Arctic-focused Armed Forces so as to suitably advance relevant professional development of skills unique to the Arctic region; and

(iv) in a State located outside the contiguous United States.

(E) A description of the establishment and operational costs of such a center, including for—

(i) military construction for required facilities;

(ii) facility renovation;

(iii) personnel costs for faculty and staff; and

(iv) other costs the Secretary of Defense considers appropriate.

(F) An evaluation of the existing infrastructure, resources, and personnel available at military installations and at universities and other academic institutions that could reduce the costs described in accordance with subparagraph (E).

(G) An examination of partnership opportunities with United States allies and partners for potential collaboration and burden sharing.

(H) A description of potential courses and programs that such a center could carry out, including—

(i) core, specialized, and advanced courses;

(ii) planning workshops;

(iii) seminars;

(iv) confidence-building initiatives; and

(v) academic research.

(I) A description of any modification to title 10, United States Code, necessary for the effective operation of such a center.

(3) FORM.—The plan required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not earlier than 30 days after the submittal of the plan required by subsection (a), and subject to the availability of appropriations, the Secretary of Defense may establish and administer a Department of Defense Regional Center for Security Studies for the Arctic, to be known as the ''Ted Stevens Center for Arctic Security Studies'', for the purpose described in section 342(a) of title 10, United States Code.

(2) LOCATION.—The Ted Stevens Center for Arctic Security Studies may be located—

(A) in proximity to other academic institutions that study security implications with respect to the Arctic region;

(B) in proximity to the designated lead for Arctic affairs of the United States Northern Command;

(C) in proximity to a central hub of assigned Arctic-focused Armed Forces so as to suitably advance relevant professional development of skills unique to the Arctic region; and

(D) in a State located outside the contiguous United States.

SEC. 1209. FUNCTIONAL CENTER FOR SECURITY STUDIES IN IRREGULAR WARFARE.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the congressional defense committees a report that assesses the merits and feasibility of establishing and administering a Department of Defense Functional Center for Security Studies in Irregular Warfare.

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

(A) A description of the benefits to the United States, and the allies and partners of the United States, of establishing such a functional center, including the manner in which the establishment of such a functional center would enhance and sustain focus on, and advance knowledge and understanding of, matters of irregular warfare, including cybersecurity, nonstate actors, information operations, counterterrorism, stability operations, and the hybridization of such matters.

(B) A detailed description of the mission and purpose of such a functional center, including applicable policy guidance from the Office of the Secretary of Defense.

(C) An analysis of appropriate reporting and liaison relationships between such a functional center and—

(i) the geographic and functional combatant commands;

(ii) other Department of Defense stakeholders; and

(iii) other government and nongovernment entities and organizations.

(D) An enumeration and valuation of criteria applicable to the determination of a suitable location for such a functional center.

(E) A description of the establishment and operational costs of such a functional center, including for—

(i) military construction for required facilities;

(ii) facility renovation;

(iii) personnel costs for faculty and staff; and

(iv) other costs the Secretary of Defense considers appropriate.

(F) An evaluation of the existing infrastructure, resources, and personnel available at military installations and at universities and other academic and research institutions that could reduce the costs described in subparagraph (E).

(G) An examination of partnership opportunities with United States allies and partners for potential collaboration and burden sharing.

(H) A description of potential courses and programs that such a functional center could carry out, including—

(i) core, specialized, and advanced courses;

(ii) planning workshops and structured after-action reviews or debriefs;

(iii) seminars;

(iv) initiatives on executive development, relationship building, partnership outreach, and any other matter the Secretary of Defense considers appropriate; and

(v) focused academic research and studies in support of Department priorities.

(I) A description of any modification to title 10, United States Code, or any other provision of law, necessary for the effective establishment and administration of such a functional center.

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

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Not earlier than 30 days after the submittal of the report required by subsection (a), and subject to the availability of appropriated funds, the Secretary of Defense may establish and administer a Department of Defense Functional Center for Security Studies in Irregular Warfare.

(2) TREATMENT AS A REGIONAL CENTER FOR SECURITY STUDIES.—A Department of Defense Functional Center for Security Studies in Irregular Warfare established under paragraph (1) shall be operated and administered in the same manner as the Department of Defense Regional Centers for Security Studies under section 342 of title 10, United States Code, and in accordance with such regulations as the Secretary of Defense may prescribe.

(3) LIMITATION.—No other institution or element of the Department may be designated as a Department of Defense functional center, except by an Act of Congress.

(4) LOCATION.—The location of a Department of Defense Functional Center for Security Studies in Irregular Warfare established under paragraph (1) shall be selected based on an objective, criteria-driven administrative or competitive award process, in accordance with which the merits of locating such functional center in Tempe, Arizona, may be evaluated together with other suitable locations.

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), as most recently amended by section 1217 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by striking ''beginning on October 1, 2019, and ending on December 31, 2020'' and inserting ''beginning on October 1, 2020, and ending on December 31, 2021''.

(b) MODIFICATION TO LIMITATION.—Subsection (d)(1) of such section is amended—

(1) by striking ''beginning on October 1, 2019, and ending on December 31, 2020'' and inserting ''beginning on October 1, 2020, and ending on December 31, 2021''; and

(2) by striking ''$450,000,000'' and inserting ''$180,000,000''.

SEC. 1212. EXTENSION AND MODIFICATION OF COMMANDERS' EMERGENCY RESPONSE PROGRAM.

Section 1201 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1619), as most recently amended by section 1208(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in subsection (a)—

(A) by striking ''December 31, 2020'' and inserting ''December 31, 2021''; and

(B) by striking ''$2,500,000'' and inserting ''$2,000,000'';

(2) in subsection (b), by striking the subsection designation and heading and all that follows through the period at the end of paragraph (1) and inserting the following:

''(b) QUARTERLY REPORTS.—

''(1) IN GENERAL.—Beginning in fiscal year 2021, not later than 45 days after the end of each quarter fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter fiscal year that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes of the program under subsection (a).''; and

(3) in subsection (f), by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

SEC. 1213. EXTENSION AND MODIFICATION OF SUPPORT FOR RECONCILIATION ACTIVITIES LED BY THE GOVERNMENT OF AFGHANISTAN.

(a) MODIFICATION OF AUTHORITY TO PROVIDE COVERED SUPPORT.—Subsection (a) of section 1218 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by striking the subsection designation and heading and all that follows through ''The Secretary of Defense'' and inserting the following:

''(a) AUTHORITY TO PROVIDE COVERED SUPPORT.—

''(1) IN GENERAL.—Subject to paragraph (2), the Secretary of Defense''; and

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

''(2) LIMITATION ON USE OF FUNDS.—Amounts authorized to be appropriated or otherwise made available for the Department of Defense by this Act may not be obligated or expended to provide covered support until the date on which the Secretary of Defense submits to the appropriate committees of Congress the report required by subsection (b).''.

(b) PARTICIPATION IN RECONCILIATION ACTIVITIES.—Such section is further amended—

(1) by redesignating subsections (i) through (k) as subsections (j) through (l), respectively;

(2) by inserting after subsection (h) the following new subsection (i):

''(i) PARTICIPATION IN RECONCILIATION ACTIVITIES.—Covered support may only be used to support a reconciliation activity that—

''(1) includes the participation of members of the Government of Afghanistan; and

''(2) does not restrict the participation of women.''.

(c) EXTENSION.—Subsection (k) of such section, as so redesignated, is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(d) EXCLUSIONS FROM COVERED SUPPORT.—Such section is further amended in paragraph (2)(B) of subsection (l), as so redesignated—

(1) in clause (ii), by inserting '', reimbursement for travel or lodging, and stipends or per diem payments'' before the period at the end; and

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

''(iii) Any activity involving one or more members of an organization designated as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189) or an individual designated as a specially designated global terrorist pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism).''.

SEC. 1214. SENSE OF SENATE ON SPECIAL IMMIGRANT VISA PROGRAM FOR AFGHAN ALLIES.

It is the sense of the Senate that—

(1) the special immigrant visa program for Afghan allies is critical to the mission in Afghanistan and the long-term interests of the United States;

(2) maintaining a robust special immigrant visa program for Afghan allies is necessary

to support United States Government personnel in Afghanistan who need translation, interpretation, security, and other services;

(3) Afghan allies routinely risk their lives to assist United States military and diplomatic personnel;

(4) honoring the commitments made to Afghan allies with respect to the special immigrant visa program is essential to ensuring—

(A) the continued service and safety of such allies; and

(B) the willingness of other like-minded individuals to provide similar services in any future contingency;

(5) the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101 note) states that all Government-controlled processing of applications for special immigrant visas under that Act ''should be completed not later than 9 months after the date on which an eligible alien submits all required materials to complete an application for such visa'';

(6) any backlog in processing special immigrant visa applications should be addressed as quickly as possible so as to honor the United States commitment to Afghan allies as soon as possible;

(7) failure to process such applications in an expeditious manner puts lives at risk and jeopardizes a critical element of support to United States operations in Afghanistan; and

(8) to prevent harm to the operations of the United States Government in Afghanistan, additional visas should be made available to principal aliens who are eligible for special immigrant status under that Act.

SEC. 1215. SENSE OF SENATE AND REPORT ON UNITED STATES PRESENCE IN AFGHANISTAN.

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

(1) the United States and our coalition partners have made progress in the fight against al-Qaeda and ISIS in Afghanistan; however, both groups—

(A) maintain an ability to operate in Afghanistan;

(B) seek to undermine stability in the region; and

(C) threaten the security of Afghanistan, the United States, and the allies of the United States;

(2) the South Asia strategy correctly emphasizes the importance of a conditions-based United States presence in Afghanistan; therefore, any decision to withdraw the Armed Forces of the United States from Afghanistan should be done in an orderly manner in response to conditions on the ground, and in coordination with the Government of Afghanistan and United States allies and partners in the Resolute Support mission, rather than arbitrary timelines;

(3) a precipitous withdrawal of the Armed Forces of the United States and United States diplomatic and intelligence personnel from Afghanistan without effective, countervailing efforts to secure gains in Afghanistan may allow violent extremist groups to regenerate, threatening the security of the Afghan people and creating a security vacuum that could destabilize the region and provide ample safe haven for extremist groups seeking to conduct external attacks;

(4) ongoing diplomatic efforts to secure a peaceful, negotiated solution to the conflict in Afghanistan are the best path forward for establishing long-term stability and eliminating the threat posed by extremist groups in Afghanistan;

(5) the United States supports international diplomatic efforts to facilitate peaceful, negotiated resolution to the ongoing conflict in Afghanistan on terms that respect the rights of innocent civilians and deny safe havens to terrorists; and

(6) as part of such diplomatic efforts, and as a condition to be met prior to withdrawal, the United States should seek to secure the release of any United States citizens being held against their will in Afghanistan.

(b) REPORT.—

(1) IN GENERAL.—Not later than September 1, 2020, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representative a report that includes—

(A) an assessment of—

(i) the external threat posed by extremist groups operating in Afghanistan to the United States homeland and the homelands of United States allies;

(ii) the impact of cessation of United States counterterrorism activities on the size, strength, and external aims of such groups; and

(iii) the international financial support the Afghan National Defense and Security Forces requires in order to maintain current operational capabilities, including force cohesion and combat effectiveness;

(B) a plan for the orderly transition of all security-related tasks currently undertaken by the Armed Forces of the United States in support of the Afghan National Defense and Security Forces to Afghanistan, including—

(i) precision targeting of Afghanistan-based terrorists;

(ii) combat-enabler support, such as artillery and aviation assets; and

(iii) noncombat-enabler support, such as intelligence, surveillance and reconnaissance, medical evacuation, and contractor logistic support; and

(C) an update on the status of any United States citizens detained in Afghanistan, and an overview of Administration efforts to secure their release.

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

Subtitle C—Matters Relating to Syria, Iraq, and Iran

SEC. 1221. EXTENSION OF AUTHORITY AND LIMITATION ON USE OF FUNDS TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND SYRIA.

(a) EXTENSION.—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), as most recently amended by section 1233(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2039), is further amended, in the matter preceding paragraph (1), by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

(b) FUNDING.—Subsection (g) of such section 1236, as most recently amended by section 1221 of the National Defense Authorization Act for Fiscal year 2020 (Public Law 116–92), is amended to read as follows:

''(g) FUNDING.—

''(1) IN GENERAL.—Of the amounts authorized to be appropriated for the Department of Defense for Overseas Contingency Operations for fiscal year 2021, not more than $322,500,000 may be used to carry out this section.

''(2) LIMITATION AND REPORT.—

''(A) IN GENERAL.—Of the funds authorized to be appropriated under paragraph (1), not more than 25 percent may be obligated or expended until the date on which the Secretary of Defense submits to the appropriate congressional committees a report that includes the following:

''(i) An explanation of the manner in which such support aligns with the objectives contained in the national defense strategy.

''(ii) A description of the manner in which such support is synchronized with larger whole-of-government funding efforts to strengthen the bilateral relationship between the United States and Iraq.

''(iii) A description of—

''(I) actions taken by the Government of Iraq to assert control over popular mobilization forces; and

''(II) the role of popular mobilization forces in the national security apparatus of Iraq.

''(iv) A plan to fully transition security assistance for the Iraqi Security Forces from the Counter-Islamic State of Iraq and Syria Train and Equip Fund to standing security assistance authorities managed by the Defense Security Cooperation Agency and the Department of State by not later than September 30, 2022.

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

SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO VETTED SYRIAN GROUPS AND INDIVIDUALS.

Section 1209 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 127 Stat. 3541), as most recently amended by section 1222(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in the section heading, by striking ''**THE VETTED SYRIAN OPPOSITION**'' and inserting ''**VETTED SYRIAN GROUPS AND INDIVIDUALS**'';

(2) in subsection (a), in the matter preceding paragraph (1), by striking ''December 31, 2020'' and inserting ''December 31, 2021'';

(3) by striking subsections (b) and (c);

(4) by redesignating subsections (d) through (m) as subsections (b) through (k), respectively; and

(5) in paragraph (2) of subsection (b), as so redesignated—

(A) in subparagraph (J)(iii), by redesignating subclause (I) as subparagraph (M) and moving the subparagraph four ems to the left;

(B) by redesignating subparagraphs (A) through (F) and (G) through (J) as subparagraphs (B) through (G) and (I) through (L), respectively;

(C) by inserting before subparagraph (B), as so redesignated, the following new subparagraph (A):

''(A) An accounting of the obligation and expenditure of authorized funding for the current and preceding fiscal year.'';

(D) by inserting after subparagraph (G), as so redesignated, the following new subparagraph (H):

''(H) The mechanisms and procedures that will be used to monitor and report to the appropriate congressional committees and leadership of the Senate and House of Representatives any unauthorized end-use of provided training and equipment or other violations of relevant law by appropriately vetted recipients.''; and

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

''(N) Any other matter the Secretary considers appropriate.''.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) LIMITATION ON AMOUNT.—Subsection (c) of section 1215 of the National Defense Authorization Act for Fiscal Year 2015 (10 U.S.C. 113 note) is amended—

(1) by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''; and

(2) by striking ''$30,000,000'' and inserting ''$15,000,000''.

(b) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''.

(c) ADDITIONAL AUTHORITY.—Subsection (f) of such section is amended—

(1) in paragraph (1), in the matter preceding subparagraph (A), by striking ''fiscal year 2019'' and inserting ''fiscal year 2021''; and

(2) in paragraph (3), by striking ''the National Defense Authorization Act for Fiscal Year 2020'' and inserting ''the National Defense Authorization Act for Fiscal Year 2021''.

(d) REPORT.—Subsection (g)(1) of such section is amended by striking ''September 30, 2020'' and inserting ''March 1, 2021''.

(e) LIMITATION ON AVAILABILITY OF FUNDS.—Subsection (h) of such section is amended—

(1) in the matter preceding paragraph (1)—

(A) by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''; and

(B) by striking ''$20,000,000'' and inserting ''$10,000,000'';

(2) by striking paragraph (1);

(3) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(4) in paragraph (1), as so redesignated, by striking ''The development of a staffing plan'' and inserting ''A progress report with respect to the development of a staffing plan''; and

(5) in paragraph (2), as so redesignated, by striking ''The initiation'' and inserting ''A progress report with respect to the initiation''.

Subtitle D—Matters Relating to Europe and the Russian Federation

SEC. 1231. 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), as most recently amended by section 1231 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended in the matter preceding paragraph (1), by striking '', 2019, or 2020'' and inserting ''2019, 2020, or 2021''.

SEC. 1232. 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 for fiscal year 2021 for the Department of Defense may be obligated or expended to, and the Department may not, 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 prohibition under subsection (a) if the Secretary of Defense—

(1) determines that a waiver is in the national security interest of the United States; and

(2) on the date on which the waiver is invoked, submits a notification of the waiver and a justification of the reason for seeking the waiver to—

(A) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(B) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1233. MODIFICATION AND EXTENSION OF UKRAINE SECURITY ASSISTANCE INITIATIVE.

Section 1250 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1068), as most recently amended by section 1244 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in subsection (c)—

(A) in paragraph (2)(B)—

(i) in clause (iv), by striking ''; and'' and inserting a semicolon;

(ii) in clause (v), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following:

''(vi) transformation of command and control structures and roles in line with North Atlantic Treaty Organization principles; and

''(vii) improvement of human resources management, including to support career management reforms, enhanced social support to military personnel and their families, and professional military education systems.''; and

(B) by amending paragraph (5) to read as follows:

''(5) LETHAL ASSISTANCE.—Of the funds available for fiscal year 2021 pursuant to subsection (f)(6), $125,000,000 shall be available only for lethal assistance described in paragraphs (2), (3), (11), (12), (13), and (14) of subsection (b).'';

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

''(6) For fiscal year 2021, $250,000,000.''; and

(3) in subsection (h), by striking ''December 31, 2022'' and inserting ''December 31, 2024''.

SEC. 1234. REPORT ON CAPABILITY AND CAPACITY REQUIREMENTS OF MILITARY FORCES OF UKRAINE AND RESOURCE PLAN FOR SECURITY ASSISTANCE.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a report on the capability and capacity requirements of the military forces of Ukraine, which shall include the following:

(1) An analysis of the capability gaps and capacity shortfalls of the military forces of Ukraine that includes—

(A) an assessment of the requirements of the navy of Ukraine to accomplish its assigned missions; and

(B) an assessment of the requirements of the air force of Ukraine to accomplish its assigned missions.

(2) An assessment of the relative priority assigned by the Government of Ukraine to addressing such capability gaps and capacity shortfalls.

(3) An assessment of the capability gaps and capacity shortfalls that—

(A) could be addressed in a sufficient and timely manner by unilateral efforts of the Government of Ukraine; and

(B) are unlikely to be addressed in a sufficient and timely manner solely through unilateral efforts.

(4) An assessment of the capability gaps and capacity shortfalls described in paragraph (3)(B) that could be addressed in a sufficient and timely manner by—

(A) the Ukraine Security Assistance Initiative of the Department of Defense;

(B) Department of Defense security assistance authorized by section 333 of title 10, United States Code;

(C) the Foreign Military Financing and Foreign Military Sales programs of the Department of State; or

(D) the provision of excess defense articles.

(5) An assessment of the human resources requirements of the Office of Defense Cooperation at the United States Embassy in Kyiv and any gaps in the capacity of such Office of Defense Cooperation to provide security assistance to Ukraine.

(6) Any recommendations the Secretary of Defense and the Secretary of State consider appropriate concerning the coordination of security assistance efforts of the Department of Defense and the Department of State with respect to Ukraine.

(b) RESOURCE PLAN.—Not later than February 15, 2022, the Secretary of Defense and the Secretary of State shall jointly submit to the appropriate committees of Congress a resource plan for United States security assistance with respect to Ukraine, which shall include the following:

(1) A plan to resource the following initiatives and programs with respect to Ukraine in fiscal year 2023 and the four succeeding fiscal years to meet the most critical capability gaps and capacity shortfalls of the military forces of Ukraine:

(A) The Ukraine Security Assistance Initiative of the Department of Defense.

(B) Department of Defense security assistance authorized by section 333 of title 10, United States Code.

(C) The Foreign Military Financing and Foreign Military Sales programs of the Department of State.

(D) The provision of excess defense articles.

(2) With respect to the navy of Ukraine, the following:

(A) A capability development plan, with milestones, detailing the manner in which the United States will assist the Government of Ukraine in meeting the requirements referred to in subsection (a)(1)(A).

(B) A plan for United States cooperation with third countries and international organizations that have the resources and ability to provide immediate assistance to the navy of Ukraine while maintaining interoperability with United States platforms to the extent feasible.

(C) A plan to prioritize the provision of excess defense articles for the navy of Ukraine to the extent practicable during fiscal year 2023 and the four succeeding fiscal years.

(D) An assessment of the manner in which United States security assistance to the navy of Ukraine is in the national security interests of the United States.

(3) With respect to the air force of Ukraine, the following:

(A) A capability development plan, with milestones, detailing the manner in which the United States will assist the Government of Ukraine in meeting the requirements referred to in subsection (a)(1)(B).

(B) A plan for United States cooperation with third countries and international organizations that have the resources and ability to provide immediate assistance to the air force of Ukraine while maintaining interoperability with United States platforms to the extent feasible.

(C) A plan to prioritize the provision of excess defense articles for the air force of Ukraine to the extent practicable during fiscal year 2023 and the four succeeding fiscal years.

(D) An assessment of the manner in which United States security assistance to the air force of Ukraine is in the national security interests of the United States.

(4) An assessment of progress on defense institutional reforms in Ukraine, including with respect to the navy and air force of Ukraine, during fiscal year 2023 and the four succeeding fiscal years that will be essential for—

(A) enabling effective use and sustainment of capabilities developed under security assistance authorities described in this section;

(B) enhancing the defense of the sovereignty and territorial integrity of Ukraine;

(C) achieving the stated goal of the Government of Ukraine of meeting North Atlantic Treaty Organization standards; and

(D) allowing Ukraine to achieve its full potential as a strategic partner of the United States.

(c) FORM.—The report required by subsection (a) and the resource plan required by subsection (b) shall each be submitted in a classified form with an unclassified summary.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.

SEC. 1235. SENSE OF SENATE ON NORTH ATLANTIC TREATY ORGANIZATION ENHANCED OPPORTUNITIES PARTNER STATUS FOR UKRAINE.

It is the sense of the Senate that—

(1) the United States should support the designation of Ukraine as an enhanced opportunities partner as part of the Partnership Interoperability Initiative of the North Atlantic Treaty Organization;

(2) the participation of Ukraine in the enhanced opportunities partner program is in the shared security interests of Ukraine, the United States, and the North Atlantic Treaty Organization alliance;

(3) the unique experience, capabilities, and technical expertise of Ukraine, especially with respect to hybrid warfare, cybersecurity, and foreign disinformation, would enable Ukraine to make a positive contribution to the North Atlantic Treaty Organization alliance through participation in the enhanced opportunities partner program;

(4) while not a replacement for North Atlantic Treaty Organization membership, participation in the enhanced opportunities partner program would have significant benefits for the security of Ukraine, including—

(A) more regular consultations on security matters;

(B) enhanced access to interoperability programs and exercises;

(C) expanded information sharing; and

(D) improved coordination of crisis preparedness and response; and

(5) progress on defense institutional reforms in Ukraine, including defense institutional reforms intended to align the military forces of Ukraine with North Atlantic Treaty Organization standards, remains essential for—

(A) a more effective defense of the sovereignty and territorial integrity of Ukraine;

(B) allowing Ukraine to achieve its full potential as a strategic partner of the United States; and

(C) increased cooperation between Ukraine and the North Atlantic Treaty Organization.

SEC. 1236. EXTENSION OF AUTHORITY FOR TRAINING FOR EASTERN EUROPEAN NATIONAL SECURITY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 333 note), as most recently amended by section 1247 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is further amended—

(1) in the first sentence, by striking ''December 31, 2021'' and inserting ''December 31, 2023''; and

(2) in the second sentence, by striking ''the period beginning on October 1, 2015, and ending on December 31, 2021'' and inserting ''the period beginning on October 1, 2015, and ending on December 31, 2023''.

SEC. 1237. SENSE OF SENATE ON KOSOVO AND THE ROLE OF THE KOSOVO FORCE OF THE NORTH ATLANTIC TREATY ORGANIZATION.

It is the sense of the Senate that—

(1) normalization of relations between Kosovo and Serbia is in the interest of both countries and would enhance security and stability in the Western Balkans;

(2) the United States should continue to support the diplomatic efforts of Kosovo and Serbia to reach a historic agreement to normalize relations between the two countries;

(3) mutual recognition should be a central element of normalization of relations between Kosovo and Serbia;

(4) both Kosovo and Serbia should refrain from actions that would make an agreement more difficult to achieve;

(5) the Kosovo Force of the North Atlantic Treaty Organization continues to play an indispensable role in maintaining security and stability, which are the essential predicates for the success of the diplomatic efforts of Kosovo and Serbia to achieve normalization of relations;

(6) the participation of the United States Armed Forces in the Kosovo Force is foundational to the credibility and success of mission of the Kosovo Force;

(7) with the North Atlantic Treaty Organization allies and other European partners contributing over 80 percent of the troops for the mission, the Kosovo Force represents a positive example of burden sharing;

(8) together with the allies and partners of the United States, the United States should—

(A) maintain its commitment to the Kosovo Force; and

(B) take all appropriate steps to ensure that the Kosovo Force has the necessary personnel, capabilities, and resources to perform its critical mission; and

(9) the United States should continue to support the gradual transition of the Kosovo Security Force to a multi-ethnic army for the Republic of Kosovo that is interoperable with North Atlantic Treaty Organization members through an inclusive and transparent process that—

(A) respects the rights and concerns of all citizens of Kosovo;

(B) promotes regional security and stability; and

(C) supports the aspirations of Kosovo for eventual full membership in the North Atlantic Treaty Organization.

SEC. 1238. SENSE OF SENATE ON STRATEGIC COMPETITION WITH THE RUSSIAN FEDERATION AND RELATED ACTIVITIES OF THE DEPARTMENT OF DEFENSE.

It is the sense of the Senate that—

(1) the 2018 National Defense Strategy affirms the re-emergence of long-term strategic competition with the Russian Federation as a principal priority for the Department of Defense that requires sustained investment due to the magnitude of the threat posed to United States security, prosperity, and alliances and partnerships;

(2) given the continued military modernization of the Russian Federation, including the development of long-range strike systems and other advanced capabilities, the United States should prioritize efforts within the North Atlantic Treaty Organization to implement timely measures to ensure that the deterrence and defense posture of the North Atlantic Treaty Organization remains credible and effective;

(3) the United States should reaffirm support for the open-door policy of the North Atlantic Treaty Organization;

(4) to enhance deterrence against aggression by the Russian Federation, the Department of Defense should—

(A) continue—

(i) to prioritize funding for the European Deterrence Initiative to address capability gaps, capacity shortfalls, and infrastructure requirements of the Joint Force in Europe;

(ii) to increase pre-positioned stocks of equipment in Europe; and

(iii) rotational deployments of United States forces to Romania and Bulgaria while pursuing training opportunities at military locations such as Camp Mihail Kogalniceanu in Romania and Novo Selo Training Area in Bulgaria;

(B) increase—

(i) focus and resources to address the changing military balance in the Black Sea region;

(ii) the frequency, scale, and scope of North Atlantic Treaty Organization and other multilateral exercises in the Black Sea region, including with the participation of Ukraine and Georgia; and

(iii) presence and activities in the Arctic, including special operations training and naval operations and training;

(C) maintain robust naval presence at Souda Bay, Greece, and pursue opportunities for increased United States presence at other locations in Greece;

(D) enhance military-to-military engagement among Western Balkan countries to promote interoperability with the North Atlantic Treaty Organization and regional security cooperation; and

(E) expand information sharing, improve planning coordination, and increase the frequency, scale, and scope of exercises with Sweden and Finland to deepen interoperability; and

(5) to counter Russian Federation activities short of armed conflict, the Department of Defense should—

(A) integrate with United States interagency efforts to employ all elements of national power to counter Russian Federation hybrid warfare; and

(B) bolster the capabilities of allies and partners to counteract Russian Federation coercion, including through expanded cyber cooperation and enhanced resilience against disinformation and malign influence.

SEC. 1239. REPORT ON RUSSIAN FEDERATION SUPPORT OF RACIALLY AND ETHNICALLY MOTIVATED VIOLENT EXTREMISTS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the head of any other relevant Federal department or agency, shall submit to the appropriate committees of Congress a report on Russian Federation support of racially and ethnically motivated violent extremist groups and networks in Europe and the United States, including such support provided by agents and entities of the Russian Federation acting at the direction or for the benefit of the Government of the Russian Federation.

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

(1) A list of each racially or ethnically motivated violent extremist group or network in Europe or the United States known to meet, or suspected of meeting, the following criteria:

(A) The group or network has been targeted or recruited by the security services of the Russian Federation.

(B) The group or network has received support (including training, disinformation or amplification on social media platforms, financial support, and any other support) from the Russian Federation or an agent or entity of the Russian Federation acting at the direction or for the benefit of the Government of the Russian Federation.

(C) The group—

(i) has leadership or a base of operations located within the Russian Federation; and

(ii) operates or maintains a chapter or network of the group in Europe or the United States.

(2) An assessment of the manner in which Russian Federation support of such groups or networks aligns with the strategic interests

of the Russian Federation with respect to Europe and the United States.

(3) An assessment of the role of such groups or networks in—

(A) assisting Russian Federation-backed separatist forces in the Donbas region of Ukraine; or

(B) destabilizing security on the Crimean peninsula of Ukraine.

(4) An assessment of the manner in which Russian Federation support of such groups or networks has—

(A) contributed to the destabilization of security in the Balkans; and

(B) threatened the support for the North Atlantic Treaty Organization in Southeastern Europe.

(5) A description of any relationship or affiliation between such groups or networks and ultranationalist or extremist political parties in Europe and the United States, and an assessment of the manner in which the Russian Federation may use such a relationship or affiliation to advance the strategic interests of the Russian Federation.

(6) A description of the use by the Russian Federation of social media platforms to support or amplify the presence or messaging of such groups or networks, and an assessment of any effort in Europe or the United States to counter such support or amplification.

(7) A description of the legal and political implications of the designation of the Russian Imperial Movement, and members of the leadership of the Russian Imperial Movement, as specially designated global terrorists pursuant to Executive Order 13224 (50 U.S.C. 1701 note; relating to blocking property and prohibiting transactions with persons who commit, threaten to commit, or support terrorism) and the response of the Government of the Russian Federation to such designation.

(8) Recommendations of the Secretary of Defense, consistent with a whole-of-government approach to countering Russian Federation information warfare and malign influence operations—

(A) to mitigate the security threat posed by such groups or networks; and

(B) to reduce or counter Russian Federation support for such groups or networks.

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

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1240. 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 inserting after subsection (l) the following new section 2350m:

''§ 2350m. Participation in European program on multilateral exchange of surface transportation services

''(a) PARTICIPATION AUTHORIZED.—

''(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may authorize the participation of the Department of Defense in the Surface Exchange of Services program (in this section referred to as the 'SEOS program') of the Movement Coordination Centre Europe.

''(2) SCOPE OF PARTICIPATION.—Participation of the Department of Defense 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; and

''(B) the exchange of surface transportation services of an equal value.

''(b) WRITTEN ARRANGEMENT OR AGREEMENT.—

''(1) IN GENERAL.—Participation of the Department of Defense in the SEOS program 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) NOTIFICATION.—The Secretary of Defense shall provide to the congressional defense committees notification of any arrangement or agreement entered into under paragraph (1).

''(3) FUNDING ARRANGEMENTS.—If Department of Defense facilities, equipment, or funds are used to support the SEOS program, the written arrangement or agreement under paragraph (1) shall specify the details of any equitable cost-sharing or other funding arrangement.

''(4) OTHER ELEMENTS.—Any written arrangement or agreement entered into under paragraph (1) shall require that any accrued credits or liability resulting from an unequal exchange or transfer of surface transportation services shall be liquidated through the SEOS program not less than once every five years.

''(c) IMPLEMENTATION.—In carrying out any arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

''(1) pay the equitable share of the Department of Defense for the operating expenses of the Movement Coordination Centre Europe and the SEOS 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 European Command, to duty at the Movement Coordination Centre Europe as necessary to fulfill Department of Defense obligations under that arrangement or agreement.

''(d) CREDITING OF RECEIPTS.—Any amount received by the Department of Defense 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) ANNUAL REPORT.—

''(1) IN GENERAL.—Not later than 30 days after the end of each fiscal year in which the authority under this section is in effect, the Secretary of Defense shall submit to the congressional defense committees a report on Department of Defense participation in the SEOS program during such fiscal year.

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

''(A) A description of the equitable share of the costs and activities of the SEOS program paid by the Department of Defense.

''(B) A description of any amount received by the Department of Defense as part of such program, including the country from which the amount was received.

''(f) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section may be construed to authorize the use of foreign sealift in violation of section 2631.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter is amended by inserting after the item relating to section 23501 the following new item:

''2350m. Participation in European program on multilateral exchange of surface transportation services.''.

SEC. 1241. PARTICIPATION IN PROGRAMS RELATING TO COORDINATION OR EXCHANGE OF AIR REFUELING AND AIR TRANSPORTATION SERVICES.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, as amended by section 1240(a), is further amended by adding at the end the following new section:

''§ 2350o. Participation in programs relating to coordination or exchange of air refueling and air transportation services

''(a) PARTICIPATION AUTHORIZED.—

''(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may authorize the participation of the Department of Defense in programs relating to the coordination or exchange of air refueling and air transportation services, including in the arrangement known as the Air Transport and Air-to-Air Refueling and other Exchanges of Services program (in this section referred to as the 'ATARES program').

''(2) SCOPE OF PARTICIPATION.—Participation of the Department of Defense in programs referred to in paragraph (1) may include—

''(A) the reciprocal exchange or transfer of air refueling and air transportation services on a reimbursable basis or by replacement-in-kind; and

''(B) the exchange of air refueling and air transportation services of an equal value.

''(3) LIMITATIONS WITH RESPECT TO PARTICIPATION IN ATARES PROGRAM.—

''(A) IN GENERAL.—The Department of Defense balance of executed flight hours in participation in the ATARES program under paragraph (1), whether as credits or debits, may not exceed a total of 500 hours.

''(B) AIR REFUELING.—The Department of Defense balance of executed flight hours for air refueling in participation in the ATARES program under paragraph (1) may not exceed 200 hours.

''(b) WRITTEN ARRANGEMENT OR AGREEMENT.—Participation of the Department of Defense in a program referred to in subsection (a)(1) 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.

''(c) IMPLEMENTATION.—In carrying out any arrangement or agreement entered into under subsection (b), the Secretary of Defense may—

''(1) pay the equitable share of the Department of Defense for the recurring and nonrecurring costs of the applicable program referred to in subsection (a)(1) from funds available to the Department for operation and maintenance; and

''(2) assign members of the armed forces or Department of Defense civilian personnel to fulfill Department obligations under that arrangement or agreement.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter, as amended by section 1240(b), is further amended by adding at the end the following new item:

''2350o. Participation in programs relating to coordination or exchange of air refueling and air transportation services.''.

(c) REPEAL.—Section 1276 of the National Defense Authorization Act for Fiscal Year 2013 (10 U.S.C. 2350c note) is repealed.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 1251. PACIFIC DETERRENCE INITIATIVE.

(a) IN GENERAL.—The Secretary of Defense shall carry out an initiative to ensure the effective implementation of the National Defense Strategy with respect to the Indo-Pacific region, to be known as the ''Pacific Deterrence Initiative'' (in this section referred to as the ''Initiative'').

(b) PURPOSE.—The purpose of the Initiative is to carry out only the following activities:

(1) Activities to increase the lethality of the joint force in the Indo-Pacific region, including, but not limited to—

(A) by improving active and passive defenses against theater cruise, ballistic, and hypersonic missiles for bases, operating locations, and other critical infrastructure at locations west of the International Date Line; and

(B) procurement and fielding of—

(i) long-range precision strike systems to be stationed or pre-positioned west of the International Date Line;

(ii) critical munitions to be pre-positioned at locations west of the International Date Line; and

(iii) command, control, communications, computers and intelligence, surveillance, and reconnaissance systems intended for stationing or operational use in the Indo-Pacific region.

(2) Activities to enhance the design and posture of the joint force in the Indo-Pacific region, including, but not limited to, by—

(A) transitioning from large, centralized, and unhardened infrastructure to smaller, dispersed, resilient, and adaptive basing at locations west of the International Date Line;

(B) increasing the number and capabilities of expeditionary airfields and ports in the Indo-Pacific region available for operational use at locations west of the International Date Line;

(C) enhancing pre-positioned forward stocks of fuel, munitions, equipment, and materiel at locations west of the International Date Line;

(D) increasing the availability of strategic mobility assets in the Indo-Pacific region;

(E) improving distributed logistics and maintenance capabilities in the Indo-Pacific region to ensure logistics sustainment while under persistent multidomain attack; and

(F) increasing the presence of the Armed Forces at locations west of the International Date Line.

(3) Activities to strengthen alliances and partnerships, including, but not limited to, by—

(A) building capacity of allies and partners; and

(B) improving—

(i) interoperability and information sharing with allies and partners; and

(ii) information operations capabilities in the Indo-Pacific region, with a focus on reinforcing United States commitment to allies and partners and countering malign influence.

(4) Activities to carry out a program of exercises, experimentation, and innovation for the joint force in the Indo-Pacific region.

(c) PLAN REQUIRED.—Not later than February 15, 2021, the Secretary, in consultation with the Commander of the United States Indo-Pacific Command, shall submit to the congressional defense committees a plan to expend not less than the amounts authorized to be appropriated under subsection (e)(2).

(d) BUDGET DISPLAY INFORMATION.—The Secretary shall include in the materials of the Department of Defense in support of the budget of the President (submitted to Congress pursuant to section 1105 of title 31, United States Code) for fiscal year 2022 and each fiscal year thereafter a detailed budget display for the Initiative that includes the following information:

(1) A future-years plan with respect to activities and resources for the Initiative for the applicable fiscal year and not fewer than the four following fiscal years.

(2) With respect to procurement accounts—

(A) amounts displayed by account, budget activity, line number, line item, and line item title; and

(B) a description of the requirements for such amounts specific to the Initiative.

(3) With respect to research, development, test, and evaluation accounts—

(A) amounts displayed by account, budget activity, line number, program element, and program element title; and

(B) a description of the requirements for such amounts specific to the Initiative.

(4) With respect to operation and maintenance accounts—

(A) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(B) a description of the specific manner in which such amounts will be used.

(5) With respect to military personnel accounts—

(A) amounts displayed by account, budget activity, budget subactivity, and budget subactivity title; and

(B) a description of the requirements for such amounts specific to the Initiative.

(6) 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 by fiscal year.

(7) With respect to the activities described in subsection (b)—

(A) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(B) a description of the specific manner in which such amounts will be used.

(8) With respect to each military service—

(A) amounts displayed by account title, budget activity title, line number, and subactivity group title; and

(B) a description of the specific manner in which such amounts will be used.

(9) With respect to the amounts described in each of paragraphs (2)(A), (3)(A), (4)(A), (5)(A), (6), (7)(A), and (8)(A), a comparison between—

(A) the amount in the budget of the President for the following fiscal year; and

(B) the amount projected in the previous budget of the President for the following fiscal year.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out the activities of the Initiative described in subsection (b) the following:

(1) For fiscal year 2021, $1,406,417,000, as specified in the funding table in section 4502.

(2) For fiscal year 2022, $5,500,000,000.

(f) REPEAL.—Section 1251 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1676), as most recently amended by section 1253 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2054), is repealed.

SEC. 1252. SENSE OF SENATE ON THE UNITED STATES-VIETNAM DEFENSE RELATIONSHIP.

In commemoration of the 25th anniversary of the normalization of diplomatic relations between the United States and Vietnam, the Senate—

(1) welcomes the historic progress and achievements in United States-Vietnam relations over the last 25 years;

(2) congratulates Vietnam on its chairmanship of the Association of Southeast Asian Nations and its election as a nonpermanent member of the United Nations Security Council, both of which symbolize the positive leadership role of Vietnam in regional and global affairs;

(3) commends the commitment of Vietnam to resolve international disputes through peaceful means on the basis of international law;

(4) affirms the commitment of the United States—

(A) to respect the independence and sovereignty of Vietnam; and

(B) to establish and promote friendly relations and work together on an equal footing for mutual benefit with Vietnam;

(5) encourages the United States and Vietnam to elevate their comprehensive partnership to a strategic partnership based on mutual understanding, shared interests, and a common desire to promote peace, cooperation, prosperity, and security in the Indo-Pacific region;

(6) affirms the commitment of the United States to continue to address war legacy issues, including through dioxin remediation, unexploded ordnance removal, accounting for prisoners of war and soldiers missing in action, and other activities; and

(7) supports deepening defense cooperation between the United States and Vietnam, including with respect to maritime security, cybersecurity, counterterrorism, information sharing, humanitarian assistance and disaster relief, military medicine, peacekeeping operations, defense trade, and other areas.

SEC. 1253. AUTHORITY TO TRANSFER FUNDS FOR BIEN HOA DIOXIN CLEANUP.

(a) TRANSFER AUTHORITY.—Notwithstanding section 2215 of title 10, United States Code, the Secretary of Defense may transfer to the Secretary of State, for use by the United States Agency for International Development, amounts to be used for the Bien Hoa dioxin cleanup in Vietnam.

(b) LIMITATION ON AMOUNT.—Not more than $15,000,000 may be transferred in fiscal year 2021 under the transfer authority in subsection (a).

(c) ADDITIONAL TRANSFER AUTHORITY.—The transfer authority in subsection (a) is in addition to any other transfer authority available to the Department of Defense.

(d) NOTICE ON EXERCISE OF AUTHORITY.—If the Secretary of Defense determines to use the transfer authority in subsection (a), the Secretary shall notify the congressional defense committee of that determination not later than 30 days before the Secretary uses the transfer authority.

SEC. 1254. COOPERATIVE PROGRAM WITH VIETNAM TO ACCOUNT FOR VIETNAMESE PERSONNEL MISSING IN ACTION.

(a) IN GENERAL.—The Secretary of Defense, in cooperation with other appropriate Federal departments and agencies, is authorized to carry out a cooperative program with the Ministry of Defense of Vietnam to assist in accounting for Vietnamese personnel missing in action.

(b) PURPOSE.—The purpose of the cooperative program under subsection (a) is to carry out the following activities:

(1) Collection, digitization, and sharing of archival information.

(2) Building the capacity of Vietnam to conduct archival research, investigations, and excavations.

(3) Improving DNA analysis capacity.

(4) Increasing veteran-to-veteran exchanges.

(5) Other support activities the Secretary considers necessary and appropriate.

SEC. 1255. PROVISION OF GOODS AND SERVICES AT KWAJALEIN ATOLL, REPUBLIC OF THE MARSHALL ISLANDS.

(a) IN GENERAL.—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 at Kwajalein Atoll

''(a) AUTHORITY.—(1) Except as provided in paragraph (2), the Secretary of the Army, with the concurrence of the Secretary of State, may provide goods and services, including interatoll transportation, to the Government of the Republic of the Marshall Islands and other eligible patrons, as determined by the Secretary of the Army, at Kwajalein Atoll.

''(2) The Secretary of the Army may not provide goods or services under this section if doing so would be inconsistent, as determined by the Secretary of State, with the Compact of Free Association between the Government of the United States and the Government of the Republic of the Marshall Islands or any subsidiary agreement or implementing arrangement.

''(b) REIMBURSEMENT.—(1) The Secretary of the Army may collect reimbursement from the Government of the Republic of the Marshall Islands and eligible patrons for the provision of goods or services under subsection (a).

''(2) The amount collected for goods or services under this subsection may not be greater than the total amount of actual costs to the United States for providing the goods or services.

''(c) NECESSARY EXPENSES.—Amounts appropriated to the Department of the Army may be used for necessary expenses associated with providing goods and services under this section.

''(d) REGULATIONS.—The Secretary of the Army shall issue regulations to carry out this section.''.

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

''7596. Provision of goods and services at Kwajalein Atoll.''.

(c) BRIEFING.—Not later than December 31, 2021, the Secretary of the Army shall provide to the congressional defense committees a briefing on the use of the authority under section 7596(a) of title 10, United States Code, as added by subsection (a), in fiscal year 2021, including a written summary describing the goods and services provided on a reimbursable basis and the goods and services provided on a nonreimbursable basis.

SEC. 1256. AUTHORITY TO ESTABLISH A MOVEMENT COORDINATION CENTER PACIFIC IN THE INDO-PACIFIC REGION AND PARTICIPATE IN AN AIR TRANSPORT AND AIR-TO-AIR REFUELING AND OTHER EXCHANGES OF SERVICES PROGRAM.

(a) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, may authorize—

(1) the establishment of a Movement Coordination Center Pacific (in this section referred to as the ''Center''); and

(2) 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.

(b) SCOPE OF PARTICIPATION.—Participation of the Department in the ATARES program shall be limited to—

(1) the reciprocal exchange or transfer of air transportation and air refueling services on a reimbursable basis or by replacement-in-kind; and

(2) the exchange of air transportation or air refueling services of equal value.

(c) LIMITATIONS.—

(1) TRANSPORTATION HOURS.—The Department balance of executed transportation hours in the ATARES program, whether as credits or debits, may not exceed 500 hours.

(2) FLIGHT HOURS.—The Department balance of executed flight hours for air refueling in the ATARES program may not exceed 200 hours.

(d) WRITTEN ARRANGEMENT OR AGREEMENT.—

(1) IN GENERAL.—Participation of the Department in the ATARES program 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 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 any accrued credit or liability resulting from an unequal exchange or transfer of air transportation or air refueling services to be liquidated through the ATARES program not less frequently than once every five years.

(e) IMPLEMENTATION.—In carrying out any written arrangement or agreement entered into under subsection (d), the Secretary of Defense may—

(1) pay the equitable share of the Department for the operating expenses of the Center and the ATARES program from funds available to the Department for operation and maintenance; and

(2) assign members of the Armed Forces or Department civilian personnel, within billets authorized for the United States Indo-Pacific Command, to duty at the Center as necessary to fulfill Department obligations under that arrangement or agreement.

SEC. 1257. TRAINING OF ALLY AND PARTNER AIR FORCES IN GUAM.

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

(1) the memorandum of understanding agreed to by the United States and the Republic of Singapore on December 6, 2019, to establish a fighter jet training detachment in Guam should be commended;

(2) such agreement is a manifestation of the strong, enduring, and forward-looking partnership of the United States and the Republic of Singapore; and

(3) the permanent establishment of a fighter detachment in Guam will further enhance the interoperability of the air forces of the United States and the Republic of Singapore and provide training opportunities needed to maximize their readiness.

(b) 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 assessing the merit and feasibility of entering into agreements similar to the memorandum of understanding referred to in subsection (a)(1) with other United States allies and partners in the Indo-Pacific region, including Japan, Australia, and India.

SEC. 1258. STATEMENT OF POLICY AND SENSE OF SENATE ON THE TAIWAN RELATIONS ACT.

(a) STATEMENT OF POLICY.—It is the policy of the United States—

(1) that the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) and the ''Six Assurances'' provided by the United States to Taiwan in July 1982 are the foundation for United States-Taiwan relations;

(2) that nothing in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) constrains deepening, to the extent possible, the extensive, close, and friendly relations of the United States and Taiwan, including defense relations;

(3) that the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) shall be implemented and executed in a manner consistent with evolving political, security, and economic dynamics and circumstances;

(4) that, as set forth in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the United States expects the ''future of Taiwan will be determined by peaceful means,'' and that ''any effort to determine the future of Taiwan by other than peaceful means'' is ''a threat to the peace and security of the Western Pacific area and of grave concern to the United States'';

(5) that the increasingly coercive and aggressive behavior of the People's Republic of China towards Taiwan, including growing military maneuvers targeting Taiwan, is contrary to the expectation of the peaceful resolution of the future of Taiwan;

(6) that, as set forth in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the United States will support the development of capable, ready, and modern defense forces necessary for Taiwan to maintain a sufficient self-defense capability, including by—

(A) supporting acquisition by Taiwan of defense articles and services through foreign military sales, direct commercial sales, and industrial cooperation, with an emphasis on capabilities that support the asymmetric defense strategy of Taiwan, including antiship, coastal defense, antiarmor, air defense, undersea warfare, advanced command, control, communications, computers, intelligence, surveillance, and reconnaissance, and resilient command and control capabilities;

(B) ensuring timely review of and response to requests of Taiwan for defense articles and services;

(C) conducting practical training and military exercises with Taiwan, including, as appropriate, the Rim of the Pacific exercise, combined training at the National Training Center at Fort Erwin, and bilateral naval exercises and training;

(D) examining the potential for expanding professional military education and technical training opportunities in the United States for military personnel of Taiwan;

(E) pursuing a strategy of military engagement with Taiwan that fully integrates exchanges at the strategic, policy, and functional levels;

(F) increasing exchanges between senior defense officials and general officers of the United States and Taiwan consistent with the Taiwan Travel Act (Public Law 115–135; 132 Stat. 341), especially for the purpose of enhancing cooperation on defense planning and improving the interoperability of the military forces of the United States and Taiwan;

(G) conducting military exchanges with Taiwan specifically focused on improving the reserve force of Taiwan; and

(H) expanding cooperation in military medicine and humanitarian assistance and disaster relief, including through the participation of medical vessels of Taiwan in appropriate exercises with the United States; and

(7) that, as set forth in the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.), the United States will maintain the capacity ''to resist any resort to force or other forms of coercion that would jeopardize the security, or the social or economic system, of the people on Taiwan'', including the capacity of the United States Armed Forces to deny a ''fait accompli'' operation by the People's Republic of China to rapidly seize control of Taiwan.

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

(1) ensure that policy guidance to the Department of Defense related to United States-Taiwan defense relations is fully consistent with the statement of policy set forth in subsection (a); and

(2) issue new policy guidance required to carry out such policy.

SEC. 1259. SENSE OF CONGRESS ON PORT CALLS IN TAIWAN WITH THE *USNS COMFORT* AND THE *USNS MERCY*.

It is the sense of Congress that the Department of Defense should conduct port calls in Taiwan with the *USNS Comfort* and the *USNS Mercy*—

(1) to continue the collaboration between the United States and Taiwan on COVID–19 responses, which has included—

(A) research and development of tests, vaccines, and medicines; and

(B) donations of face masks;

(2) to further improve the cooperation between the United States and Taiwan on military medicine and humanitarian assistance and disaster relief;

(3) to allow United States personnel to benefit from the expertise of Taiwanese personnel, in light of the successful response of Taiwan to COVID–19; and

(4) to continue the mission of the *USNS Comfort* and the *USNS Mercy*, which have demonstrated the value of the Department capacity to deploy maritime medical capabilities worldwide and provide contingency capacity in the United States during significant crises.

SEC. 1260. LIMITATION ON USE OF FUNDS TO REDUCE TOTAL NUMBER OF MEMBERS OF THE ARMED FORCES SERVING ON ACTIVE DUTY WHO ARE DEPLOYED TO THE REPUBLIC OF KOREA.

None of the funds authorized to be appropriated by this Act may be obligated or expended to reduce the total number of members of the Armed Forces serving on active duty and deployed to the Republic of Korea to fewer than 28,500 such members of the Armed Forces until 90 days after the date on which the Secretary of Defense certifies to the congressional defense committees that—

(1) such a reduction—

(A) is in the national security interest of the United States; and

(B) will not significantly undermine the security of United States allies in the region; and

(2) the Secretary has appropriately consulted with allies of the United States, including the Republic of Korea and Japan, regarding such a reduction.

SEC. 1261. SENSE OF CONGRESS ON CO-DEVELOPMENT WITH JAPAN OF A LONG-RANGE GROUND-BASED ANTI-SHIP CRUISE MISSILE SYSTEM.

It is the sense of Congress that—

(1) the Department of Defense should prioritize consultations with the Ministry of Defense of Japan to determine whether a ground-based, long-range anti-ship cruise missile system would meet shared defense requirements of the United States and Japan; and

(2) if it is determined that a ground-based, long-range anti-ship cruise missile system would meet shared defense requirements, the United States and Japan should consider co-development of such a system.

Subtitle F—Reports

SEC. 1271. REVIEW OF AND REPORT ON OVERDUE ACQUISITION AND CROSS-SERVICING AGREEMENT TRANSACTIONS.

(a) REVIEW.—The Secretary of Defense, acting through the official designated to provide oversight of acquisition and cross-servicing agreements under section 2342(f) of title 10, United States Code, shall conduct a review of acquisition and cross-servicing transactions for which reimbursement to the United States is overdue under section 2345 of that title.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2021, the designated official described in subsection (a) shall submit to the congressional defense committees a report on the results of the review.

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

(A) For each acquisition and cross-servicing transaction valued at $1,000,000 or more for which reimbursement to the United States was overdue as of October 1, 2019—

(i) the total amount of the transaction;

(ii) the unreimbursed balance of the transaction;

(iii) the date on which the original transaction was made;

(iv) the date on which the most recent request for payment was sent to the relevant foreign partner; and

(v) a plan for securing reimbursement from the foreign partner.

(B) A description of the steps taken to implement the recommendations made in the report of the Government Accountability Office entitled ''Defense Logistics Agreements: DOD Should Improve Oversight and Seek Payment from Foreign Partners for Thousands of Orders It Identifies as Overdue'' issued in March 2020, including efforts to validate data reported under this subsection and in the system of record for acquisition and cross-servicing agreements of the Department of Defense.

(C) The amount of reimbursement received from foreign partners for each order—

(i) for which the reimbursement is recorded as overdue in the system of record for acquisition and cross-servicing agreements of the Department of Defense; and

(ii) that was authorized during the period beginning in October 2013 and ending in September 2020.

(D) A plan for improving recordkeeping of acquisition and cross-servicing transactions and ensuring timely reimbursement by foreign partners.

(E) Any other matter considered relevant by the designated official described in subsection (a).

SEC. 1272. REPORT ON BURDEN SHARING CONTRIBUTIONS BY DESIGNATED COUNTRIES.

Section 2350j of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) REPORT ON CONTRIBUTIONS RECEIVED FROM DESIGNATED COUNTRIES.—

''(1) IN GENERAL.—Not later than January 15 each year, the Secretary of Defense shall submit to the appropriate committees of Congress a report on the burden sharing contributions received under this section from designated countries.

''(2) ELEMENTS.—Each report required by paragraph (1) shall include the following for the preceding fiscal year:

''(A) A list of all designated countries from which burden sharing contributions were received.

''(B) An explanation of the purpose for which each such burden sharing contribution was provided.

''(C) In the case of a written agreement entered into with a designated country under this section—

''(i) the date on which the agreement was signed; and

''(ii) the names of the individuals who signed the agreement.

''(D) For each designated country—

''(i) the amount provided by the designated country; and

''(ii) the amount of any remaining unobligated balance.

''(E) The amount of such burden sharing contributions expended, by eligible category, including compensation for local national employees, military construction projects, and supplies and services of the Department of Defense.

''(F) An explanation of any other burden sharing or in-kind contribution provided by a designated country under an agreement or authority other than the authority provided by this section.

''(G) Any other matter the Secretary of Defenses considers relevant.

''(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term 'appropriate committees of Congress' means—

''(A) the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate; and

''(B) the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Appropriations of the House of Representatives.''.

SEC. 1273. REPORT ON RISK TO PERSONNEL, EQUIPMENT, AND OPERATIONS DUE TO HUAWEI 5G ARCHITECTURE IN HOST COUNTRIES.

(a) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report 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 telecommunications architecture provided by Huawei Technologies Co., Ltd.; 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 telecommunications architecture provided by Huawei Technologies Co., Ltd.

(b) FORM.—The report required by subsection (a) shall be submitted in classified form with an unclassified summary.

Subtitle G—Other Matters

SEC. 1281. RECIPROCAL PATIENT MOVEMENT AGREEMENTS.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, as amended by section 1241(a), is further amended by adding at the end the following new section:

''§ 2350p. Reciprocal patient movement agreements

''(a) AUTHORITY.—Subject to the availability of appropriations, the Secretary of Defense, with the concurrence of the Secretary of State, may enter into a bilateral or multilateral memorandum of understanding or other formal agreement with one or more governments of partner countries that provides for—

''(1) the interchangeable, nonreimbursable use of patient movement personnel, either individually or as members of a patient movement crew or team, and equipment, belonging to one partner country to perform patient movement services aboard the aircraft, vessels, or vehicles of another partner country;

''(2) the reciprocal recognition and acceptance of —

''(A) national professional credentials, certifications, and licenses of patient movement personnel; and

''(B) national certifications, approvals, and licenses of equipment used in the provision of patient movement services; and

''(3) the acceptance of agreed-upon standards for the provision of patient movement services by aircraft, vessel, or vehicle, including, as determined to be beneficial and

otherwise permitted by law, the harmonization of patient treatment standards and procedures.

''(b) CERTIFICATION.—(1) Before entering into a memorandum of understanding or other formal agreement with the government of a partner country under this section, the Secretary of Defense shall certify in writing that the professional credentials, certifications, licenses, and approvals for patient movement personnel and patient movement equipment of the partner country—

''(A) meet or exceed the equivalent standards of the United States for similar personnel and equipment; and

''(B) will provide for a level of care comparable to, or better than, the level of care provided by the Department of Defense.

''(2) A certification under paragraph (1) shall be—

''(A) submitted to the appropriate committees of Congress not later than 15 days after the date on which the Secretary of Defense makes the certification; and

''(B) reviewed and recertified by the Secretary of Defense not less frequently than annually.

''(c) SUSPENSION.—If the Secretary of Defense is unable to recertify a partner country as required by subsection (b)(2)(B), use of the personnel or equipment of the partner country by the Department of Defense under a memorandum of understanding or other formal agreement concluded pursuant to subsection (a) shall be suspended until the date on which the Secretary of Defense is able to recertify the partner country.

''(d) DEFINITIONS.—In this section:

''(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term 'appropriate committees of Congress' 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.

''(2) PARTNER COUNTRY.—The term 'partner country' means any of the following:

''(A) A member country of the North Atlantic Treaty Organization.

''(B) Australia.

''(C) Japan.

''(D) New Zealand.

''(E) The Republic of Korea.

''(F) Any other country designated as a partner country by the Secretary of Defense, with the concurrence of the Secretary of State, for purposes of this section.

''(3) PATIENT MOVEMENT.—The term 'patient movement' means the act or process of moving wounded, ill, injured, or other persons (including contaminated, contagious, and potentially exposed patients) to obtain medical, surgical, mental health, or dental care or treatment.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such subchapter, as amended by section 1241(b), is further amended by adding at the end the following new item:

''2350p. Reciprocal patient movement agreements.''.

SEC. 1282. EXTENSION OF AUTHORIZATION OF NON-CONVENTIONAL ASSISTED RECOVERY CAPABILITIES.

Subsection (g) of section 943 of the National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4578), as most recently amended by section 1282(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2542) and as redesignated by section 1051(n)(1) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1564), is further amended by striking ''2021'' and inserting ''2024''.

SEC. 1283. EXTENSION OF DEPARTMENT OF DEFENSE SUPPORT FOR STABILIZATION ACTIVITIES IN NATIONAL SECURITY INTEREST OF THE UNITED STATES.

Section 1210A(h) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''December 31, 2020'' and inserting ''December 31, 2021''.

SEC. 1284. NOTIFICATION WITH RESPECT TO WITHDRAWAL OF MEMBERS OF THE ARMED FORCES PARTICIPATING IN THE MULTINATIONAL FORCE AND OBSERVERS IN EGYPT.

(a) IN GENERAL.—Not later than 30 days before a reduction in the total number of members of the Armed Forces deployed to the Multinational Force and Observers in Egypt to fewer than 430 such members of the Armed Forces, the Secretary of Defense shall submit to the appropriate committees of Congress a notification that includes the following:

(1) A detailed accounting of the number of members of the Armed Forces to be withdrawn from the Multinational Force and Observers in Egypt and the capabilities that such members of the Armed Forces provide in support of the mission.

(2) An explanation of national security interests of the United States served by such a reduction and an assessment of the effect, if any, such a reduction is expected to have on the security of United States partners in the region.

(3) A description of consultations by the Secretary with the other countries that contribute military forces to the Multinational Force and Observers, including Australia, Canada, Colombia, the Czech Republic, Fiji, France, Italy, Japan, New Zealand, Norway, the United Kingdom, and Uruguay, with respect to the planned force reduction and the results of such consultations.

(4) An assessment of whether other countries, including the countries that contribute military forces to the Multinational Force and Observers, will increase their contributions of military forces to compensate for the capabilities withdrawn by the United States.

(5) An explanation of—

(A) any anticipated negative impact of such a reduction on the ability of the Multinational Force and Observers in Egypt to fulfill its mission of supervising the implementation of the security provisions of the 1979 Treaty of Peace between Egypt and Israel and employing best efforts to prevent any violation of the terms of such treaty; and

(B) the manner in which any such negative impact will be mitigated.

(6) Any other matter the Secretary considers appropriate.

(b) FORM.—The notification required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the congressional defense committees; and

(2) the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1285. MODIFICATION TO INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note) is amended—

(1) in subsection (c)(2)—

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

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

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

''(C) includes requirements for appropriate senior officials of institutions of higher education to receive from appropriate Government agencies updated and periodic briefings that describe the espionage risks posed by technical intelligence gathering activities of near-peer strategic competitors.''; and

(2) in subsection (e)(2)(D), by striking ''improve'' and inserting ''improved''.

SEC. 1286. ESTABLISHMENT OF UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP.

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

(1) the United States Government has a responsibility to undertake all reasonable measures to ensure that members of the Armed Forces never confront a more technologically advanced foe;

(2) the United States and Israel have several cooperative technology programs to develop and field capabilities in missile defense, countertunneling, and counter-unmanned aerial systems; and

(3) building on positive ongoing efforts, the United States and Israel should further institutionalize and strengthen their defense innovation partnership by establishing a United States-Israel Operations-Technology Working Group to identify and expeditiously field capabilities that the military forces of both countries need to deter and defeat respective adversaries.

(b) UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP.—

(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 Minister of Defense of Israel, shall establish a United States-Israel Operations-Technology Working Group (in this subsection referred to as the ''Working Group'') for the following purposes:

(A) To provide a standing forum for the United States and Israel to systematically share intelligence-informed military capability requirements.

(B) To identify military capability requirements common to both the Department of Defense and the Ministry of Defense of Israel.

(C) To assist defense suppliers in the United States and Israel, by incorporating recommendations from such defense suppliers, with respect to conducting joint science, technology, research, development, test, evaluation, and production efforts.

(D) To develop, as feasible and advisable, combined United States-Israel plans to research, develop, procure, and field weapons systems and military capabilities as quickly and economically as possible to meet common capability requirements of the Department of Defense and the Ministry of Defense of Israel.

(2) WORKING GROUP LEADERSHIP.—

(A) UNITED STATES LEADERSHIP.—With respect to the United States, the Working Group shall be headed by—

(i) the Secretary, or a designee; and

(ii) the Chairman of the Joint Chiefs of Staff, or a designee.

(B) ISRAEL LEADERSHIP.—The Secretary shall invite the Government of Israel to designate the head of the appropriate office or offices to head the Working Group with respect to Israel.

(3) WORKING GROUP MEMBERSHIP.—

(A) UNITED STATES MEMBERSHIP.—The Secretary, in consultation with other Cabinet members, shall designate one or more individuals to serve as members of the Working Group.

(i) MANDATORY UNITED STATES MEMBERS.—The membership of the Working Group shall consist of, at a minimum, representatives from—

(I) the Office of the Secretary of Defense;

(II) the Joint Staff;

(III) each of the military departments (including, as appropriate, subordinate entities such as Army Futures Command and research laboratories);

(IV) the defense agencies (including the Defense Advanced Research Projects Agency, the Defense Intelligence Agency, and the Defense Security Cooperation Agency);

(V) United States Central Command; and

(VI) United States European Command.

(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as limiting the ability of the Secretary to add members to the Working Group, as considered appropriate.

(B) ISRAEL MEMBERSHIP.—The Secretary shall invite such representatives of the Government of Israel to designate individuals from the Government of Israel to serve as members of the Working Group, as the Secretary considers appropriate.

(4) EXISTING EFFORTS.—

(A) IN GENERAL.—The Secretary shall determine the most efficient and effective means to integrate the Working Group into existing United States science and technology efforts and research, development, test, and evaluation efforts with Israel.

(B) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as requiring the termination of any existing United States defense activity, group, program, or partnership with Israel.

(5) MEMORANDUM OF UNDERSTANDING.—

(A) IN GENERAL.—The Secretary shall, with the concurrence of the Minister of Defense of Israel, establish a memorandum of understanding between the United States and Israel establishing the United States-Israel Operations Technology Working Group.

(B) MATTERS TO BE INCLUDED.—The memorandum of understanding under subparagraph (A) shall set forth—

(i) the purposes of the Working Group, consistent with paragraph (1);

(ii) the membership of the Working Group, consistent with paragraph (3); and

(iii) any other matter considered appropriate.

(6) REPORTS.—

(A) INITIAL REPORT.—

(i) IN GENERAL.—Not later than 180 days after the establishment of the Working Group, the Secretary shall submit to the appropriate committees of Congress an initial report on the Working Group.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) The finalized memorandum of understanding under paragraph (5).

(II) The name of each individual of the Government of the United States and of the Government of Israel designated to lead the Working Group.

(III) The name of each member of the Working Group designated under subparagraph (A) or (B) of paragraph (3).

(IV) A description of the manner in which the Working Group is anticipated to complement and augment existing science and technology efforts and research, development, test, and evaluation efforts with Israel.

(V) A schedule for Working Group meetings.

(VI) A description of key metrics and milestones for the Working Group.

(VII) A description of any authority or authorization of appropriations required for the Working Group to carry out the purposes described in paragraph (1).

(iii) FORM.—The report required by clause (i) shall be submitted in unclassified form, but may include a classified annex.

(B) ANNUAL REPORT.—

(i) IN GENERAL.—Not later than March 15 of each year following the submittal of the initial report required by subparagraph (A), the Secretary shall submit to the appropriate committees of Congress a report on the activities of the Working Group during the preceding calendar year.

(ii) ELEMENTS.—The report required by clause (i) shall include the following:

(I) A summary of the performance of the Working Group—

(aa) with respect to the first annual report under this subparagraph, the metrics and milestones described in the initial report in accordance with subparagraph (A)(ii)(VI); or

(bb) with respect to each subsequent annual report under this subparagraph, the metrics and milestones described in the preceding annual report under subclause (VIII).

(II) A description of military capabilities needed by both the United States and Israel.

(III) A description of any United States, or any United States-Israel, science and technology efforts, or research, development, test, and evaluation efforts, associated with the military capabilities described under subclause (II) carried out during the reporting period.

(IV) A description of any obstacle or challenge associated with an effort described in subclause (III) and the plan of the Working Group to address such obstacle or challenge.

(V) A description of any request to the Working Group made by a United States or Israel defense supplier for combined science and technology efforts or combined research, development, test, and evaluation efforts, including—

(aa) the date on which the request was received;

(bb) the efforts made by the Working Group to expeditiously address the request; and

(cc) the status of any decision associated with the request.

(VI) A description of the efforts of the Working Group to prevent the People's Republic of China or the Russian Federation from obtaining intellectual property or military technology associated with combined United States and Israel science and technology efforts and research, development, test, and evaluation efforts.

(VII) A description of any science and technology effort, or research, development, test, or evaluation effort, facilitated by the Working Group, including efforts that result in a United States or Israel program of record.

(VIII) A description of metrics and milestones for the Working Group for the following calendar year.

(iii) FORM.—Each report required by clause (i) shall be submitted in unclassified form and shall include a classified annex in which the elements required under subclauses (II) and (VI) of clause (ii) shall be addressed.

(C) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this paragraph, the term ''appropriate committees of Congress'' means—

(i) the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(ii) the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. FUNDING ALLOCATIONS FOR DEPARTMENT OF DEFENSE COOPERATIVE THREAT REDUCTION PROGRAM.

(a) IN GENERAL.—Of the $288,490,000 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 security and elimination, $11,806,000.

(3) For global nuclear security, $20,152,000.

(4) For biological threat reduction, $177,396,000.

(5) For proliferation prevention, $52,064,000.

(6) For activities designated as Other Assessments/Administrative Costs, $24,148,000.

(b) AVAILABILITY OF 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, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

Subtitle B—Armed Forces Retirement Home

SEC. 1411. 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 $64,300,000 for the operation of the Armed Forces Retirement Home.

SEC. 1412. PERIODIC INSPECTIONS OF ARMED FORCES RETIREMENT HOME FACILITIES BY NATIONALLY RECOGNIZED ACCREDITING ORGANIZATION.

(a) IN GENERAL.—Section 1518 of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 418) is amended to read as follows:

"SEC. 1518. PERIODIC INSPECTION OF RETIREMENT HOME FACILITIES.

''(a) INSPECTIONS.—The Chief Operating Officer shall request the inspection of each facility of the Retirement Home by a nationally recognized civilian accrediting organization in accordance with section 1511(g) on a frequency consistent with the standards of such organization.

''(b) AVAILABILITY OF STAFF AND RECORDS.—The Chief Operating Officer and the Administrator of a facility being inspected under this section shall make all staff, other personnel, and records of the facility available to the civilian accrediting organization in a timely manner for purposes of inspections under this section.

''(c) REPORTS.—Not later than 60 days after receiving a report on an inspection from the civilian accrediting organization under this section, the Chief Operating Officer shall submit to the Secretary of Defense, the Senior Medical Advisor, and the Advisory Council a report containing—

''(1) the results of the inspection; and

''(2) a plan to address any recommendations and other matters set forth in the report.''.

(b) CONFORMING AMENDMENTS.—The Armed Forces Retirement Home Act of 1991 (24 U.S.C. 401 et seq.) is further amended as follows:

(1) In section 1513A(c)(2) (24 U.S.C. 413a(c)(2)), by striking ''(including requirements identified in applicable reports of the Inspector General of the Department of Defense)''.

(2) In section 1516(b)(3) (24 U.S.C. 416(b)(3))—

(A) by striking ''shall—'' and all that follows through ''provide for'' and inserting ''shall provide for'';

(B) by striking ''; and'' and inserting a period; and

(C) by striking subparagraph (B).

(3) In section 1517(e)(2) (24 U.S.C. 417(e)(2)), by striking ''the Inspector General of the Department of Defense,''.

SEC. 1413. EXPANSION OF ELIGIBILITY FOR RESIDENCE AT THE ARMED FORCES RETIREMENT HOME.

(a) EXPANSION OF ELIGIBILITY.—Section 1512(a) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 412(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''active'' in the first sentence;

(2) in paragraph (1), by striking ''are 60 years of age or over and''; and

(3) by adding the following new paragraph:

''(5) Persons who are eligible for retired pay under chapter 1223 of title 10, United States Code, and—

''(A) are eligible for care under section 1710 of title 38, United States Code;

''(B) are enrolled in coverage under chapter 55 of title 10, United States Code; or

''(C) are enrolled in a qualified health plan acceptable to the Chief Operating Officer.''.

(b) PARITY OF FEES AND DEDUCTIONS.—Section 1514(c) of such Act (24 U.S.C. 414(c)) is amended—

(1) by striking paragraph (2) and inserting the following new paragraph (2)

''(2)(A) The fee shall be fixed as a percentage of the monthly income and monthly payments (including Federal payments) received by a resident. The percentage shall be the same for each facility of the Retirement Home. The Secretary of Defense may make any adjustment in a percentage that the Secretary determines appropriate.

''(B) The calculation of monthly income and monthly payments under subparagraph (A) for a resident eligible under section 1512(a)(5) shall not be less than the retirement pay for equivalent active duty service as determined by the Chief Operating Officer, except as the Chief Operating Officer may provide because of compelling personal circumstances.''; and

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

''(4) The Administrator of each facility of the Retirement Home may collect a fee upon admission from a resident accepted under section 1512(a)(5) equal to the deductions then in effect under section 1007(i)(1) of title 37, United States Code, for each year of nonregular service, and shall deposit such fee in the Armed Forces Retirement Home Trust Fund.''.

(c) CONFORMING AMENDMENT.—Section 1007(i)(3) of title 37, United States Code, is amended by striking ''Armed Forces Retirement Home Board'' and inserting ''Chief Operating Officer of the Armed Forces Retirement Home''.

Subtitle C—Other Matters

SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT DEPARTMENT OF DEFENSE-DEPARTMENT OF VETERANS AFFAIRS MEDICAL FACILITY DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $130,400,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571).

(b) TREATMENT OF TRANSFERRED FUNDS.—For purposes of subsection (a)(2) of such section 1704, any funds transferred under subsection (a) shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(c) USE OF TRANSFERRED FUNDS.—For purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility under an operational agreement covered by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500).

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

SEC. 1501. PURPOSE.

The purpose of this subtitle 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. OVERSEAS CONTINGENCY OPERATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the Department of Defense for overseas contingency operations in such amounts as may be designated as provided in section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(ii)).

SEC. 1503. 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. 1504. 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. 1505. 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. 1506. 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, for military personnel, as specified in the funding table in section 4402.

SEC. 1507. 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. 1508. 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. 1509. 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. 1510. 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. 1521. 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. 1522. 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 $2,000,000,000.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(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. 1531. AFGHANISTAN SECURITY FORCES FUND.

(a) EXTENSION OF AVAILABILITY OF FUNDS FOR SECURITY OF AFGHAN WOMEN.—Subsection (c)(1) of section 1520 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, in the matter preceding subparagraph (A), by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''.

(b) ASSESSMENT OF AFGHANISTAN PROGRESS ON OBJECTIVES.—Subsection (d) of such section is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking ''June 1, 2020'' and inserting ''March 1, 2021'';

(B) in subparagraph (A), by striking ''; and'' and inserting '', including specific milestones achieved since the date on which the 2020 progress report was submitted;'';

(C) in subparagraph (B), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(C) the efforts of the Government of the Islamic Republic of Afghanistan to fulfill the commitments of the Government of the Islamic Republic of Afghanistan under the Joint Declaration between the Islamic Republic of Afghanistan and the United States of America for Bringing Peace to Afghanistan, issued on February 29, 2020.'';

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

''(2) MATTERS TO BE INCLUDED.—In conducting the assessment required by paragraph (1), the Secretary of Defense shall include each of the following:

''(A) The progress made by the Government of the Islamic Republic of Afghanistan toward increased accountability and the reduction of corruption within the Ministry of Defense and the Ministry of Interior of the Government of the Islamic Republic of Afghanistan.

''(B) The extent to which the Government of the Islamic Republic 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.

''(C) The extent to which the capability and capacity of the Afghan National Defense and Security Forces have improved as a result of Afghanistan Security Forces Fund investment, including through training, and an articulation of the metrics used to assess such improvements.

''(D) The extent to which the Afghan National Defense and Security Forces have been successful in—

''(i) defending territory, re-taking territory, and disrupting attacks;

''(ii) reducing the use of Afghan National Defense and Security Forces checkpoints; and

''(iii) curtailing the use of Afghan Special Security Forces for missions that are better suited to general purpose forces.

''(E) The distribution practices of the Afghan National Defense and Security Forces and whether the Government of the Islamic Republic of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to, and employed by, security forces.

''(F) The progress made with respect to the recruitment, integration, retention, training, and treatment of women in the Afghan National Defense and Security Forces.

''(G) The extent to which the Government of the Islamic Republic of Afghanistan is adhering to conditions for receiving assistance established in annual financial commitment letters or any other bilateral agreement with the United States.

''(H) Such other factors as the Secretaries consider appropriate.''; and

(3) by amending paragraph (4) to read as follows:

''(4) WITHHOLDING OF FUNDS FOR INSUFFICIENT PROGRESS.—

''(A) CERTIFICATION.—Not later than December 31, 2020, the Secretary of Defense, in coordination with the Secretary of State and pursuant to the assessment under paragraph (1), shall submit to the congressional defense committees a certification indicating whether the Government of the Islamic Republic of Afghanistan has made sufficient progress in the areas described in paragraph (2).

''(B) WITHHOLDING OF FUNDS.—If the Secretary of Defense is unable under subparagraph (A) to certify that the Government of the Islamic Republic of Afghanistan is making sufficient progress in the areas described in paragraph (2), the Secretary of Defense shall—

''(i) withhold from expenditure and obligation an amount that is not less than 5 percent and not more than 15 percent of the amounts made available for assistance for the Afghan National Defense and Security Forces for fiscal year 2021 until the date on which the Secretary is able to so certify; and

''(ii) notify the congressional defense committees not later than 30 days before withholding such funds and indicate the specific areas of insufficient progress.

''(C) WAIVER.—If the Secretary of Defense determines that withholding such funds would impede the national security objectives of the United States by prohibiting, restricting, delaying, or otherwise limiting the provision of assistance to the Afghan National Defense and Security Forces for fiscal year 2021, the Secretary may waive the withholding requirement under subparagraph (B) 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.''.

(c) ADDITIONAL REPORTING REQUIREMENTS.—Subsection (e) of such section is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal year 2021'' and inserting ''fiscal year 2022'';

(2) in paragraph (1), by striking ''fiscal year 2019'' and inserting ''fiscal year 2020'';

(3) in paragraph (2), by striking ''fiscal year 2020'' and inserting ''fiscal year 2021''; and

(4) by amending paragraph (3) to read as follows:

''(3) If the amounts described in paragraph (2) exceed the amount described in paragraph (1)—

''(A) an explanation as to why such amounts are greater; and

''(B) a detailed description of the specific entities and purposes that were supported by such increase.''.

(d) CONFORMING AMENDMENT.—Such section is further amended by striking ''Government of Afghanistan'' each place it appears and inserting ''Government of the Islamic Republic of Afghanistan''.

SEC. 1532. TRANSITION AND ENHANCEMENT OF INSPECTOR GENERAL AUTHORITIES FOR AFGHANISTAN RECONSTRUCTION.

(a) SENSE OF SENATE.—It is the sense of the Senate to commend the Special Inspector General for Afghanistan Reconstruction, and the Office of the Special Inspector General for Afghanistan Reconstruction, for—

(1) dedicated and faithful service to the United States since their establishment in the 2008; and

(2) promoting substantial efficiency and effectiveness in the administration of programs and operations funded with amounts for the reconstruction of Afghanistan.

(b) PURPOSES.—Subsection (a) of section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (5 U.S.C. app. 8G note) is amended—

(1) in paragraph (3), by inserting after ''To provide for'' the following: ''the transition to the lead Inspector General for Operation Freedom's Sentinel designated pursuant to section 8L(d) of the Inspector General Act of 1978 (50 U.S.C. app. 8L(d)) of all duties, responsibilities, and authorities for serving''; and

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

''(4) To maximize coordination between the Inspector General under this section and the lead Inspector General for Operation Freedom's Sentinel, including through transparency and timely sharing of data and information collected in relation to the exercise of their respective duties, responsibilities, and authorities, with emphasis on matters of significant overlap between the Department of State, the United States Agency for International Development, and the Department of Defense.''.

(c) ASSISTANT INSPECTOR GENERAL FOR AUDITING.—Subsection (d)(1) of such section is amended by striking ''supported by'' and inserting ''funded with''.

(d) SUPERVISION.—Subsection (e)(2) of such section is amended by inserting ''authorized by this section'' after ''any audit or investigation''.

(e) DUTIES.—Subsection (f) of such section is amended—

(1) in paragraph (1)—

(A) in subparagraph (E), by adding ''and'' at the end;

(B) by striking subparagraph (F);

(C) by redesignating subparagraph (G) as subparagraph (F); and

(D) in subparagraph (F), as redesignated by subparagraph (C) of this paragraph—

(i) by inserting ''with such funds'' after ''overpayments,''; and

(ii) by inserting ''regarding such funds,'' after ''or affiliated entities'';

(2) in paragraph (2)—

(A) by striking ''The Inspector General'' and inserting ''As specified in this section, the Inspector General''; and

(B) by striking ''as the Inspector General considers appropriate'' and inserting ''as necessary''; and

(3) by striking paragraph (4) and inserting the following new paragraph (4):

''(4) SCOPE OF DUTIES AND RESPONSIBILITIES.—

''(A) NO EXTENSION TO PARTICULAR MATTERS.—The duties and responsibilities of the Inspector General under paragraphs (1) through (3) shall not extend to the following:

''(i) Military operations or activities (including security assistance or cooperation), unless such operations or activities are funded using a Fund or account specified in subsection (n)(1).

''(ii) Contracts for personal security.

''(B) ASSIGNMENT OF DUTIES AND RESPONSIBILITIES FOR SUCH MATTERS.—Duties and responsibilities of inspectors general with respect to operations and activities and contracts specified in subparagraph (A) shall be discharged by the lead Inspector General for Operation Freedom's Sentinel designated pursuant to section 8L(d) of the Inspector General Act of 1978.''.

(f) RESPONSIBILITY FOR COORDINATION OF EFFORTS VESTED IN LEAD IG FOR OPERATION FREEDOM'S SENTINEL.—Such section is further amended—

(1) by redesignating subsections (g) through (o) as subsections (h) through (p), respectively; and

(2) by inserting after subsection (f) the following new subsection (g):

''(g) COORDINATION AND DECONFLICTION OF EFFORTS.—

''(1) COORDINATION AND DECONFLICTION THROUGH LEAD IG FOR OPERATION FREEDOM'S SENTINEL.—The lead Inspector General for Operation Freedom's Sentinel designated pursuant to section 8L(d) of the Inspector General Act of 1978 shall exercise all duties, responsibilities, and authorities for the coordination and deconfliction of inspector general activities in or in regard to Afghanistan.

''(2) COORDINATION IN DISCHARGE.—In carrying out duties, responsibilities, and authorities under paragraph (1), the lead Inspector General referred to in that paragraph shall coordinate with, receive the cooperation of, and be responsible for deconfliction among, the following:

''(A) Each Inspector General specified in section 8L(c) of the Inspector General Act of 1978 who is not the lead Inspector General for Operation Freedom's Sentinel.

''(B) The Inspector General under this section.''.

(g) ASSISTANCE FROM FEDERAL AGENCIES.—Subsection (i) of such section, as redesignated by subsection (f)(1) of this section, is amended—

(1) in paragraph (5)(A), by inserting ''pertaining to the exercise by the Inspector General of duties, responsibilities, or authorities specified in subsection (f)'' after ''information and assistance''; and

(2) by striking paragraph (6).

(h) REPORTS.—Subsection (j) of such section, as redesignated by subsection (f)(1) of this section, is amended—

(1) in paragraph (1)—

(A) by striking the matter preceding subparagraph (A) and inserting the following new matter:

''(1) SEMI-ANNUAL REPORTS.—Not later than 30 days after the end of the second quarter of each fiscal year, and not later than 30 days after the end of the fourth quarter of each fiscal year, the Inspector General shall submit to the appropriate congressional committees a report setting forth a summary, for the two fiscal year quarters ending before the date on which such report is required to be submitted, of the activities of the Inspector General and the activities under programs and operations funded with amounts appropriated or otherwise made available for the reconstruction of Afghanistan. Each report shall include, for the period covered by such report, the following:'';

(B) by striking subparagraph (A) and inserting the following new subparagraph (A):

''(A) A detailed statement of all obligations and expenditures of amounts appropriated or otherwise made available for the reconstruction of Afghanistan.'';

(C) in subparagraph (B), by inserting ''projects and programs funded by amounts appropriated or otherwise made available'' after ''costs incurred to date for''; and

(D) in subparagraphs (C) and (D), by striking ''funded by any department or agency of the United States Government'' each place it appears and inserting ''funded by amounts appropriated or otherwise made available for the reconstruction of Afghanistan''; and

(2) in paragraph (2), by striking ''that involves the use'' and all that follows and inserting ''that is funded by amounts appropriated or otherwise made available for the reconstruction of Afghanistan.''.

(i) REPORT COORDINATION.—Subsection (k) of such section, as redesignated by subsection (f)(1) of this section, is amended—

(1) in the subsection heading, by inserting ''BY INSPECTOR GENERAL FOR OPERATION FREEDOM'S SENTINEL'' after ''REPORT COORDINATION'';

(2) in paragraph (1), by striking ''and the Secretary of Defense'' and inserting '', the Secretary of Defense, and the lead Inspector General for Operation Freedom's Sentinel designated pursuant to section 8L(d) of the Inspector General Act of 1978''; and

(3) in paragraph (2), by striking ''or the Secretary of Defense'' each place it appears and inserting '', the Secretary of Defense, or the lead Inspector General referred to in paragraph (1)''.

(j) FUNDS SUBJECT TO OVERSIGHT RESPONSIBILITY.—Paragraph (1) of subsection (n) of such section, as redesignated by subsection (f)(1) of this section, is amended to read as follows:

''(1) AMOUNTS APPROPRIATED OR OTHERWISE MADE AVAILABLE FOR THE RECONSTRUCTION OF AFGHANISTAN.—The term 'amounts appropriated or otherwise made available for the reconstruction of Afghanistan' means amounts appropriated or otherwise made available for any fiscal year for the reconstruction of Afghanistan under either of the following:

''(A) The Economic Support Fund.

''(B) The International Narcotics Control and Law Enforcement account.

''(C) The Commanders Emergency Response Program Fund.

''(D) The NATO Afghanistan National Army Trust Fund.

''(E) The Drug Interdiction and Counter Drug Activities Fund.

''(F) The Afghanistan Security Forces Fund.''.

(k) TERMINATION.—Subsection (p) of such section, as redesignated by subsection (f)(1) of this section, is amended—

(1) by striking paragraph (2); and

(2) by adding at the end the following new paragraphs.

''(2) ASSUMPTION OF DUTIES, RESPONSIBILITIES, AND AUTHORITIES IN TERMINATION.—

''(A) IN GENERAL.—Effective as of the date provided for in subparagraph (B), the duties, responsibilities, and authorities of the Inspector General under this section shall be discharged by the lead Inspector General for Operation Freedom's Sentinel designated pursuant to subsection (d) of section 8L of the Inspector General Act of 1978.

''(B) EFFECTIVE DATE.—The effective date provided for in this subparagraph shall be such date after the date of the termination of the Office of the Special Inspector General for Afghanistan Reconstruction pursuant to paragraph (1) as the Chair of the Council of Inspectors General on Integrity and Efficiency under subsection (a) of section 8L of the Inspector General Act of 1978 shall specify, which date may not be more than 180 days after the date of such termination.

''(3) FINAL REPORT.—The final report of the Inspector General under this section shall consist of the semi-annual report required by subsection (j)(1) for the last two fiscal year quarters ending before the date of the termination of the Office of the Special Inspector General for Afghanistan Reconstruction pursuant to paragraph (1).''.

(l) CONFORMING AND TECHNICAL AMENDMENTS.—

(1) IN GENERAL.—Subject to paragraph (2), such section is further amended as follows:

(A) In subsection (a)(2)(A), by inserting a comma after ''economy''.

(B) Subsection (a)(3) is amended to read as such subsection read as of the day before the date of the enactment of this Act.

(C) Paragraph (4) of subsection (a) is repealed.

(D) In subsection (f)(1)(E), by striking ''fund'' and inserting ''funds''.

(E) In subsections (l) and (m), as redesignated by subsection (f)(1) of this section—

(i) by striking ''subsection (i)'' each place it appears and inserting ''subsection (j)''; and

(ii) by striking ''subsection (j)(2)'' each place it appears and inserting ''subsection (k)(2)''.

(2) EFFECTIVE DATES.—The amendments made by subparagraphs (A), (D) and (E) of paragraph (1) shall take effect on the date of the enactment of this Act. The amendment made by subparagraphs (B) and (C) of that paragraph shall take effect on the effective date provided for in section 1229(p)(2)(B) of the National Defense Authorization Act for Fiscal Year 2008, as redesignated by subsection (f)(1) and amended by subsection (k).

(m) CONFORMING AMENDMENT TO OTHER LAW.—Section 842(c) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 234; 10 U.S.C. 2302 note) is amended—

(1) by inserting ''(1)'' before ''The Special Inspector General for Iraq Reconstruction''; and

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

''(2) Upon the assumption by the lead Inspector General for Operation Freedom's Sentinel designated pursuant to section 8L(d) of the Inspector General Act of 1978 (5 U.S.C. app. 8L(d)) of duties, responsibilities, and authorities under section 1229 of this Act, as provided for in subsection (p)(2) of such section 1229, the requirement in paragraph (1) to perform audits as required by subsection (a) with respect to Afghanistan shall be discharged by such lead Inspector General.''.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Space Activities

SEC. 1601. RESILIENT AND SURVIVABLE POSITIONING, NAVIGATION, AND TIMING CAPABILITIES.

(a) IN GENERAL.—Not later than two years after the date of the enactment of this Act, consistent with the timescale applicable to joint urgent operational needs statements, the Secretary of Defense shall—

(1) prioritize and rank order the mission elements, platforms, and weapons systems most critical for the operational plans of the combatant commands;

(2) mature, test, and produce for such prioritized mission elements sufficient equipment—

(A) to generate resilient and survivable alternative positioning, navigation, and timing signals; and

(B) to process resilient survivable data provided by signals of opportunity and on-board sensor systems; and

(3) integrate and deploy such equipment into the prioritized operational systems, platforms, and weapons systems.

(b) PLAN.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees a plan to commence carrying out subsection (a) in fiscal year 2021.

(2) REPROGRAMMING AND BUDGET PROPOSALS.—The plan submitted under paragraph (1) may include any reprogramming or supplemental budget request the Secretary considers necessary to carry out subsection (a).

(c) COORDINATION.—In carrying out this section, the Secretary shall consult with the National Security Council, the Secretary of Homeland Security, the Secretary of Transportation, and the head of any other relevant Federal department or agency to enable civilian and commercial adoption of technologies and capabilities for resilient and survivable alternative positioning, navigation, and timing capabilities to complement the global positioning system.

SEC. 1602. DISTRIBUTION OF LAUNCHES FOR PHASE TWO OF ACQUISITION STRATEGY FOR NATIONAL SECURITY SPACE LAUNCH PROGRAM.

In carrying out phase two of the acquisition strategy for the National Security Space Launch program, the Secretary of the Air Force shall ensure—

(1) that launch services are procured only from launch service providers that use launch vehicles meeting Federal requirements with respect to required payloads to reference orbits; and

(2) the viability of the domestic space launch industrial base while providing for cost-effective and reliable launch services.

SEC. 1603. DEVELOPMENT EFFORTS FOR NATIONAL SECURITY SPACE LAUNCH PROVIDERS.

(a) IN GENERAL.—The Secretary of the Air Force shall establish a program to develop technologies and systems to enhance phase three National Security Space Launch requirements and enable further advances in launch capability associated with the insertion of national security payloads into relevant classes of orbits.

(b) DURATION.—The duration of a project to develop technologies and systems selected under the program shall be not more than three years.

(c) PROGRAM EXPENSE CEILING.—The total amount expended under the program shall not exceed $250,000,000.

(d) SUNSET.—The program established under this section shall terminate on October 1, 2027.

SEC. 1604. TIMELINE FOR NONRECURRING DESIGN VALIDATION FOR RESPONSIVE SPACE LAUNCH.

Not later than 540 days after the date on which the Secretary of the Air Force selects two National Security Space Launch providers in accordance with the phase two acquisition strategy for the National Security Space Launch program, the Secretary of Defense shall complete the nonrecurring design validation of previously flown launch hardware for National Security Space Launch providers that offer such hardware for use in the phase two acquisition strategy or other national security space missions.

SEC. 1605. 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. 1606. CONFORMING AMENDMENTS RELATING TO REESTABLISHMENT OF SPACE COMMAND.

(a) CERTIFICATIONS REGARDING INTEGRATED TACTICAL WARNING AND ATTACK ASSESSMENT MISSION OF THE AIR FORCE.—Section 1666(a) of National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 113 Stat. 2617) is amended by striking ''Strategic Command'' and inserting ''Space Command''.

(b) COUNCIL ON OVERSIGHT OF THE DEPARTMENT OF DEFENSE POSITIONING, NAVIGATION, AND TIMING ENTERPRISE.—Section 2279b of title 10, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (7), (8), (9), and (10) as paragraphs (8), (9), (10), and (11), respectively; and

(B) by inserting after paragraph (6) the following new paragraph (7):

''(7) The Commander of the United States Space Command.''; and

(2) in subsection (f), by striking ''Strategic Command'' each place it appears and inserting ''Space Command''.

(c) JOINT INTERAGENCY COMBINED SPACE OPERATIONS CENTER.—Section 605(e) of the Intelligence Authorization Act for Fiscal Year 2017 (Public Law 115–31; 131 Stat. 832) is amended—

(1) in the subsection heading, by striking ''JOINT INTERAGENCY COMBINED SPACE OPERATIONS CENTER'' and inserting ''NATIONAL SPACE DEFENSE CENTER''; and

(2) by striking ''Strategic Command'' each place it appears and inserting ''Space Command''; and

(3) by striking ''Joint Interagency Combined Space Operations Center'' each place it appears and inserting ''National Space Defense Center''.

(d) NATIONAL SECURITY SPACE SATELLITE REPORTING POLICY.—Section 2278(a) of title 10, United States Code, is amended by striking ''Strategic Command'' and inserting ''Space Command''.

(e) SPACE-BASED INFRARED SYSTEM AND ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.—Section 1612(a)(1) of the National Defense Authorization Act for 2017 (Public Law 114–328; 130 Stat. 2590) is amended by striking ''Strategic Command'' and inserting ''Space Command''.

SEC. 1607. SPACE DEVELOPMENT AGENCY DEVELOPMENT REQUIREMENTS AND TRANSFER TO SPACE FORCE.

(a) DEVELOPMENT.—The Director of the Space Development Agency shall lead—

(1) the development and demonstration of a resilient military space-based sensing, tracking, and data transport architecture that primarily uses a proliferated low-Earth orbit; and

(2) the integration of next-generation space capabilities, and sensor and tracking components (including a hypersonic and ballistic missile-tracking space sensor payload), into such architecture to address the requirements and needs of the Armed Forces and combatant commands for such capabilities.

(b) ORGANIZATION.—On October 1, 2022, or earlier if directed by the Secretary of Defense, the Space Development Agency shall be transferred from the Office of the Secretary of Defense to the United States Space Force and shall maintain the same organizational reporting requirements and acquisition authorities as the Space Rapid Capability Office.

SEC. 1608. SPACE LAUNCH RATE ASSESSMENT.

Not later than 90 days after the date of the enactment of this Act, and biennially thereafter for the following five-year period, the Secretary of the Air Force shall submit to the congressional defense committees an assessment that includes—

(1) the total number of space launches for all national security and Federal civil agency entities conducted in the United States during the preceding two-year period; and

(2) the number of space launches by the same sponsors projected to occur during the following three-year period, including—

(A) the number of launches, disaggregated by class of launch vehicle; and

(B) the number of payloads, disaggregated by orbital destination.

SEC. 1609. REPORT ON IMPACT OF ACQUISITION STRATEGY FOR THE NATIONAL SECURITY SPACE LAUNCH PROGRAM ON EMERGING FOREIGN SPACE LAUNCH PROVIDERS.

Not later than 90 days after the date of the enactment of this Act, the Secretary of the Air Force shall submit to Congress a report on the impact of the acquisition strategy for the National Security Space Launch program on the potential for foreign countries, including the People's Republic of China, to enter the global commercial space launch market.

Subtitle B—Cyberspace-Related Matters

SEC. 1611. MODIFICATION OF POSITION OF PRINCIPAL CYBER ADVISOR.

(a) IN GENERAL.—Subsection (c) of section 932 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2224 note) is amended to read as follows:

''(c) PRINCIPAL CYBER ADVISOR.—

''(1) DESIGNATION.—The Secretary shall designate a Principal Cyber Advisor from among those civilian officials of the Department of Defense who have been appointed to the positions in which they serve by the President, by and with the advice and consent of the Senate.

''(2) RESPONSIBILITIES.—The Principal Cyber Advisor shall be responsible for the following:

''(A) Acting as the principal advisor to the Secretary on military cyber forces and activities.

''(B) Overall integration of Cyber Operations Forces activities relating to cyberspace operations, including associated policy and operational considerations, resources, personnel, technology development and transition, and acquisition.

''(C) Assessing and overseeing the implementation of the cyber strategy of the Department and execution of the cyber posture review of the Department on behalf of the Secretary.

''(D) Coordinating activities pursuant to subparagraphs (A) and (B) of subsection (c)(3) with the Principal Information Operations Advisor, the Chief Information Officer of the Department, and other officials as determined by the Secretary of Defense, to ensure the integration of activities in support of cyber, information, and electromagnetic spectrum operations.

''(E) Such other matters relating to the offensive military cyber forces of the Department as the Secretary shall specify for the purposes of this subsection.

''(3) CROSS-FUNCTIONAL TEAM.—Consistent with section 911 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 111 note), the Principal Cyber Advisor shall—

''(A) integrate the cyber expertise and perspectives of appropriate organizations within the Office of the Secretary of Defense, Joint Staff, military departments, the Defense Agencies and Field Activities, and combatant commands, by establishing and maintaining a full-time cross-functional team of

subject matter experts from those organizations; and

''(B) select team members, and designate a team leader, from among those personnel nominated by the heads of such organizations.''.

(b) DESIGNATION OF DEPUTY PRINCIPAL CYBER ADVISOR.—Section 905(a)(1) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''Under Secretary of Defense for Policy'' and inserting ''Secretary of Defense''.

SEC. 1612. FRAMEWORK FOR CYBER HUNT FORWARD OPERATIONS.

(a) FRAMEWORK REQUIRED.—Not later than February 1, 2021, the Secretary of Defense shall develop a standard, comprehensive framework to enhance the consistency, execution, and effectiveness of cyber hunt forward operations.

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

(1) Identification of the selection criteria for proposed hunt forward operations, including specification of necessary thresholds for the justification of operations and thresholds for partner cooperation.

(2) The roles and responsibilities of the following organizations in the support of the planning and execution of hunt forward operations:

(A) United States Cyber Command.

(B) Service cyber components.

(C) The Office of the Under Secretary of Defense for Policy.

(D) Geographic combatant commands.

(E) Cyber Operations-Integrated Planning Elements and Joint Cyber Centers.

(F) Embassies and consulates of the United States.

(3) Pre-deployment planning guidelines to maximize the operational success of each unique operation, including guidance that takes into account the highly variable nature of the following aspects at the tactical level:

(A) Team composition, including necessary skillsets, recommended training, and guidelines on team size and structure.

(B) Relevant factors to determine mission duration in a country of interest.

(C) Agreements with partner countries required pre-deployment.

(D) Criteria for potential follow-on operations.

(E) Equipment and infrastructure required to support the missions.

(4) Metrics to measure the effectiveness of each operation, including means to evaluate the value of discovered malware and infrastructure, the effect on the adversary, and the potential for future engagements with the partner country.

(5) Roles and responsibilities for United States Cyber Command and the National Security Agency in the analysis of relevant mission data.

(6) Such other matters as the Secretary determines relevant.

(c) BRIEFING.—

(1) IN GENERAL.—Not later than March 1, 2021, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the framework developed pursuant to subsection (a).

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

(A) An overview of the framework developed in subsection (a).

(B) An explanation of the tradeoffs associated with the use of Department of Defense resources for hunt forward missions in the context of competing priorities.

(C) Such recommendations as the Secretary may have for legislative action to improve the effectiveness of hunt forward missions.

SEC. 1613. MODIFICATION OF SCOPE OF NOTIFICATION REQUIREMENTS FOR SENSITIVE MILITARY CYBER OPERATIONS.

Subsection (c) of section 395 of title 10, United States Code, is amended to read as follows:

''(c) SENSITIVE MILITARY CYBER OPERATION DEFINED.—(1) In this section, the term 'sensitive military cyber operation' means an action described in paragraph (2) that—

''(A) is carried out by the armed forces of the United States;

''(B) is intended to achieve a cyber effect against a foreign terrorist organization or a country, including its armed forces and the proxy forces of that country located elsewhere —

''(i) with which the armed forces of the United States are not involved in hostilities (as that term is used in section 4 of the War Powers Resolution (50 U.S.C. 1543)); or

''(ii) with respect to which the involvement of the armed forces of the United States in hostilities has not been acknowledged publicly by the United States; and

''(C)(i) is determined to—

''(I) have a medium or high collateral effects estimate;

''(II) have a medium or high intelligence gain or loss;

''(III) have a medium or high probability of political retaliation, as determined by the political military assessment contained within the associated concept of operations;

''(IV) have a medium or high probability of detection when detection is not intended; or

''(V) result in medium or high collateral effects; or

''(ii) is a matter the Secretary determines to be appropriate.

''(2) The actions described in this paragraph are the following:

''(A) An offensive cyber operation.

''(B) A defensive cyber operation.''.

SEC. 1614. MODIFICATION OF REQUIREMENTS FOR QUARTERLY DEPARTMENT OF DEFENSE CYBER OPERATIONS BRIEFINGS FOR CONGRESS.

Section 484 of title 10, United States Code, is amended by striking subsections (a) and (b) and inserting the following new subsections:

''(a) BRIEFINGS REQUIRED.—The Under Secretary of Defense for Policy, the Commander of United States Cyber Command, and the Chairman of the Joint Chiefs of Staff, or designees from each of their offices, shall provide to the congressional defense committees quarterly briefings on all offensive and significant defensive military operations in cyberspace, including clandestine cyber activities, carried out by the Department of Defense during the immediately preceding quarter.

''(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the military operations in cyberspace described in such subsection, the following:

''(1) An update, set forth separately for each applicable geographic and functional command, that describes the operations carried out in the area of operations of that command or by that command.

''(2) An update, set forth for each applicable geographic and functional command, that describes defensive cyber operations executed to protect or defend forces, networks, and equipment in the area of operations of that command.

''(3) An update on relevant authorities and legal issues applicable to operations, including any presidential directives and delegations of authority received since the last quarterly update.

''(4) An overview of critical operational challenges posed by major adversaries or encountered in operational activities conducted since the last quarterly update.

''(5) An overview of the readiness of the Cyber Mission Forces to perform assigned missions that—

''(A) addresses all of the abilities of such Forces to conduct cyberspace operations based on capability and capacity of personnel, equipment, training, and equipment condition—

''(i) using both quantitative and qualitative metrics; and

''(ii) in a way that is common to all military departments; and

''(B) is consistent with readiness reporting pursuant to section 482 of this title.

''(6) Any other matters that the briefers determine to be appropriate.

''(c) DOCUMENTS.—Each briefing under subsection (a) shall include a classified placemat, summarizing the elements specified in paragraphs (1), (2), (3), and (5) of subsection (b), and an unclassified memorandum, summarizing the briefing's contents.''.

SEC. 1615. RATIONALIZATION AND INTEGRATION OF PARALLEL CYBERSECURITY ARCHITECTURES AND OPERATIONS.

(a) REVIEW REQUIRED.—The Commander of United States Cyber Command, with support from the Chief Information Officer of the Department of Defense, the Chief Data Officer of the Department, the Principal Cyber Advisor, the Vice Chairman of the Joint Chiefs of Staff, and the Director of Cost Analysis and Program Evaluation, shall conduct a review of the Cybersecurity Service Provider and Cyber Mission Force enterprises.

(b) ASSESSMENT AND IDENTIFICATION OF REDUNDANCIES AND GAPS.—The review required by subsection (a) shall assess and identify—

(1) the optimal way to integrate the Joint Cyber Warfighting Architecture and the Cybersecurity Service Provider architectures, associated tools and capabilities, and associated concepts of operations;

(2) redundancies and gaps in network sensor deployment and data collection and analysis for the—

(A) Big Data Platform;

(B) Joint Regional Security Stacks; and

(C) Security Information and Event Management capabilities;

(3) where integration, collaboration, and interoperability are not occurring that would improve outcomes;

(4) baseline training, capabilities, competencies, operational responsibilities, and joint concepts of operations for the Joint Force Headquarters for the Department of Defense Information Network, Cybersecurity Service Providers, and Cyber Protection Teams;

(5) the roles and responsibilities of the Principal Cyber Advisor, Chief Information Officer, and the Commander of United States Cyber Command in establishing and overseeing the baselines assessed and identified under paragraph (4);

(6) the optimal command structure for the military services' and combatant commands' cybersecurity service providers and cyber protection teams;

(7) the responsibilities of network owners and cybersecurity service providers in mapping, configuring, instrumenting, and deploying sensors on networks to best support response of cyber protection teams when assigned to defend unfamiliar networks; and

(8) operational concepts and engineering changes to enhance remote access and operations of cyber protection teams on networks through tools and capabilities of the Cybersecurity Service Providers.

(c) RECOMMENDATIONS FOR FISCAL YEAR 2023 BUDGET.—The Chief Information Officer,

the Chief Data Officer, the Commander of United States Cyber Command, and the Principal Cyber Advisor shall jointly develop recommendations for the Secretary of Defense in preparation of the budget justification materials to be submitted to Congress in support of the budget for the Department of Defense for fiscal year 2023 (as submitted with the budget of the President for such fiscal year under section 1105(a) of title 31, United States Code).

(d) PROGRESS BRIEFING.—Not later than March 31, 2021, the Chief Information Officer, the Chief Data Officer, the Commander of United States Cyber Command, and the Principal Cyber Advisor shall jointly provide a briefing to the congressional defense committees on the progress made in carrying out this section.

SEC. 1616. MODIFICATION OF ACQUISITION AUTHORITY OF COMMANDER OF UNITED STATES CYBER COMMAND.

Section 807 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 2224 note) is amended—

(1) by striking subsections (e) and (i); and

(2) by redesignating subsections (f) through (h) as subsections (e) through (g), respectively.

SEC. 1617. ASSESSMENT OF CYBER OPERATIONAL PLANNING AND DECONFLICTION POLICIES AND PROCESSES.

(a) ASSESSMENT.—Not later than November 1, 2021, the Principal Cyber Advisor of the Department of Defense and the Commander of United States Cyber Command shall jointly, in coordination with the Under Secretary of Defense for Policy, the Under Secretary of Defense for Intelligence and Security, and the Chairman of the Joint Chiefs of Staff, conduct and complete an assessment on the operational planning and deconfliction policies and processes that govern cyber operations of the Department of Defense.

(b) ELEMENTS.—The assessment required by subsection (a) shall include evaluations as to whether—

(1) the joint targeting cycle and relevant operational and targeting databases are suitable for the conduct of timely and well-coordinated cyber operations;

(2) each of the policies and processes in effect to facilitate technical, operational, and capability deconfliction are appropriate for the conduct of timely and effective cyber operations;

(3) intelligence gain-loss decisions made by Cyber Command are sufficiently well-informed and made in timely fashion;

(4) relevant intelligence data and products are consistently available and distributed to relevant planning and operational elements in Cyber Command;

(5) collection operations and priorities meet the operational requirements of Cyber Command; and

(6) authorities relevant to intelligence, surveillance, and reconnaissance and operational preparation of the environment are delegated to the appropriate level.

(c) BRIEFING.—Not later than February 1, 2022, the Principal Cyber Advisor and the Commander of United States Cyber Command shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the findings of the assessment completed under subsection (a), including discussion of planned policy and process changes, if any, relevant to cyber operations.

SEC. 1618. PILOT PROGRAM ON CYBERSECURITY CAPABILITY METRICS.

(a) PILOT PROGRAM REQUIRED.—The Secretary of Defense, acting through the Chief Information Officer of the Department of Defense and the Commander of United States Cyber Command, shall conduct a pilot program to assess the feasibility and advisability of developing and using speed-based metrics to measure the performance and effectiveness of security operations centers and cyber security service providers in the Department of Defense.

(b) REQUIREMENTS.—

(1) DEVELOPMENT OF METRICS.—(A) Not later than July 1, 2021, the Chief Information Officer and the Commander shall jointly develop metrics described in subsection (a) to carry out the pilot program under such subsection.

(B) The Chief Information Officer and the Commander shall ensure that the metrics developed under subparagraph (A) are commensurate with the representative timelines of nation-state and non-nation-state actors when gaining access to, and compromising, Department networks.

(2) USE OF METRICS.—(A) Not later than December 1, 2021, the Secretary shall, in carrying out the pilot program required by subsection (a), begin using the metrics developed under paragraph (1) of this subsection to assess select security operations centers and cyber security service providers, which the Secretary shall select specifically for purposes of the pilot program, for a period of not less than four months.

(B) In carrying out the pilot program under subsection (a), the Secretary shall evaluate the effectiveness of operators, capabilities available to operators, and operators' tactics, techniques, and procedures.

(c) AUTHORITIES.—In carrying out the pilot program under subsection (a), the Secretary may—

(1) assess select security operations centers and cyber security service providers—

(A) over the course of their mission performance; or

(B) in the testing and accreditation of cybersecurity products and services on test networks designated pursuant to section 1658 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92); and

(2) assess select elements' use of security orchestration and response technologies, modern endpoint security technologies, Big Data Platform instantiations, and technologies relevant to zero trust architectures.

(d) BRIEFING.—

(1) IN GENERAL.—Not later than March 1, 2022, the Secretary shall brief the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the findings of the Secretary with respect to the pilot program required by subsection (a).

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

(A) The pilot metrics developed under subsection (b)(1).

(B) The findings of the Secretary with respect to the assessments carried out under subsection (b)(2).

(C) An analysis of the utility of speed-based metrics in assessing security operations centers and cyber security service providers.

(D) An analysis of the utility of the extension of the pilot metrics to or speed-based assessment of the Cyber Mission Forces.

(E) An assessment of the technical and procedural measures that would be necessary to meet the speed-based metrics developed and applied in the pilot program.

SEC. 1619. ASSESSMENT OF EFFECT OF INCONSISTENT TIMING AND USE OF NETWORK ADDRESS TRANSLATION IN DEPARTMENT OF DEFENSE NETWORKS.

(a) IN GENERAL.—Not later than March 1, 2021, the Chief Information Officer of the Department of Defense shall conduct comprehensive assessments as follows:

(1) TIMING VARIABILITY IN DEPARTMENT NETWORKS.—The Chief Information Officer shall characterize—

(A) timing variability across Department information technology and operational technology networks, appliances, devices, applications, and sensors that generate time-stamped data and metadata used for cybersecurity purposes;

(B) how timing variability affects current, planned, and potential capabilities for detecting network intrusions that rely on correlating events and the sequence of events; and

(C) how to harmonize standard of timing across Department networks.

(2) USE OF NETWORK ADDRESS TRANSLATION.—The Chief Information Officer shall characterize—

(A) why and how the Department is using Network Address Translation (NAT) and multiple layers and nesting of Network Address Translation;

(B) how using Network Address Translation affects the ability to link malicious communications detected at various network tiers to specific endpoints or hosts to enable prompt additional investigations, quarantine decisions, and remediation activities; and

(C) what steps and associated cost and schedule are necessary to eliminate the use of Network Address Translation or to otherwise provide transparency to network defenders, including options to accelerate the transition from Internet Protocol version 4 to Internet Protocol version 6.

(b) RECOMMENDATION.—The Chief Information Officer and the Principal Cyber Advisor shall submit to the Secretary of Defense a recommendation to address the assessments conducted under subsection (a), including whether and how to revise the cyber strategy of the Department.

(c) BRIEFING.—Not later than April 1, 2021, the Chief Information Officer shall brief the congressional defense committees on the findings of the Chief Information Officer with respect to the assessments conducted under subsection (a) and the recommendation submitted under subsection (b).

SEC. 1620. MATTERS CONCERNING THE COLLEGE OF INFORMATION AND CYBERSPACE AT NATIONAL DEFENSE UNIVERSITY.

(a) PROHIBITION.—The Secretary of Defense may not eliminate, divest, downsize, or reorganize the College of Information and Cyberspace of the National Defense University, or seek to reduce the number of students educated at the College, until 30 days after the date on which the congressional defense committees receive the report required by subsection (c).

(b) ASSESSMENT, DETERMINATION, AND REVIEW.—The Under Secretary of Defense for Policy, in consultation with the Under Secretary of Defense for Personnel and Readiness, the Principal Cyber Advisor, the Principal Information Operations Advisor of the Department of Defense, the Chief Information Officer of the Department, the Chief Financial Officer of the Department, the Chairman of the Joint Chiefs of Staff, and the Commander of United States Cyber Command, shall—

(1) assess requirements for joint professional military education and civilian leader education in the information environment and cyberspace domain to support the Department and other national security institutions of the Federal Government;

(2) determine whether the importance, challenges, and complexity of the modern information environment and cyberspace domain 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 Information and Cyberspace on January 1, 2019;

(3) review the plan proposed by the National Defense University for eliminating the College of Information and Cyberspace and reducing and restructuring the information and cyberspace 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 Information and Cyberspace 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 information environment and cyberspace domain.

SEC. 1621. MODIFICATION OF MISSION OF CYBER COMMAND AND ASSIGNMENT OF CYBER OPERATIONS FORCES.

Section 167b of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in the first sentence, by inserting ''(1)'' before ''With the advice'';

(B) in paragraph (1), as designated by subparagraph (A), by striking the second sentence; and

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

''(2) The principal mission of the cyber command is to direct, synchronize, and coordinate cyber planning and operations to defend and advance national interests in collaboration with domestic and international partners.''; and

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

''(b) ASSIGNMENT OF FORCES.—(1) Active and reserve cyber forces of the armed forces shall be assigned to the cyber command through the Global Force Management Process, as approved by the Secretary of Defense.

''(2) Cyber forces not assigned to cyber command remain assigned to combatant commands or service-retained.''.

SEC. 1622. INTEGRATION OF DEPARTMENT OF DEFENSE USER ACTIVITY MONITORING AND CYBERSECURITY.

(a) INTEGRATION OF PLANS, CAPABILITIES, AND SYSTEMS.—The Secretary of Defense shall integrate the plans, capabilities, and systems for user activity monitoring, and the plans, capabilities, and systems for endpoint cybersecurity and the collection of metadata on network activity for cybersecurity to enable mutual support and information sharing.

(b) REQUIREMENTS.—In carrying out subsection (a), the Secretary shall—

(1) consider using the Big Data Platform instances that host cybersecurity metadata for storage and analysis of all user activity monitoring data collected across the Department of Defense Information Network at all security classification levels;

(2) develop policies and procedures governing access to user activity monitoring data or data derived from user activity monitoring by cybersecurity operators; and

(3) develop processes and capabilities for using metadata on host and network activity for user activity monitoring in support of the insider threat mission.

(c) CONGRESSIONAL BRIEFING.—Not later than October 1, 2021, the Secretary shall provide a briefing to the congressional defense committees on actions taken to carry out this section.

SEC. 1623. DEFENSE INDUSTRIAL BASE CYBERSECURITY SENSOR ARCHITECTURE PLAN.

(a) PLAN REQUIRED.—Not later than February 1, 2021, the Principal Cyber Advisor of the Department of Defense, in consultation with the Chief Information Officer of the Department, the Under Secretary of Defense for Acquisition and Sustainment, the Under Secretary of Defense for Intelligence and Security, and the Commander of United States Cyber Command, shall develop a comprehensive plan for the deployment of commercial-off-the-shelf solutions on supplier networks to monitor the public-facing Internet attack surface in the defense industrial base.

(b) CONTENTS.—The plan required by subsection (a) shall include the following:

(1) Definition of an architecture, concept of operations, and governance structure that—

(A) will allow for the instrumentation and collection of cybersecurity data on the public-facing Internet attack surfaces of defense industrial base contractors in a manner that is compatible with the Department's existing or future capabilities for analysis, and instrumentation and collection, as appropriate, of cybersecurity data within the Department of Defense Information Network;

(B) includes the expected scale, schedule, and guiding principles of deployment;

(C) is consistent with the defense industrial base cybersecurity policies and programs of the Under Secretary of Defense for Acquisition and Sustainment and the Chief Information Officer; and

(D) includes an acquisition strategy for sensor capabilities that optimizes required capability, scalability, cost, and intelligence and cybersecurity requirements.

(2) Roles and responsibilities of the persons referred to in subsection (a) in implementing and executing the plan.

(c) CONSULTATION.—In developing the plan required by subsection (a), the Principal Cyber Advisor shall ensure that extensive consultation with representative companies of the defense industrial base occurs so as to ensure that prospective participants in the defense industrial base understand and agree that emerging solutions are acceptable, practical, and effective.

(d) BRIEFING.—Not later than March 1, 2021, the Principal Cyber Advisor shall provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on the plan developed pursuant to subsection (a).

SEC. 1624. EXTENSION OF CYBERSPACE SOLARIUM COMMISSION TO TRACK AND ASSESS IMPLEMENTATION.

Section 1652 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232), as amended by section 1639 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in subsection (b)(1)(B)—

(A) in clause (i), by striking ''under clauses (iv) through (vii) of subparagraph (A)'' and inserting ''under clauses (v) through (viii) of subparagraph (A)''; and

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

''(iv) Effective on the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the composition of the Commission shall not include clauses (i) through (iv) of subparagraph (A).'';

(2) in subsection (d)(2), by striking ''Seven members shall'' and inserting ''Seven members, during the period beginning on the date of the establishment of the Commission and ending on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and six members, during the period beginning on the date of the enactment of such Act and ending on the date of the termination of the Commission, shall'';

(3) in subsection (i)(1)(B)—

(A) by striking ''Members of the Commission who'' inserting ''(i) During the period beginning on the date of the establishment of the Commission and ending on the day before the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, members of the Commission who''; and

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

''(ii) During the period beginning on the date of the enactment of such Act and ending on the date of the termination of the Commission, members of the Commission who are Members of Congress shall receive no additional pay by reason of their service on the Commission.''; and

(4) in subsection (k)(2)—

(A) in subparagraph (A), by striking ''120 day period'' and inserting ''16 month period with no further extensions permitted'';

(B) by amending subparagraph (B) to read as follows:

''(B) The Commission may use the 16 month period referred to in subparagraph (A) for the purposes of—

''(i) collecting and assessing comments and feedback from the Federal departments and agencies, as well as published reviews, on the analysis and recommendations contained in the final report under paragraph (1);

''(ii) collecting and assessing any developments in cybersecurity that may affect the recommendations in such report;

''(iii) reviewing the implementation of the recommendations contained in such report; and

''(iv) revising or amending recommendations based on the assessments and reviews conducted under clauses (i) through (iii);

''(C) During the 16 month period referred to in subparagraph (A), the Commission shall—

''(i) provide, in such manner and format as the Commission considers appropriate, an annual update on such report and any revisions or amendments reached by the Commission under subparagraph (B)(iv) to—

''(I) the Committee on Armed Services, the Select Committee on Intelligence, and the Committee on Homeland Security and Governmental Affairs of the Senate;

''(II) the Committee on Armed Services, the Permanent Select Committee on Intelligence, and the Committee on Homeland Security of the House of Representatives;

''(III) the Director of National Intelligence;

''(IV) the Secretary of Defense; and

''(V) the Secretary of Homeland Security; and

''(ii) conclude its activities, including providing testimony to Congress concerning the final report under paragraph (1) and disseminating such report.''; and

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

''(D) In the event that the Commission is extended, and the effective date of the extension comes after the time set for the Commission's termination, the Commission shall be deemed reconstituted with the same members and powers that existed at the time of termination of the Commission, except that—

''(i) a member of the Commission shall only serve 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 paragraph shall be deemed as requiring the extension or reemployment of any staff member or contractor working for the Commission;

''(iv) the staff of the commission—

''(I) shall be selected by the co-chairs of the Commission in accordance with subsection (h)(1);

''(II) shall be comprised of not more than four individuals, including a staff director;

''(III) shall be resourced in accordance with subsection (g)(4)(A); and

''(IV) with the approval of the co-chairs, may be provided by contract with a nongovernmental organization;

''(v) 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

''(vi) the requirement for an annual assessment of the final report in subsection (l) shall be in effect until the termination of the Commission.''.

SEC. 1625. REVIEW OF REGULATIONS AND PROMULGATION OF GUIDANCE RELATING TO NATIONAL GUARD RESPONSES TO CYBER ATTACKS.

(a) IN GENERAL.—Not later than December 31, 2021, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall—

(1) review and, if the Secretary determines necessary, update regulations promulgated under section 903 of title 32, United States Code, to clarify when and under what conditions the participation of the National Guard in a response to a cyber attack qualifies as a homeland defense activity that would be compensated for by the Secretary of Defense under section 902 of such title; and

(2) promulgate guidance on how units of the National Guard shall collaborate with the Cybersecurity and Infrastructure Security Agency and the Federal Bureau of Investigation through multi-agency task forces, information-sharing groups, incident response planning and exercises, State fusion centers, and other relevant forums and activities.

(b) ANNEX OF NATIONAL CYBER INCIDENT RESPONSE PLAN.—Not later than December 31, 2021, the Secretary of Homeland Security, in coordination with the Secretary of Defense, shall develop an annex to the National Cyber Incident Response Plan that details those regulations and guidance reviewed, updated, and promulgated under paragraphs (1) and (2) of subsection (a).

SEC. 1626. IMPROVEMENTS RELATING TO THE QUADRENNIAL CYBER POSTURE REVIEW.

Section 1644(c) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91), as amended by section 1635 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

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

''(1) The assessment and definition of the role of cyber forces in the national defense and military strategies of the United States.'';

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

''(2) Review of the following:

''(A) The role of cyber operations in combatant commander warfighting plans.

''(B) The ability of combatant commanders to respond to adversary cyber attacks.

''(C) The cyber capacity-building programs of the Department.'';

(3) by amending paragraph (3) to read as follows:

''(3) A review of the law, policies, and authorities relating to, and necessary for, the United States to maintain a safe, reliable, and credible cyber posture for defending against and responding to cyber attacks and for deterrence in cyberspace, including the following:

''(A) An assessment of the need for further delegation of cyber-related authorities, including those germane to information warfare, to the Commander of United States Cyber Command.

''(B) An evaluation of the adequacy of mission authorities for all cyber-related military components, defense agencies, directorates, centers, and commands.'';

(4) in paragraph (4), by striking ''A declaratory'' and inserting ''A review of the need for or for updates to a declaratory'';

(5) in paragraph (5), by striking ''Proposed'' and inserting ''A review of'';

(6) by amending paragraph (6) to read as follows:

''(6) A review of a strategy to deter, degrade, or defeat malicious cyber activity targeting the United States (which may include activities, capability development, and operations other than cyber activities, cyber capability development, and cyber operations), including—

''(A) a review and assessment of various approaches to competition and deterrence in cyberspace, determined in consultation with experts from Government, academia, and industry;

''(B) a comparison of the strengths and weaknesses of the approaches identified pursuant to subparagraph (A) relative to the threat of each other; and

''(C) an assessment as to how the cyber strategy will inform country-specific campaign plans focused on key leadership of Russia, China, Iran, North Korea, and any other country the Secretary considers appropriate.'';

(7) by striking paragraph (8) and inserting the following new paragraph (8):

''(8) A comprehensive force structure assessment of the Cyber Operations Forces of the Department for the posture review period, including the following:

''(A) A determination of the appropriate size and composition of the Cyber Mission Forces to accomplish the mission requirements of the Department.

''(B) An assessment of the Cyber Mission Forces' personnel, capabilities, equipment, funding, operational concepts, and ability to execute cyber operations in a timely fashion.

''(C) An assessment of the personnel, capabilities, equipment, funding, and operational concepts of Cybersecurity Service Providers and other elements of the Cyber Operations Forces.'';

(8) by redesignating paragraphs (9) through (11) as subsections (12) through (15), respectively; and

(9) by inserting after paragraph (8), the following new paragraphs:

''(9) An assessment of whether the Cyber Mission Force has the appropriate level of interoperability, integration, and interdependence with special operations and conventional forces.

''(10) An evaluation of the adequacy of mission authorities for the Joint Force Provider and Joint Force Trainer responsibilities of United States Cyber Command, including the adequacy of the units designated as Cyber Operations Forces to support such responsibilities.

''(11) An assessment of the missions and resourcing of the combat support agencies in support of cyber missions of the Department.''.

SEC. 1627. REPORT ON ENABLING UNITED STATES CYBER COMMAND RESOURCE ALLOCATION.

(a) IN GENERAL.—Not later than January 15, 2021, the Secretary of Defense shall submit to the congressional defense committees a report detailing the actions the Secretary will undertake to implement clauses (ii) and (iii) of section 167b(d)(2) of title 10, United States Code, including actions to ensure that the Commander of United States Cyber Command has enhanced authority, direction, and control of the Cyber Operations Forces and the equipment budget that enables Cyber Operations Forces' operations and readiness, beginning with the budget to be submitted to Congress by the President under section 1105(a) of title 31, United States Code, for fiscal year 2024, and the budget justification materials for the Department of Defense to be submitted to Congress in support of such budget.

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

(1) The procedures by which the Principal Cyber Advisor (PCA) will exercise authority, direction, and oversight over the Commander of United States Cyber Command, with respect to Cyber Operations Forces-peculiar equipment and resources.

(2) The procedures by which the Commander of United States Cyber Command will—

(A) prepare and submit to the Secretary program recommendations and budget proposals for Cyber Operations Forces and for other forces assigned to the Cyber Command; and

(B) exercise authority, direction, and control over the expenditure of funds for—

(i) forces assigned to United States Cyber Command; and

(ii) Cyber Operations Forces assigned to other unified combatant commands.

(3) Recommendations for actions to enable the Commander of United States Cyber Command to execute the budget and acquisition responsibilities of the Commander in excess of currently imposed limits on the Cyber Operations Procurement Fund, including potential increases in personnel to support the Commander.

(4) The procedures by which the Secretary will categorize and track funding obligated or expended for Cyber Operations Forces-peculiar equipment and capabilities.

(5) The methodology and criteria by which the Secretary will characterize equipment as being Cyber Operations Forces-peculiar.

SEC. 1628. EVALUATION OF OPTIONS FOR ESTABLISHING A CYBER RESERVE FORCE.

(a) EVALUATION REQUIRED.—Not later than December 31, 2021, the Secretary of Defense shall conduct an evaluation of options for establishing a cyber reserve force.

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

(1) The capabilities and deficiencies in military and civilian personnel with needed cybersecurity expertise, and the quantity of personnel with such expertise, within the Department.

(2) The potential for a uniformed, civilian, or mixed cyber reserve force to remedy shortfalls in expertise and capacity.

(3) The ability of the Department to attract the personnel with the desired expertise to either a uniformed or civilian cyber reserve force.

(4) The number of personnel, the level of funding, and the composition of a cyber reserve force that would be required to meet the needs of the Department.

(5) Alternative models for establishing a cyber reserve force, including the following:

(A) A traditional uniformed military reserve component.

(B) A nontraditional uniformed military reserve component, with respect to drilling and other requirements such as grooming and physical fitness.

(C) Nontraditional civilian cyber reserve options.

(6) The impact a uniformed military cyber reserve would have on active duty and existing reserve forces, including the following:

(A) Recruiting.

(B) Promotion.

(C) Retention.

(7) The effect a civilian cyber reserve would have on active duty and existing reserve forces, and the private sector.

(c) REPORT.—Not later than February 1, 2022, the Secretary shall submit to the congressional defense committees a report on the evaluation conducted under subsection (a).

SEC. 1629. ENSURING CYBER RESILIENCY OF NUCLEAR COMMAND AND CONTROL SYSTEM.

(a) PLAN FOR IMPLEMENTATION OF FINDINGS AND RECOMMENDATIONS FROM FIRST ANNUAL ASSESSMENT OF CYBER RESILIENCY OF NUCLEAR COMMAND AND CONTROL SYSTEM.—Not later than October 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a comprehensive plan, including a schedule and resourcing plan, for the implementation of the findings and recommendations included in the first report submitted under section 499(c)(3) of title 10, United States Code.

(b) CONCEPT OF OPERATIONS AND OVERSIGHT MECHANISM FOR CYBER DEFENSE OF NUCLEAR COMMAND AND CONTROL SYSTEM.—Not later than October 1, 2021, the Secretary shall develop and establish—

(1) a concept of operations for defending the nuclear command and control system against cyber attacks, including specification of the—

(A) roles and responsibilities of relevant entities within the Office of the Secretary, the military services, combatant commands, the Defense Agencies, and the Department of Defense Field Activities; and

(B) cybersecurity capabilities to be acquired and employed and operational tactics, techniques, and procedures, including cyber protection team and sensor deployment strategies, to be used to monitor, defend, and mitigate vulnerabilities in nuclear command and control systems; and

(2) an oversight mechanism or governance model for overseeing the implementation of the concept of operations developed and established under paragraph (1), related development, systems engineering, and acquisition activities and programs, and the plan required by subsection (a), including specification of the—

(A) roles and responsibilities of relevant entities within the Office of the Secretary, the military services, combatant commands, the Defense Agencies, and the Department of Defense Field Activities in overseeing the defense of the nuclear command and control system against cyber attacks;

(B) responsibilities and authorities of the Strategic Cybersecurity Program in overseeing and, as appropriate, executing—

(i) vulnerability assessments; and

(ii) development, systems engineering, and acquisition activities; and

(C) processes for coordination of activities, policies, and programs relating to the cybersecurity and defense of the nuclear command and control system.

SEC. 1630. MODIFICATION OF REQUIREMENTS RELATING TO THE STRATEGIC CYBERSECURITY PROGRAM AND THE EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.

(a) EVALUATION OF CYBER VULNERABILITIES OF MAJOR WEAPON SYSTEMS OF THE DEPARTMENT OF DEFENSE.—

(1) IN GENERAL.—Section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), as amended by section 1633 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended by adding at the end the following new subsection:

''(i) ESTABLISHING REQUIREMENTS FOR PERIODICITY OF VULNERABILITY REVIEWS.—The Secretary of Defense shall establish policies and requirements for each major weapon system, and the priority critical infrastructure essential to the proper functioning of major weapon systems in broader mission areas, to be re-assessed for cyber vulnerabilities, taking into account upgrades or other modifications to systems and changes in the threat.

''(j) IDENTIFICATION OF SENIOR OFFICIAL.—Each secretary of a military department shall identify a senior official who shall be responsible for ensuring that cyber vulnerability assessments and mitigations for weapon systems and critical infrastructure are planned, funded, and carried out.''.

(2) TECHNICAL CORRECTION.—Such section 1647 of the National Defense Authorization Act for Fiscal Year 2016 is further amended—

(A) by redesignating subsection (g) as subsection (h); and

(B) by redesignating the second subsection (f), as added by section 1633 of the National Defense Authorization Act for Fiscal Year 2020, as subsection (g).

(b) STRATEGIC CYBERSECURITY PROGRAM.—Section 1640 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2224 note), is amended by striking subsections (a) through (e) and inserting the following new subsections:

''(a) IN GENERAL.—Not later than August 1, 2021, the Secretary of Defense shall, acting through the Director of the National Security Agency and in coordination with the Vice Chairman of the Joint Chiefs of Staff, establish a program to be known as the 'Strategic Cybersecurity Program' (in this section referred to as the 'Program').

''(b) ELEMENTS.—

''(1) IN GENERAL.—The Program shall be comprised of personnel assigned to the Program by the Secretary from among personnel, including regular and reserve members of the Armed Forces, civilian employees of the Department of Defense (including the Defense intelligence agencies), and personnel of the research laboratories of the Department of Defense and the Department of Energy, who have particular expertise in the areas of responsibility described in subsection (c).

''(2) DEPARTMENT OF ENERGY PERSONNEL.—Any personnel assigned to the Program from among personnel of the Department of Energy shall be so assigned with the concurrence of the Secretary of Energy.

''(3) PROGRAM MANAGER.—The Secretary of Defense shall designate a manager for the Program (in this section referred to as the 'Program manager').

''(c) RESPONSIBILITIES.—

''(1) IN GENERAL.—The Program manager and the personnel assigned to the Program shall improve the end-to-end cybersecurity of all of the systems, critical infrastructure, kill chains, and processes that make up the following military missions of the Department of Defense:

''(A) Nuclear deterrence and strike.

''(B) Select long-range conventional strike missions germane to the warfighting plans of United States European Command and United States Indo-Pacific Command.

''(C) Offensive cyber operations.

''(D) Homeland missile defense.

''(2) ASSESSING AND REMEDIATING VULNERABILITIES IN MISSION EXECUTION.—In carrying out the activities described in paragraph (1), the Program manager shall conduct end-to-end vulnerability assessments and undertake or oversee remediation of identified vulnerabilities in the systems and processes on which the successful execution of the missions delineated in paragraph (1) depend.

''(3) ACQUISITION AND SYSTEMS ENGINEERING REVIEW.—In carrying out paragraph (1), the Program manager shall conduct appropriate reviews of acquisition and systems engineering plans for proposed systems and infrastructure. The review of an acquisition plan for any proposed system or infrastructure shall be carried out before Milestone B approval for such system or infrastructure.

''(d) INTEGRATION WITH OTHER EFFORTS.—The Secretary shall ensure that the Program builds upon, and does not duplicate, other efforts of the Department of Defense relating to cybersecurity, including the following:

''(1) The evaluation of cyber vulnerabilities of major weapon systems of the Department of Defense required under section 1647 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92).

''(2) The evaluation of cyber vulnerabilities of Department of Defense critical infrastructure required under section 1650 of the National Defense Authorization Act for Fiscal year 2017 (Public Law 114–328; 10 U.S.C. 2224 note).

''(3) The activities of the cyber protection teams of the Department of Defense.

''(e) MISSION DEFINITION.—The Vice Chairman of the Joint Chiefs of Staff shall coordinate with the Director of the National Security Agency and the commanders of the unified combatant commands to define the elements of the missions that will be included in the Program, and shall be responsible for updating those definitions as necessary.

''(f) BRIEFING.—Not later than December 1, 2021, the Secretary of Defense shall provide a briefing to the congressional defense committees on the establishment of the Program, and the plans, funding, and staffing of the Program.''.

SEC. 1631. DEFENSE INDUSTRIAL BASE PARTICIPATION IN A CYBERSECURITY THREAT INTELLIGENCE SHARING PROGRAM.

(a) DEFENSE INDUSTRIAL BASE THREAT INTELLIGENCE PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense shall establish a threat intelligence sharing program to share threat intelligence with, and obtain threat intelligence from, the defense industrial base.

(2) PROGRAM REQUIREMENTS.—At a minimum, the Secretary shall ensure that the program established pursuant to paragraph (1) includes the following:

(A) Cybersecurity incident reporting requirements applicable to the defense industrial base that—

(i) extend beyond mandatory incident reporting requirements in effect on the day before the date of the enactment of this Act;

(ii) set specific timeframes for all categories of incident reporting;

(iii) establishes a single clearinghouse for all mandatory incident reporting to the Department of Defense, including incidents involving covered unclassified information, and classified information; and

(iv) provide that, unless authorized or required by another provision of law or the element of the defense industrial base making

the report consents, nonpublic information of which the Department becomes aware only because of a report provided pursuant to the program shall be disseminated and used only for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).

(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 tipping, sharing, and deconfliction, as necessary, with relevant government agencies with similar intelligence sharing programs.

(b) THREAT INTELLIGENCE PROGRAM PARTICIPATION.—

(1) PROCUREMENT.—The Secretary either may require or shall encourage and provide incentive for companies to participate in the threat intelligence sharing program required by subsection (a).

(2) IMPLEMENTATION.—In implementing paragraph (1), the Secretary shall—

(A) create tiers of requirements for participation within the program based on—

(i) the role of and relative threats related to entities within the defense industrial base; and

(ii) Cybersecurity Maturity Model Certification level; and

(B) prioritize available funding and technical support to assist affected businesses, institutions, and organizations as is reasonably necessary for those affected entities to commence participation in the threat intelligence sharing program and to meet any applicable program requirements.

(c) EXISTING INFORMATION SHARING PROGRAMS.—The Secretary may utilize an existing Department information sharing program to satisfy the requirement in subsection (a) if—

(1) the existing program includes, or is modified to include, two-way sharing of threat information that is specifically relevant to the defense industrial base; and

(2) such a program is coordinated with other government agencies with existing intelligence sharing programs where overlap occurs.

(d) REGULATIONS.—

(1) RULEMAKING AUTHORITY.—Not later than December 15, 2021, the Secretary shall promulgate such rules and regulations as are necessary to carry out this section.

(2) CYBERSECURITY MATURITY MODEL CERTIFICATION PROGRAM HARMONIZATION.—The Secretary shall ensure that any intelligence sharing 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, consistent with the maturity certification levels established in the Cybersecurity Maturity Model Certification program of the Department.

(e) COMMUNITY CONSENT.—

(1) IN GENERAL.—As part of the program established pursuant to subsection (a), the Secretary either may require through contractual mechanisms or shall encourage entities in the defense industrial base to consent to queries of foreign intelligence collection databases related to the entities, provided that intelligence information provided to companies is handled in a manner that protects sources and methods.

(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require that the elements of the intelligence community conduct queries on defense industrial base companies to detect cybersecurity threats to such companies or to require that information resulting from such queries be provided to such companies.

(f) REPORT REQUIRED.—Not later than March 1, 2022, the Secretary shall submit to the congressional defense committees a report that includes a description of—

(1) mandatory requirements levied on defense industrial base entities regarding cyber incidents;

(2) Department procedures for ensuring the confidentiality and security of data provided by such entities to the Department on either a voluntary or mandatory basis; and

(3) any other matters regarding the program established under subsection (a) the Secretary considers significant.

(g) DEFINITIONS.—In this section:

(1) The term ''defense industrial base'' means the Department of Defense, Federal Government, and private sector worldwide industrial complex with capabilities to perform research and development, design, produce, and maintain military weapon systems, subsystems, components, or parts to satisfy military requirements.

(2) The term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(3) The term ''threat intelligence'' means cybersecurity information collected and shared amongst the defense industrial base.

SEC. 1632. ASSESSMENT ON DEFENSE INDUSTRIAL BASE CYBERSECURITY THREAT HUNTING.

(a) ASSESSMENT REQUIRED.—Not later than December 1, 2021, the Secretary of Defense shall complete an assessment of—

(1) the adequacy of the threat hunting elements of the compliance-based Cybersecurity Maturity Model Certification program of the Department of Defense; and

(2) the need for continuous threat hunting operations on defense industrial base networks conducted by the Department of Defense, prime contractors, or third-party cybersecurity vendors.

(b) ELEMENTS.—The assessment completed under section (a) shall include evaluation of the following:

(1) The adequacy of the requirements at each level of the Cybersecurity Maturity Model Certification, including requirements germane to continuous monitoring, discovery, and investigation of anomalous activity indicative of a cybersecurity incident.

(2) The need for the establishment of a continuous threat-hunting operational model, as a supplement to the cyber hygiene requirements of the Cybersecurity Maturity Model Certification, in which network activity is comprehensively and continuously monitored for signs of compromise.

(3) Whether the continuous threat-hunting operations described in paragraph (2) should be conducted by—

(A) United States Cyber Command;

(B) a component of the Department of Defense other than United States Cyber Command;

(C) qualified prime contractors or subcontractors;

(D) accredited third-party cybersecurity vendors; or

(E) a combination of the entities specified in subparagraphs (A) through (D).

(4) Criteria for the prime contractors and subcontractors that should be subject to continuous threat-hunting operations as described in paragraph (2).

(c) BRIEFING.—Not later than February 1, 2022, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives on—

(1) the findings of the Secretary with respect to the assessment completed under subsection (a); and

(2) such implementation plans as the Secretary may have arising out of the findings described in paragraph (1).

SEC. 1633. ASSESSING RISK TO NATIONAL SECURITY OF QUANTUM COMPUTING.

(a) COMPREHENSIVE ASSESSMENT AND RECOMMENDATIONS REQUIRED.—Not later than December 31, 2022, the Secretary of Defense shall—

(1) complete a comprehensive assessment of the current and potential threats and risks posed by quantum computing technologies to critical national security systems, including—

(A) identification and prioritization of critical national security systems at risk;

(B) assessment of the standards of the National Institute of Standards and Technology for quantum resistant cryptography and their applicability to cryptographic requirements of the Department of Defense;

(C) feasibility of alternative quantum resistant algorithms and features; and

(D) funding shortfalls in public and private developmental efforts relating to quantum resistant cryptography; and

(2) develop recommendations for research, development, and acquisition activities, including resourcing schedules, for securing the national security systems identified in paragraph (1)(A) against quantum computing code-breaking capabilities.

(b) BRIEFING.—Not later than February 1, 2023, the Secretary shall brief the congressional defense committees on the assessment completed under paragraph (1) of subsection (a) and the recommendations developed under paragraph (2) of such subsection.

SEC. 1634. APPLICABILITY OF REORIENTATION OF BIG DATA PLATFORM PROGRAM TO DEPARTMENT OF NAVY.

(a) IN GENERAL.—Section 1651 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by adding at the end the following new subsection:

''(e) APPLICABILITY.—The requirements of this section shall apply in full to the Department of the Navy, including the Sharkcage and associated programs.''.

(b) BRIEFING.—Not later than January 1, 2021, the Secretary of the Navy, the program manager of the Unified Platform program, the Chief Information Officer, and the Principal Cyber Advisor shall jointly brief the congressional defense committees on the compliance of the Department of the Navy with the requirements of such section, as amended by paragraph (1).

SEC. 1635. EXPANSION OF AUTHORITY FOR ACCESS AND INFORMATION RELATING TO CYBER ATTACKS ON OPERATIONALLY CRITICAL CONTRACTORS OF THE ARMED FORCES.

Section 391(c) of title 10, United States Code, is amended—

(1) by amending paragraph (3) to read as follows:

''(3) ARMED FORCES ASSISTANCE AND ACCESS TO EQUIPMENT AND INFORMATION BY MEMBERS OF THE ARMED FORCES.—The procedures established pursuant to subsection (a) shall—

''(A) include mechanisms for a member of the armed forces—

''(i) if requested by an operationally critical contractor, to assist the contractor in detecting and mitigating penetrations; or

''(ii) at the request of the Secretary of Defense or the Commandant of the Coast Guard, to obtain access to equipment or information of an operationally critical contractor necessary to conduct a forensic analysis, in addition to any analysis conducted by the contractor; and

''(B) provide that an operationally critical contractor is only required to provide access to equipment or information as described in subparagraph (A) to determine whether—

''(i) information created by or for the armed forces in connection with any program of the armed forces was successfully exfiltrated from or compromised on a network or information system of such contractor and, if so, what information was exfiltrated or compromised; or

''(ii) the ability of the contractor to provide operationally critical support has been affected and, if so, how and to what extent it has been affected.'';

(2) in paragraph (4), by inserting '', so as to minimize delays in or any curtailing of the cyber response or defensive actions of the Department or the Coast Guard'' after ''specific person''; and

(3) in paragraph (5)(C), by inserting ''or counterintelligence activities'' after ''investigations''.

SEC. 1636. REQUIREMENTS FOR REVIEW OF AND LIMITATIONS ON THE JOINT REGIONAL SECURITY STACKS ACTIVITY.

(a) BASELINE REVIEW.—Not later than October 1, 2021, the Secretary of Defense shall undertake a baseline review of the Joint Regional Security Stacks (JRSS) to determine whether the activity—

(1) should proceed as a program of record, with modifications as specified in section (b), for exclusively the Non-Classified Internet Protocol Network (NIPRNET) or for such network and the Secret Internet Protocol Network (SIPRNET); or

(2) should be phased out across the Department of Defense with each of the Joint Regional Security Stacks replaced through the institution of cost-effective and capable networking and cybersecurity technologies, architectures, and operational concepts within five years of the date of the enactment of this Act.

(b) PLAN TO TRANSITION TO PROGRAM OF RECORD.—If the Secretary determines under subsection (a) that the Joint Regional Security Stacks activity should proceed, not later than October 1, 2021, the Secretary shall develop a plan to transition such activity to a program of record, governed by standard Department of Defense acquisition program requirements and practices, including the following:

(1) Baseline operational requirements documentation.

(2) An acquisition strategy and baseline.

(3) A program office and responsible program manager, under the oversight of the Under Secretary of Defense for Acquisition and Sustainment and the Chief Information Officer of the Department of Defense, responsible for pertinent doctrine, organization, training, materiel, leadership and education, personnel, facilities and policy matters, and the development of effective tactics, techniques, and procedures;

(4) manning and training requirements documentation; and

(5) operational test planning.

(c) LIMITATIONS.—

(1) LIMITATION ON USE OF FUNDS.—None of the funds authorized to be appropriated by this Act may be used to field Joint Regional Security Stacks on the Secret Internet Protocol Network in fiscal year 2021.

(2) LIMITATION ON OPERATIONAL DEPLOYMENT.—The Secretary may not conduct an operational deployment of Joint Regional Security Stacks to the Secret Internet Protocol Network in fiscal year 2021.

(d) SUBMITTAL TO CONGRESS.—Not later than December 1, 2021, the Secretary shall submit to the congressional defense committees—

(1) the findings of the Secretary with respect to the baseline review conducted under subsection (a);

(2) the plan developed under subsection (b), if any; and

(3) a proposal for the replacement of Joint Regional Security Stacks, if the Secretary determines under subsection (a) that it should be replaced.

SEC. 1637. INDEPENDENT ASSESSMENT OF ESTABLISHMENT OF A NATIONAL CYBER DIRECTOR.

(a) ASSESSMENT.—Not later than December 1, 2020, the Secretary of Defense, in coordination with the Secretary of Homeland Security, shall seek to enter into an agreement with an independent organization with relevant expertise in cyber policy and governmental organization to conduct and complete an assessment of the feasibility and advisability of establishing a National Cyber Director.

(b) ELEMENTS.—The assessment required under subsection (a) shall include a review of and development of recommendations germane to the following, including the development of proposed legislative text for the establishment of a National Cyber Director:

(1) The authorities necessary to bring capabilities and capacities together across the interagency, all levels of government, and the private sector.

(2) A definition of the roles of the National Cyber Director in planning, preparing, and directing integrated cyber operations in response to a major cyber attack on the United States, including intelligence operations, law enforcement actions, cyber effects operations, defensive operations, and incident response operations.

(3) The authorities necessary to align resources to cyber priorities.

(4) The structure of the office of the National Cyber Director and position within government.

(c) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2021, the Secretary of Defense shall submit to the appropriate committees of Congress a report on—

(A) the findings of the independent organization with respect to the assessment carried out under subsection (a); and

(B) the recommendations developed as part of such assessment under subsection (b).

(2) FORM.—The report submitted under paragraph (1) shall be submitted in a publicly releasable and unclassified format, but may include a classified annex.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

SEC. 1638. MODIFICATION OF AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CYBER OPERATIONS-PECULIAR CAPABILITY DEVELOPMENT PROJECTS.

(a) IN GENERAL.—Section 1640 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by redsignating subsections (b) and (c) as subsections (c) and (d), respectively;

(2) in subsection (a)—

(A) by striking ''The Secretary of Defense'' and inserting ''Subject to subsection (b), the Commander of the United States Cyber Command'';

(B) by striking ''per service'' and inserting ''per use''; and

(C) by striking ''through 2022'' and inserting ''through 2025''; and

(3) by inserting after subsection (a) the following:

''(b) LIMITATION.—(1) Each fiscal year, the Secretaries of the military departments concerned may each obligate and expend under subsection (a) not more than $20,000,000.

''(2) Each fiscal year, the Commander of the United States Cyber Command may obligate and expend under subsection (a) not more than $6,000,000.''.

(b) CONFORMING AMENDMENT.—Subsection (c) of such section is amended by striking ''through 2022'' and inserting ''through 2025''.

SEC. 1639. PERSONNEL MANAGEMENT AUTHORITY FOR COMMANDER OF UNITED STATES CYBER COMMAND AND DEVELOPMENT PROGRAM FOR OFFENSIVE CYBER OPERATIONS.

(a) PERSONNEL MANAGEMENT AUTHORITY FOR COMMANDER OF UNITED STATES CYBER COMMAND TO ATTRACT EXPERTS IN SCIENCE AND ENGINEERING.—Section 1599h of title 10, United States Code, as amended by section 212 of National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92)), is further amended—

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

''(7) UNITED STATES CYBER COMMAND.—The Commander of United States Cyber Command may carry out a program of personnel management authority provided in subsection (b) in order to facilitate the recruitment of eminent experts in computer science, data science, engineering, mathematics, and computer network exploitation within the headquarters of United States Cyber Command and the Cyber National Mission Force.''; and

(2) in subsection (b)(1)—

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

(B) in subparagraph (F), by striking the semicolon and inserting ''; and''; and

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

''(G) in the case of United States Cyber Command, appoint computer scientists, data scientists, engineers, mathematicians, and computer network exploitation specialists to a total of not more than 10 scientific and engineering positions in the Command;''.

(b) PROGRAM TO DEVELOP ACCESSES, DISCOVER VULNERABILITIES, AND ENGINEER CYBER TOOLS AND DEVELOP TACTICS, TECHNIQUES, AND PROCEDURES FOR OFFENSIVE CYBER OPERATIONS.—

(1) IN GENERAL.—Pursuant to the authority provided under section 1599h(a)(7) of such title, as added by subsection (a), the Commander of United States Cyber Command shall establish a program or augment an existing program within the Command to develop accesses, discover vulnerabilities, and engineer cyber tools and develop tactics, techniques, and procedures for the use of these assets and capabilities in offensive cyber operations.

(2) ELEMENTS.—The program or augmented program required by paragraph (1) shall—

(A) develop accesses, tools, vulnerabilities, and tactics, techniques, and procedures fit for Department of Defense military operations in cyberspace, such as reliability, meeting short development and operational timelines, low cost, and expendability;

(B) aim to decrease the reliance of Cyber Command on accesses, tools, and expertise provided by the intelligence community;

(C) be designed to provide technical and operational expertise on par with that of programs of the intelligence community;

(D) enable the Commander to attract and retain expertise resident in the private sector and other technologically elite government organizations; and

(E) coordinate development activities with, and, as appropriate, facilitate transition of capabilities from, the Defense Advanced Research Projects Agency, the Strategic Capabilities Office, and components within the intelligence community.

(3) INTELLIGENCE COMMUNITY DEFINED.—In this subsection, the term ''intelligence community'' has the meaning given such term in

section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1640. IMPLEMENTATION OF INFORMATION OPERATIONS MATTERS.

Of the amounts authorized to be appropriated for fiscal year 2021 by section 301 for operation and maintenance and available for the Office of the Secretary of Defense for the travel of persons as specified in the table in section 4301—

(1) not more than 25 percent shall be available until the date on which the report required by subsection (h)(1) of section 1631 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is submitted to the Committee on Armed Services of the Senate and the Committee on Armed Services House of Representatives; and

(2) not more than 75 percent shall be available until the date on which the strategy and posture review required by subsection (g) of such section is submitted to such committees.

SEC. 1641. REPORT ON CYBER INSTITUTES PROGRAM.

Section 1640 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2310; 10 U.S.C. 2200 note) is amended by adding at the end the following:

''(g) REPORT TO CONGRESS.—Not later than September 30, 2021, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the effectiveness of the Cyber Institutes and on opportunities to expand the Cyber Institutes to additional select institutions of higher learning that have a Reserve Officers' Training Corps program.''.

SEC. 1642. 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.—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 term 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).

Subtitle C—Nuclear Forces

SEC. 1651. MODIFICATION TO RESPONSIBILITIES OF NUCLEAR WEAPONS COUNCIL.

Section 179(d) of title 10, United States Code, is amended—

(1) by redesignating paragraphs (9) through (12) as paragraphs (10) through (13), respectively; and

(2) by inserting after paragraph (8) the following new paragraph (9):

''(9) Reviewing proposed capabilities, and establishing and validating performance requirements (as defined in section 181(h) of this title), for nuclear warhead programs.''.

SEC. 1652. RESPONSIBILITY OF NUCLEAR WEAPONS COUNCIL IN PREPARATION OF NATIONAL NUCLEAR SECURITY ADMINISTRATION BUDGET.

Paragraph (11) of section 179(d) of title 10, United States Code, as redesignated by section 1651, is further amended to read as follows:

''(11) As part of the planning, programming, budgeting, and execution process of the National Nuclear Security Administration—

''(A) providing guidance with respect to the development of the annual budget proposals of the Administration under section 3255 of the National Nuclear Security Administration Act;

''(B) reviewing the adequacy of such proposals under section 4717 of the Atomic Energy Defense Act; and

''(C) preparing, coordinating, and approving such proposals, including before such proposals are submitted to—

''(i) the Secretary of Energy;

''(ii) the Director of the Office of Management and Budget;

''(iii) the President; or

''(iv) Congress (as submitted with the budget of the President under section 1105(a) of title 31).''.

SEC. 1653. MODIFICATION OF GOVERNMENT ACCOUNTABILITY OFFICE REVIEW OF ANNUAL REPORTS ON NUCLEAR WEAPONS ENTERPRISE.

Section 492a(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''review each report'' and inserting ''periodically review reports submitted''; and

(2) in paragraph (2), by striking ''not later'' and all that follows through ''submitted,''.

SEC. 1654. PROHIBITION ON REDUCTION OF THE INTERCONTINENTAL BALLISTIC MISSILES OF THE UNITED STATES.

(a) PROHIBITION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act for fiscal year 2021 for the Department of Defense may be obligated or expended for the following, and the Department may not otherwise take any action to do the following:

(1) Reduce, or prepare to reduce, the responsiveness or alert level of the intercontinental ballistic missiles of the United States.

(2) Reduce, or prepare to reduce, the quantity of deployed intercontinental ballistic missiles of the United States to a number less than 400.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any of the following activities:

(1) The maintenance or sustainment of intercontinental ballistic missiles.

(2) Ensuring the safety, security, or reliability of intercontinental ballistic missiles.

SEC. 1655. SENSE OF THE SENATE ON NUCLEAR COOPERATION BETWEEN THE UNITED STATES AND THE UNITED KINGDOM.

It is the sense of the Senate that—

(1) the North Atlantic Treaty Organization (NATO) continues to play an essential role in the national security of the United States and the independent nuclear deterrents of other NATO members, such as the United Kingdom, have helped underwrite peace and security;

(2) the nuclear programs of the United States and the United Kingdom have enjoyed significant collaborative benefits as a result of the cooperative relationship formalized in the Agreement for Cooperation on the Uses of Atomic Energy for Mutual Defense Purposes, signed at Washington July 3, 1958, and entered into force August 4, 1958 (9 UST 1028), between the United States and the United Kingdom (commonly referred to as the ''Mutual Defense Agreement'');

(3) the unique partnership between the United States and the United Kingdom has enhanced sovereign military and scientific capabilities, strengthened bilateral ties, and shared costs, particularly on such programs as the Trident II D–5 weapons system and the common missile compartment for the future Dreadnought and Columbia classes of submarines;

(4) additionally, the extension of the nuclear deterrence commitments of the United Kingdom to members of the NATO alliance strengthens collective security while reducing the burden placed on United States nuclear forces to deter potential adversaries and assure allies of the United States and the United Kingdom;

(5) as the international security environment deteriorates and potential adversaries expand and enhance their nuclear forces, the extended deterrence commitments of the United Kingdom play an increasingly important role in supporting the security interests of the United States and allies of the United States and the United Kingdom;

(6) it is in the national security interest of the United States to support the United Kingdom with respect to the decision of the Government of the United Kingdom to maintain its nuclear deterrent until global security conditions warrant its elimination;

(7) as the United States must modernize its aging nuclear forces to ensure its ability to continue to field a nuclear deterrent that is safe, secure, and effective, the United Kingdom faces a similar challenge;

(8) bilateral cooperation on the parallel development of the W93/Mk7 warhead of the United States and the replacement warhead of the United Kingdom, as well as associated components, will allow the United States and the United Kingdom to responsibly address challenges within their legacy nuclear forces in a cost-effective manner that—

(A) preserves independent, sovereign control;

(B) is consistent with each country's obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968 (21 UST 483) (commonly referred to as the ''Nuclear Non-Proliferation Treaty''); and

(C) supports nonproliferation objectives; and

(9) continued cooperation between the nuclear programs of United States and the United Kingdom, including through the W93/Mk7 program, is essential to ensuring that the NATO alliance continues to be supported by credible nuclear forces capable of preserving peace, preventing coercion, and deterring aggression.

Subtitle D—Missile Defense Programs

SEC. 1661. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM AND ISRAELI CO-OPERATIVE MISSILE DEFENSE PROGRAM CO-DEVELOPMENT AND CO-PRODUCTION.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act for fiscal year 2021 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $73,000,000 may be provided to the Government of Israel to procure components for the Iron Dome short-range rocket defense system through co-production of such components in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, as amended to include co-production for Tamir interceptors.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement;

(ii) an assessment detailing any risks relating to the implementation of such agreement; and

(iii) for system improvements resulting in modified Iron Dome components and Tamir interceptor sub-components, a certification that the Government of Israel has demonstrated successful completion of Production Readiness Reviews, including the validation of production lines, the verification of component conformance, and the verification of performance to specification as defined in the Iron Dome Defense System Procurement Agreement, as further amended.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, DAVID'S SLING WEAPON SYSTEM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (3), of the funds authorized to be appropriated for fiscal year 2021 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $50,000,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for co-production of parts and components in the United States by United States industry.

(2) AGREEMENT.—Provision of funds specified in paragraph (1) shall be subject to the terms and conditions in the bilateral co-production agreement, including—

(A) a one-for-one cash match is made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel); and

(B) co-production of parts, components, and all-up rounds (if appropriate) in the United States by United States industry for the David's Sling Weapon System is not less than 50 percent.

(3) CERTIFICATION AND ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees—

(A) a certification that the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement and the bilateral co-production agreement for the David's Sling Weapon System; and

(B) an assessment detailing any risks relating to the implementation of such agreement.

(c) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM, ARROW 3 UPPER TIER INTERCEPTOR PROGRAM CO-PRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2021 for procurement, Defense-wide, and available for the Missile Defense Agency not more than $77,000,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for co-production of parts and components in the United States by United States industry.

(2) CERTIFICATION.—The Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate congressional committees a certification that—

(A) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreement for the Arrow 3 Upper Tier Interceptor Program;

(B) funds specified in paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(C) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(i) in accordance with subparagraph (D), the terms of co-production of parts and components on the basis of the greatest practicable co-production of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for co-production;

(ii) complete transparency on the requirement of Israel for the number of interceptors and batteries that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(iii) technical milestones for co-production of parts and components and procurement;

(iv) a joint affordability working group to consider cost reduction initiatives; and

(v) joint approval processes for third-party sales; and

(D) the level of co-production described in subparagraph (C)(i) for the Arrow 3 Upper Tier Interceptor Program is not less than 50 percent.

(d) NUMBER.—In carrying out paragraph (2) of subsection (b) and paragraph (2) of subsection (c), the Under Secretary may submit—

(1) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(2) separate certifications for each respective system.

(e) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification and assessment under subsection (b)(3) and the certification under subsection (c)(2) no later than 30 days before the funds specified in paragraph (1) of subsections (b) and (c) for the respective system covered by the certification are provided to the Government of Israel.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 1662. ACCELERATION OF THE DEPLOYMENT OF HYPERSONIC AND BALLISTIC TRACKING SPACE SENSOR PAYLOAD.

(a) PRIMARY RESPONSIBILITY FOR DEVELOPMENT AND DEPLOYMENT OF HYPERSONIC AND BALLISTIC TRACKING SPACE SENSOR PAYLOAD.—

(1) IN GENERAL.—Not later than 15 days after the date of the enactment of this Act, the Secretary shall—

(A) assign the Director of the Missile Defense Agency with the principal responsibility for the development and deployment of a hypersonic and ballistic tracking space sensor payload through the end of fiscal year 2022; and

(B) submit to the congressional defense committees certification of such assignment.

(2) TRANSITION.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees—

(A) a determination regarding whether responsibility for a hypersonic and ballistic tracking space sensor payload should be transitioned to the United States Space Force at the end of fiscal year 2022 or later; and

(B) if the Secretary so determines, a plan for transition of primary responsibility that minimizes disruption to the program and provides for sufficient funding as described in subsection (b)(1).

(b) CERTIFICATION REGARDING FUNDING OF HYPERSONIC AND BALLISTIC TRACKING SPACE SENSOR PROGRAM.—

(1) IN GENERAL.—At the same time that the President submits to Congress pursuant to section 1105 of title 31, United States Code, the annual budget request of the President for fiscal year 2022, the Under Secretary of Defense Comptroller and the Director for Cost Assessment and Program Evaluation shall jointly submit to the congressional defense committees a certification as to whether the hypersonic and ballistic tracking space sensor program is sufficiently funded in the future-years defense program.

(2) FUNDING LIMITATION.—Of the funds authorized to be appropriated by this Act for fiscal year 2021 under the Operations and Maintenance, Defense-Wide, account for the Office of Secretary of Defense travel of persons assigned to the Office of the Under Secretary of Defense for Research and Engineering, not more than 50 percent of such funds may be obligated or expended until the certification required by paragraph (1) is submitted under such paragraph.

(c) DEPLOYMENT DEADLINE.—Section 1683(a) of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 10 U.S.C. 2431 note) is amended—

(1) by striking ''(a) IN GENERAL.—'' and inserting the following:

''(a) DEVELOPMENT, TESTING, AND DEPLOYMENT.—

''(1) DEVELOPMENT.—''; and

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

''(2) TESTING AND DEPLOYMENT.—The Director shall begin on-orbit testing of a hypersonic and ballistic tracking space sensor no later than December 31, 2022, with full operational deployment as soon as technically feasible thereafter.

''(3) WAIVER.—The Secretary of Defense may waive the deadline for testing specified in paragraph (2) if the Secretary submits to the congressional defense committees a report containing—

''(A) the explanation why the Secretary cannot meet such deadline;

''(B) the technical risks and estimated cost of accelerating the program to attempt to meet such deadline;

''(C) an assessment of threat systems that could not be detected or tracked persistently due to waiving such deadline; and

''(D) a plan, including a timeline, for beginning the required testing.''.

(d) ASSESSMENT AND REPORT.—Not later than 120 days after the date of the enactment of this Act, the Chair of the Joint Requirements Oversight Council established under section 181 of title 10, United States Code, shall—

(1) complete an assessment on whether all efforts being made by the Missile Defense Agency, the Defense Advanced Research Projects Agency, the Air Force, and the Space Development Agency relating to space-based sensing and tracking capabilities for missile defense are aligned with the requirements of United States Strategic Command, United States Northern Command, United States European Command, and United States Indo-Pacific Command for missile tracking and missile warning that have been validated by the Joint Requirements Oversight Council; and

(2) submit to the congressional defense committees a report on the findings of the Chair with respect to the assessment conducted under paragraph (1).

SEC. 1663. EXTENSION OF PROHIBITION RELATING TO MISSILE DEFENSE INFORMATION AND SYSTEMS.

Section 130h(e) of title 10, United States Code, is amended by striking ''January 1, 2021'' and inserting ''January 1, 2026''.

SEC. 1664. REPORT ON AND LIMITATION ON EXPENDITURE OF FUNDS FOR LAYERED HOMELAND MISSILE DEFENSE SYSTEM.

(a) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2021, the Director of the Missile Defense Agency shall submit to the congressional defense committees a report on the proposal for a layered homeland missile defense system included in the budget justification materials submitted to Congress in support of the budget for the Department of Defense for fiscal year 2021 (as submitted with the budget of the President for such year under section 1105(a) of title 31, United States Code).

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

(A) A description of the approved requirements for a layered homeland missile defense system, based on an assessment by the intelligence community of threats to be addressed at the time of deployment of such a system.

(B) An assessment of how such requirements addressed by a layered homeland missile defense system relate to those addressed by the existing ground-based midcourse defense system, including deployed ground-based interceptors and planned upgrades to such ground-based interceptors.

(C) An analysis of interceptor solutions to meet such requirements, to include land-based Standard Missile 3 (SM–3) Block IIA interceptor systems and the Terminal High Altitude Area Defense (THAAD) system, with the number of locations required for deployment and the production numbers of interceptors and related sensors.

(D) A site-specific fielding plan that includes possible locations, the number and type of interceptors and radars in each location, and any associated environmental or permitting considerations, including an assessment of the locations evaluated pursuant to section 227(b) of the National Defense Authorization Act for Fiscal Year 2013 (126 Stat. 1679; Public Law 112–239) for inclusion in the layered homeland missile defense system.

(E) Relevant policy considerations for deployment of such systems for defense against intercontinental ballistic missiles in the continental United States.

(F) A cost estimate and schedule for options involving a land-based Standard Missile 3 Block IIA interceptor system and the Terminal High Altitude Area Defense system, including required environmental assessments.

(G) A feasibility assessment of the necessary modifications to the Terminal High Altitude Area Defense system to address such requirements.

(H) An assessment of the industrial base capacity to support additional production of either a land-based Standard Missile 3 Block IIA interceptor system or the Terminal High Altitude Area Defense system.

(3) CONSULTATION.—In preparing the report required by paragraph (1), the Director shall consult with the following:

(A) The Under Secretary of Defense for Policy.

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

(C) The Vice Chairman of the Joint Chiefs of Staff, in Vice Chairman's capacity as the Chair of the Joint Requirements Oversight Council.

(D) The Commander, United States Strategic Command.

(E) The Commander, United States Northern Command.

(b) LIMITATION ON USE OF FUNDS.—Not more than 50 percent of the amounts authorized to be appropriated by this Act for fiscal year 2021 for the Missile Defense Agency for the purposes of a layered homeland missile defense system may be obligated or expended until the Director submits to the congressional defense committees the report required by subsection (a).

(c) INTELLIGENCE COMMUNITY DEFINED.—In this section, the term ''intelligence community'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

SEC. 1665. EXTENSION OF REQUIREMENT FOR COMPTROLLER GENERAL 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) is amended—

(1) in paragraph (1), by striking ''through 2020'' and inserting ''through 2025'';

(2) in paragraph (2)—

(A) by striking ''through 2021'' and inserting ''through 2026''; and

(B) by striking ''year. Each'' and all that follows through ''appropriate.'' and insert the following: '', which shall include such findings and recommendations as the Comptroller General considers appropriate.''; and

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

''(3) REVIEW OF EMERGING ISSUES.—In carrying out this subsection, as the Comptroller General determines is warranted, the Comptroller General shall review emerging issues and, in consultation with the congressional defense committees, brief such committees or submit to such committees a report on the findings of the Comptroller General with respect to such review.''.

SEC. 1666. REPEAL OF REQUIREMENT FOR REPORTING STRUCTURE OF MISSILE DEFENSE AGENCY.

Section 205 of title 10, United States Code, is amended to read as follows:

''§ 205. Missile Defense Agency

''The Director of the Missile Defense Agency shall be appointed for a six-year term.''.

SEC. 1667. GROUND-BASED MIDCOURSE DEFENSE INTERIM CAPABILITY.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear and ballistic missile threats from rogue nations are increasing; and

(2) the Department of Defense should fully assess development of an interim ground-based missile defense capability while also pursuing the development of a next generation interceptor capability.

(b) INTERIM GROUND-BASED INTERCEPTOR.—

(1) DEVELOPMENT.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Missile Defense Agency and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of the United States Northern Command, and the Commander of the United States Strategic Command, shall commence carrying out a program to develop an interim ground-based interceptor capability that will—

(A) use sound acquisition practices;

(B) address the majority of current and near- to mid-term projected ballistic missile threats to the United States homeland from rogue nations;

(C) at minimum, meet the proposed capabilities of the Redesigned Kill Vehicle program;

(D) leverage existing kill vehicle and booster technology; and

(E) appropriately balance interceptor performance with schedule of delivery.

(2) DEPLOYMENT.—The Secretary of Defense, acting through the Director of the Missile Defense Agency and in coordination with the Under Secretary of Defense for Acquisition and Sustainment, the Commander of the United States Northern Command, and the Commander of the United States Strategic Command, shall—

(A) conduct rigorous flight testing of the interim ground-based interceptor; and

(B) deliver 20 new ground-based interceptors by 2026.

(3) WAIVER AUTHORITY.—(A) The Secretary of Defense may waive the requirements under paragraphs (1) and (2) if the Secretary certifies to the congressional defense committees that—

(i) the technology development is not technically feasible;

(ii) the interim capability development is not in the national security interest of the United States; or

(iii) the next generation interceptor for the ground-based midcourse defense system can deliver capability before the program otherwise required by this subsection.

(B) If the Secretary chooses to waive the requirements under paragraphs (1) and (2), the Secretary shall submit to the congressional defense committees along with the certification required by subparagraph (A) of this paragraph—

(i) an explanation of the rationale for the decision;

(ii) an estimate of projected rogue nation threats to the United States homeland that will not be defended against until the fielding of the next generation interceptor for the ground-based midcourse defense system; and

(iii) an updated schedule for development and deployment of the next generation interceptor.

(C) The Secretary may not delegate the certification described in subparagraphs (A) and (B) unless the Secretary is recused, in which case the Secretary may delegate such certification to the Deputy Secretary of Defense.

(c) CAPABILITIES AND CRITERIA.—The Director shall ensure that the interim ground-based interceptor developed under subsection (c)(1) meets, at a minimum, the following capabilities and criteria:

(1) Vehicle-to-vehicle communications, as applicable.

(2) Vehicle-to-ground communications.

(3) Kill assessment capability.

(4) The ability to counter advanced counter measures, decoys, and penetration aids.

(5) Producibility and manufacturability.

(6) Use of technology involving high technology readiness levels.

(7) Options to integrate the new kill vehicle onto other missile defense interceptor vehicles other than the ground-based interceptors of the ground-based midcourse defense system.

(8) Sound acquisition processes.

(d) REPORT ON FUNDING PROFILE.—The Director shall include with the budget justification materials submitted to Congress in support of the budget of the Department of Defense for fiscal year 2022 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the funding profile necessary for the interim ground-based interceptor program to meet the objectives under subsection (c).

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 FIVE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2025; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2026.

(b) EXCEPTION.—Subsection (a) shall not apply to authorizations for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor), for which appropriated funds have been obligated before the later of—

(1) October 1, 2025; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2026 for military construction projects, land acquisition, family housing projects and facilities, or contributions to the North Atlantic Treaty Organization Security Investment Program.

SEC. 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.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation or Location	Amount
Alaska	Fort Wainwright	$114,000,000
Arizona	Yuma Proving Ground	$14,000,000
California	Military Ocean Terminal Concord	$46,000,000
Colorado	Fort Carson	$28,000,000
Georgia	Fort Gillem	$71,000,000
	Fort Gordon	$80,000,000
Hawaii	Aliamanu Military Reservation	$71,000,000
	Schofield Barracks	$39,000,000
	Wheeler Army Airfield	$89,000,000
Louisiana	Fort Polk	$25,000,000
Oklahoma	McAlester AAP	$35,000,000
South Carolina	Fort Jackson	$7,000,000
Virginia	Humphreys Engineer Center	$51,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installation outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

State	Installation	Amount
Italy	Casmera Renato Dal Din	$10,200,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2103(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

Country	Installation or Location	Units	Amount
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. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2017 PROJECT AT CAMP WALKER, KOREA.

In the case of the authorization contained in the table in section 2102(a) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–92; 129 Stat. 1146) for Camp Walker, Korea, the Secretary of the Army may construct an elevated walkway between two existing parking garages to connect children's playgrounds using amounts available for Family Housing New Construction, as specified in the funding table in section 4601 of such Act (129 Stat. 1290).

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 2204(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy: Inside the United States

State	Installation or Location	Amount
California	Camp Pendleton	$115,530,000
	Lemoore	$187,220,000
	Point Mugu	$26,700,000
	Port Hueneme	$43,500,000
	San Diego	$128,500,000
	Seal Beach	$46,800,000
	Twentynine Palms	$76,500,000
Hawaii	Joint Base Pearl Harbor-Hickam	$114,900,000
Maine	Kittery	$715,000,000
	NCTAMS LANT Detachment Cutler	$26,100,000
Nevada	Fallon	$29,040,000
North Carolina	Cherry Point	$51,900,000
Virginia	Norfolk	$39,800,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(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	SW Asia	$68,340,000
El Salvador	Comalapa	$28,000,000
Greece	Souda Bay	$50,180,000
Guam	Andersen Air Force Base	$21,280,000
	Joint Region Marianas	$546,550,000
Spain	Rota	$60,110,000

SEC. 2202. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2204(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.

SEC. 2203. 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 2204(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. 2204. 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 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Colorado	United States Air Force Academy	$49,000,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$22,000,000
South Dakota	Ellsworth Air Force Base	$96,000,000
Texas	Joint Base San Antonio	$19,500,000
Utah	Hill Air Force Base	$132,000,000
Virginia	Joint Base Langley-Eustis	$19,500,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Guam	Andersen Air Force Base	$56,000,000
Qatar	Al Udeid	$26,000,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(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.

SEC. 2303. 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 2304(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. 2304. 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 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. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT FISCAL YEAR 2018 PROJECT AT ROYAL AIR FORCE LAKENHEATH.

(a) IN GENERAL.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2018 (division B of Public Law 115–91; 131 Stat. 1826) for Royal Air Force Lakenheath, United Kingdom, the Secretary of the Air Force may construct a 2,700 square meter consolidated corrosion control and wash rack facility at such location.

(b) INCREASE OF AMOUNT.—The table in section 4601 of such Act is amended in the item relating to a Consolidated Corrosion Control Facility at Royal Air Force Lakenheath, United Kingdom, by striking ''20,000,000'' and inserting ''55,300,000''.

SEC. 2306. 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 Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2246) for Eielson Air Force Base, Alaska, the Secretary of the Air Force may construct a 426 square meter non-contained (outdoor) range with covered and heated firing line for construction of an F–35 CATM Range, as specified in the funding table in section 4601 of such Act (132 Stat. 2404).

(b) BARKSDALE AIR FORCE BASE, LOUISIANA.—

(1) IN GENERAL.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2246) for Barksdale Air Force Base, Louisiana, the Secretary of the Air Force may construct an entrance road and gate complex consistent with the Unified Facilities Criteria relating to entry control facilities and the construction guidelines for the Air Force, in the amount of $48,000,000.

(2) DETAILS OF CONSTRUCTION.—In constructing the entrance road and gate complex under paragraph (1), the Secretary of the Air Force may construct a 190 square meter visitor control center, a 44 square meter gate house, a 124 square meter privately owned vehicle inspection facility, a 338 square meter truck inspection facility, and a 45 square meter gatehouse.

(3) CONSTRUCTION IN FLOOD PLAIN.—Construction under paragraph (1) may be conducted in a flood plain and appropriate mitigation measures shall be included in the project.

(c) ROYAL AIR FORCE LAKENHEATH, UNITED KINGDOM.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2247) for Royal Air Force Lakenheath, United Kingdom, the Secretary of the Air Force may construct a 1,206 square meter maintenance facility for construction of an F–35A ADAL Conventional Munitions MX, as specified in the funding table in section 4601 of such Act (132 Stat. 2400).

(d) FORCE PROTECTION AND SAFETY.—The table in section 4601 of the Military Construction Authorization Act for Fiscal Year 2019 (division B of Public Law 115–232; 132 Stat. 2406) is amended in the item relating to Force Protection and Safety, Air Force, Unspecified Worldwide Locations, by striking ''35,000'' and inserting ''50,000''.

SEC. 2307. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 FAMILY HOUSING PROJECTS.

(a) CONSTRUCTION AND ACQUISITION.—Section 2302 of the Military Construction Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by striking ''Using amounts'' and inserting ''(a) PLANNING AND DESIGN.—Using amounts''; and

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

''(b) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a), the Secretary of the Air Force may construct or acquire family housing units (including land, acquisition, and supporting facilities) at the installation, in the number of units, and in the amounts set forth in the following table:

''Air Force: Family Housing

Country	Installation or Location	Purpose	Amount
Germany	Spangdahlem Air Base	76 Units	$53,584,000''.

(b) FUNDING.—Section 2303 of the Military Construction Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking ''$53,584,000'' and inserting ''$46,638,000''.

SEC. 2308. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2020 PROJECTS.

(a) TYNDALL AIR FORCE BASE, FLORIDA.—In the case of the authorization contained in the table in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92) for Tyndall Air Force Base, Florida, the Secretary of the Air Force may construct—

(1) not more than 4,770 square meters of aircraft support equipment storage for construction of an Auxiliary Ground Equipment Facility, as specified in the funding table in section 4603 of such Act;

(2) not more than 18,770 square meters of visiting quarters for construction of Dorm Complex Phase 1, as specified in such funding table;

(3) 2,127 square meters of squadron operations and 2,875 square meters of aircraft maintenance unit for construction of Ops/Aircraft Maintenance Unit/Hangar #2, as specified in such funding table;

(4) 2,127 square meters of squadron operations and 2,875 square meters of aircraft maintenance unit for construction of Ops/Aircraft Maintenance Unit/Hangar #3, as specified in such funding table;

(5) not more than 3,420 square meters of headquarters for construction of an Operations Group/Maintenance Group HQ, as specified in such funding table;

(6) not more than 930 square meters of equipment storage for construction of a Security Forces Mobility Storage Facility, as specified in such funding table;

(7) not more than 7,000 meters of storm water piping, box culverts, underground detention, and grading for surface detention for construction of Site Development, Utilities & Demo Phase 2, as specified in such funding table; and

(8) not more than 12,471 meters of visiting quarters for construction of Lodging Facilities Phase 1, as specified in such funding table.

(b) OFFUTT AIR FORCE BASE, NEBRASKA.—In the case of the authorization contained in the table in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92) for Offutt Air Force Base, Nebraska, the Secretary of the Air Force may construct—

(1) seven 2.5-megawatt diesel engine generators, seven diesel exhaust fluid systems, 15-kilovolt switchgear, two import/export inter-ties, five import-only inter-ties, and 800 square meters of switchgear facility for construction of an Emergency Power Microgrid, as specified in the funding table in section 4603 of such Act;

(2) 2,536 square meters of warehouse for construction of a Logistics Readiness Squadron Campus, as specified in such funding table;

(3) 4,218 square meters of operations center and 1,343 square meters of military working dog kennel for construction of a Security Campus, as specified in such funding table;

(4) 445 square meters of petroleum operations center, 268 square meters of de-icing liquid storage, and 173 square meters of warehouse for construction of a Flightline Hangars Campus, as specified in such funding table; and

(5) 240 square meters of recreation complex and 270 square meters of storage for construction of a Lake Campus, as specified in such funding table.

(c) JOINT BASE LANGLEY-EUSTIS, VIRGINIA.—In the case of the authorization contained in the table in section 2912(a) of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92) for Joint Base Langley-Eustis, Virginia, the Secretary of the Air Force may construct up to 6,720 square meters of dormitory for construction of a Dormitory, as specified in the funding table in section 4603 of such Act.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
Alabama	Anniston Army Depot	$18,000,000
Alaska	Fort Greely	$48,000,000
Arizona	Fort Huachuca	$33,728,000
	Yuma	$49,500,000
California	Beale Air Force Base	$22,800,000
Colorado	Fort Carson	$15,600,000
CONUS Unspecified	CONUS Unspecified	$14,400,000
Florida	Hurlburt Field	$83,120,000
Kentucky	Fort Knox	$69,310,000
New Mexico	Kirtland Air Force Base	$46,600,000
North Carolina	Fort Bragg	$113,800,000
Ohio	Wright-Patterson Air Force Base	$23,500,000
Texas	Fort Hood	$32,700,000
Virginia	Joint Expeditionary Base Little Creek-Fort Story	$112,500,000
Washington	Joint Base Lewis-McChord	$21,800,000
	Manchester	$82,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Japan	Def 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	Fort Smith Air National Guard Base	$2,600,000
District of Columbia	Joint Base Anacostia-Bolling	$35,933,000
Georgia	Fort Benning	$17,000,000
Mississippi	MTA Camp Shelby	$30,000,000
North Carolina	Fort Bragg	$6,100,000
Ohio	Wright-Patterson Air Force Base	$35,000,000
Tennessee	Memphis International Airport	$4,780,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy conservation projects as specified in the funding table in section 4601, the Secretary of Defense may carry out energy conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

ERCIP Projects: Outside the United States

Country	Installation or Location	Amount
Unspecified Worldwide	Unspecified Worldwide Locations	$142,500,000

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.

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 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 recognize the NATO project authorization amounts as budgetary resources to incur obligations for the purposes of executing the NSIP project.

SEC. 2503. EXECUTION OF PROJECTS UNDER THE NORTH ATLANTIC TREATY ORGANIZATION SECURITY INVESTMENT PROGRAM.

(a) IN GENERAL.—Subchapter II of chapter 138 of title 10, United States Code, is amended by striking section 2350m and inserting the following new section 2350m:

"§ 2350m. Execution of projects under the North Atlantic Treaty Organization Security Investment Program

''(a) AUTHORITY TO EXECUTE PROJECTS.—When the United States is designated as the Host Nation for purposes of executing a project under the North Atlantic Treaty Organization Security Investment Program (in this section referred to as the 'Program'), the Secretary of Defense may accept such designation and carry out such project consistent with the requirements of this section.

''(b) PROJECT FUNDING.—The Secretary of Defense may fund authorized expenditures of projects accepted under subsection (a) with—

''(1) contributions under subsection (c);

''(2) appropriations of the Department of Defense for the Program when directed by the North Atlantic Treaty Organization to apply amounts of such appropriations as part of the share of contributions of the United States for the Program; or

''(3) any combination of amounts described in paragraphs (1) and (2).

''(c) AUTHORITY TO ACCEPT CONTRIBUTIONS.—(1) The Secretary of Defense may accept contributions from the North Atlantic Treaty Organization and member nations of the North Atlantic Treaty Organization for the purpose of carrying out a project under subsection (a).

''(2) Contributions accepted under paragraph (1) shall be placed in an account established for the purpose of carrying out the project for which the funds were provided and shall remain available until expended.

''(3)(A) If contributions are made under paragraph (1) as reimbursement for a project or portion of a project previously completed by the Department of Defense, such contributions shall be credited to—

''(i) the appropriations used for the project or portion thereof, if such appropriations have not yet expired; or

''(ii) the appropriations for the Program, if the appropriations described in clause (i) have expired.

''(B) Funding credited under subparagraph (A) shall merge with and remain available for the same purposes and duration as the appropriations to which credited.

''(d) OBLIGATION AUTHORITY.—The construction agent of the Department of Defense designated by the Secretary of Defense to execute a project under subsection (a) may recognize the North Atlantic Treaty Organization project authorization amounts as budgetary resources to incur obligations against for the purposes of executing the project.

''(e) INSUFFICIENT CONTRIBUTIONS.—(1) In the event that the North Atlantic Treaty Organization does not agree to contribute funding for all costs necessary for the Department of Defense to carry out a project under subsection (a), including necessary personnel costs of the construction agent designated by the Department of Defense, contract claims, and any conjunctive funding requirements that exceed the project authorization or standards of the North Atlantic Treaty Organization, the Secretary of Defense, upon determination that completion of the project is in the national interest of the United States, may fund such costs using any funds available in appropriations for the Program.

''(2) The use of funds under paragraph (1) from appropriations for the Program may be in addition to or in place of any other funding sources otherwise available for the purposes for which those funds are used.

''(f) AUTHORIZED EXPENDITURES DEFINED.—In this section, the term 'authorized expenditures' means project expenses for which the North Atlantic Treaty Organization has agreed to contribute funding.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 138 of such title is amended by striking the item relating to section 2350m and inserting the following new item:

''2350m. Execution of projects under the North Atlantic Treaty Organization Security Investment Program.''.

(c) CONFORMING REPEALS.—

(1) 2019.—Section 2502 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 2252) is amended—

(A) in subsection (a)—

(i) by striking ''(a) AUTHORIZATION.—Funds'' and inserting ''Funds''; and

(ii) by striking the second sentence; and

(B) by striking subsection (b).

(2) 2020.—Section 2502 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(A) in subsection (a), by striking ''(a) AUTHORIZATION.—Funds'' and inserting ''Funds''; and

(B) by striking subsection (b).

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
Air Force	Osan Air Base	Aircraft Corrosion Control Facility (Phase 3)	$12,000,000
Air Force	Osan Air Base	Child Development Center	$20,000,000
Air Force	Osan Air Base	Relocate Munitions Storage Area Delta (Phase 1)	$84,000,000

Republic of Korea Funded Construction Projects—Continued

Component	Installation or Location	Project	Amount
Defense-Wide	Camp Humphreys	Elementary School	$58,000,000

SEC. 2512. 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 the installation in the State of Qatar, and in the amounts, set forth in the following table:

State of Qatar Funded Construction Projects

Component	Installation or Location	Project	Amount
Air Force	Al Udeid	Billet (A12)	$63,000,000
Air Force	Al Udeid	Billet (B12)	$63,000,000
Air Force	Al Udeid	Billet (D10)	$77,000,000
Air Force	Al Udeid	Billet (009)	$77,000,000
Air Force	Al Udeid	Billet (007)	$77,000,000
Air Force	Al Udeid	Armory/Mount	$7,200,000
Air Force	Al Udeid	Billet (A06)	$77,000,000
Air Force	Al Udeid	Dining Facility	$14,600,000
Air Force	Al Udeid	Billet (BOS)	$77,000,000
Air Force	Al Udeid	Billet (B04)	$77,000,000
Air Force	Al Udeid	Billet (A04)	$77,000,000
Air Force	Al Udeid	Billet (AOS)	$77,000,000
Air Force	Al Udeid	Dining Facility	$14,600,000
Air Force	Al Udeid	MSG (Base Operations Support Facility)	$9,300,000
Air Force	Al Udeid	ITN (Communications Facility)	$3,500,000

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD 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 installations or locations inside the United States, and in the amounts, set forth in the following table:

Army National Guard

State	Installation or Location	Amount
Arizona	Tucson	$18,100,000
Arkansas	Fort Chaffee	$15,000,000
California	Bakersfield	$9,300,000
Colorado	Peterson Air Force Base	$15,000,000
Indiana	Shelbyville	$12,000,000
Kentucky	Frankfort	$15,000,000
Mississippi	Brandon	$10,400,000
Nebraska	North Platte	$9,300,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$15,000,000
Ohio	Columbus	$15,000,000
Oklahoma	Ardmore	$9,800,000
Oregon	Hermiston	$25,035,000
Puerto Rico	Fort Allen	$37,000,000
South Carolina	Joint Base Charleston	$15,000,000
Tennessee	McMinnville	$11,200,000
Texas	Fort Worth	$13,800,000
Utah	Nephi	$12,000,000
Virgin Islands	St. Croix	$39,400,000
Wisconsin	Appleton	$11,600,000

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 installations or locations inside the United States, and in the amounts, set forth in the following table:

Army Reserve

State	Installation or Location	Amount
Florida	Gainesville	$36,000,000
Massachusetts	Devens Reserve Forces Training Area	$8,700,000
North Carolina	Asheville	$24,000,000
Wisconsin	Fort McCoy	$17,100,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve installations or locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Installation or Location	Amount
Maryland	Reisterstown	$39,500,000
Minnesota	Naval Operational Support Center Minneapolis	$12,800,000
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 installations or locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Installation or Location	Amount
Alabama	Montgomery Regional Airport	$23,600,000
Guam	Joint Region Marianas	$20,000,000
Maryland	Joint Base Andrews	$9,400,000
North Dakota	Hector International Airport	$17,500,000
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 installation inside the United States, and in the amount, set forth in the following table:

Air Force Reserve

State	Installation	Amount
Texas	Joint Reserve Base Fort Worth	$39,200,000

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 FISCAL YEAR 2020 PROJECT IN ALABAMA.

In the case of the authorization contained in the table in section 2601 of the Military Construction Authorization Act for Fiscal Year 2020 (division B of Public Law 116–92) for Anniston Army Depot, Alabama, for construction of an Enlisted Transient Barracks as specified in the funding table in section 4601 of such Act, the Secretary of the Army may construct a training barracks 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.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 2801. RESPONSIBILITY OF NAVY FOR MILITARY CONSTRUCTION REQUIREMENTS FOR CERTAIN FLEET READINESS CENTERS.

In the case in which a Fleet Readiness Center is a tenant command aboard an installation of the Marine Corps, the Navy shall be responsible for programming, requesting, and executing any military construction requirements for the Fleet Readiness Center.

SEC. 2802. CONSTRUCTION OF GROUND-BASED STRATEGIC DETERRENT LAUNCH FACILITIES AND LAUNCH CENTERS FOR AIR FORCE.

(a) AUTHORITY TO CARRY OUT PROJECTS.—Subject to subsections (b) and (d) and within the amount appropriated for such purpose, the Secretary of the Air Force may carry out military construction projects to convert Minuteman III launch facilities and launch centers to ground-based strategic deterrent configurations.

(b) MASTER PLAN.—

(1) IN GENERAL.—Prior to the authority under subsection (a) being available for use, the Secretary of the Air Force shall submit to the congressional defense committees a master plan, broken out by year and location, for the planned launch facilities and launch centers to be converted to ground-based strategic deterrent configurations pursuant to a project under this section.

(2) SPENDING PLAN.—The master plan submitted under paragraph (1) shall include a spending plan with estimated amounts to be requested with respect to each planned location for conversion to ground-based strategic deterrent configurations.

(c) MANAGEMENT OF DESIGN AND CONSTRUCTION.—The Secretary of the Air Force may select a single, prime contractor to manage the design and construction phases of projects carried out under subsection (a).

(d) CONGRESSIONAL NOTIFICATION.—

(1) REPORT.—When a decision is made to carry out a project under subsection (a) and before carrying out such project, the Secretary of the Air Force shall submit to the congressional defense committees a report on that decision.

(2) ELEMENTS.—Subject to paragraph (3), the report submitted under paragraph (1) with respect to a project under subsection (a) shall include a justification for carrying out the project and a complete Department of Defense Form 1391 for the project.

(3) SINGLE SUBMISSION.—The Secretary of the Air Force may group multiple locations at which a project is to be carried out under subsection (a) into a single submission on a Department of Defense Form 1391 to allow all included locations to be considered as a single project.

(e) FUNDING.—In fiscal year 2021, the Secretary of the Air Force may expend amounts available to the Secretary for research, development, test, and evaluation for the purposes of planning and design to support the projects described in subsection (a).

(f) EXISTING AUTHORITIES.—The Secretary of the Air Force shall use existing authorities, as applicable, to carry out this section, including sections 2304 and 2853 of title 10, United States Code.

Subtitle B—Military Family Housing

SEC. 2821. PROHIBITION ON SUBSTANDARD FAMILY HOUSING UNITS.

(a) IN GENERAL.—Subchapter II of chapter 169 of title 10, United States Code, is amended by striking section 2830 and inserting the following new section:

"§ 2830. Prohibition on substandard family housing units

''The Secretary concerned may not lease a substandard family housing unit to a member of a uniformed service for occupancy by such member.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of such chapter is amended by striking the item relating to section 2830 and inserting the following new item:

''2830. Prohibition on substandard family housing units.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on October 1, 2021.

SEC. 2822. TECHNICAL CORRECTIONS TO PRIVATIZED MILITARY HOUSING PROGRAM.

(a) CHIEF HOUSING OFFICER.—Section 2890a of title 10, United States Code—

(1) is amended—

(A) in subsection (a)(1), by striking ''housing units'' and inserting ''all military housing''; and

(B) in subsection (b)(1), in the matter preceding subparagraph (A), by striking ''under subchapter IV and this subchapter'' and inserting ''by the Department of Defense under this chapter'';

(2) is transferred so as to appear at the end of subchapter III of chapter 169 of such title; and

(3) is redesignated as section 2870a.

(b) PRIVATIZED HOUSING REFORM.—Subchapter V of chapter 169 of such title is amended—

(1) in section 2890—

(A) in subsection (b)(15), by striking ''and held in escrow'';

(B) in subsection (e)(2), in the matter preceding subparagraph (A), by inserting ''a'' before ''landlord''; and

(C) in subsection (f)(2)—

(i) by striking ''executed as'' and inserting ''executed—

''(A) as'';

(ii) in subparagraph (A), as designated by clause (i), by striking the period at the end and inserting ''; or''; and

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

''(B) to avoid litigation if the tenant has retained legal counsel or has sought military legal assistance under section 1044 of this title.'';

(2) in section 2891—

(A) in subsection (e)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by inserting ''unit'' after ''different housing'';

(II) in subparagraph (B), by inserting ''the'' before ''tenant''; and

(ii) in paragraph (2)(B), by inserting ''the'' before ''tenant'';

(3) in section 2891a—

(A) in subsection (b)(2), by adding a period at the end;

(B) in subsection (d)(11)—

(i) by striking ''A landlord'' and inserting ''Upon request by a prospective tenant, a landlord''; and

(ii) by striking ''prospective tenants to housing units'' and inserting ''the prospective tenant to a housing unit''; and

(C) in subsection (e)(2)(B) by striking ''the any'' and inserting ''any'';

(4) in section 2892a—

(A) by striking ''The Secretary concerned'' and inserting ''(a) IN GENERAL.—The Secretary concerned'';

(B) by striking ''years. In this section'' and inserting ''years.

''(b) MAINTENANCE DEFINED.—In this section'';

(C) in subsection (a), as designated by subparagraph (A), by striking ''housing unit, before the prospective tenant'' and all that follows through the period at the end and inserting ''housing unit—

''(1) not later than five business days before the prospective tenant is asked to sign the lease, a summary of maintenance conducted with respect to that housing unit for the previous seven years; and

''(2) not later than two business days after requested by the prospective tenant, all information regarding maintenance conducted with respect to that housing unit during such period.''; and

(D) in subsection (b), as designated by subparagraph (B), by striking ''such period'' and inserting ''the period specified in subsection (a)(1)'';

(5) in section 2893, by striking ''propensity for'' and inserting ''pattern of''; and

(6) in section 2894—

(A) in subsection (b), by adding at the end the following new paragraph:

''(6) The dispute resolution process shall require the installation or regional commander (as the case may be) to record each dispute in the complaint database established under section 2894a of this title.'';

(B) in subsection (c)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking ''24 hours'' and inserting ''two business days'';

(ii) in paragraph (3)—

(I) by inserting ''business'' before ''days''; and

(II) by inserting '', such office'' before ''shall complete'';

(iii) in paragraph (4), in the matter preceding subparagraph (A), by inserting '', at a minimum,'' before ''the following persons'';

(iv) in paragraph (5)—

(I) by inserting ''calendar'' before ''days'' each place it appears; and

(II) in subparagraph (B), by striking ''30-day period'' and inserting ''30-calendar-day period''; and

(v) by striking paragraph (6) and inserting the following new paragraph (6):

''(6) Except as provided in paragraph (5)(B), a final decision shall be transmitted to the tenant, landlord, and the installation or regional commander (as the case may be) not later than 30 calendar days after the request was submitted.''; and

(C) in subsection (e)—

(i) by striking paragraph (3);

(ii) by redesignating paragraph (2) as paragraph (3);

(iii) in paragraph (1), in the matter preceding subparagraph (A), by striking '', the tenant may'' and all that follows through ''in which—'' and inserting ''regarding maintenance guidelines or procedures or habitability, the tenant may request that all or part of the payments described in paragraph (3) for lease of the housing unit be segregated and not used by the property owner, property manager, or landlord pending completion of the dispute resolution process.

''(2) The amount allowed to be withheld under paragraph (1) shall be limited to amounts associated with the period in which—''; and

(iv) in paragraph (3), as redesignated by clause (ii), by striking ''Paragraph (1)'' and inserting ''This subsection''.

(c) REPORTS.—Section 2884(c)(10) of such title is amended by striking ''specific analysis'' and all that follows through the period at the end and inserting ''list of dispute resolution cases by installation and the final outcome of each such case.''.

(d) PAYMENT AUTHORITY.—Section 606(a) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 10 U.S.C. 2871 note) is amended—

(1) in paragraph (1)(A), by inserting ''monthly'' before ''payments'';

(2) in paragraph (2)(A), by striking ''payments to'' and all that follows through ''subparagraph (C)'' and inserting ''monthly payments, under such terms and in such amounts as determined by the Secretary, to one of more lessors responsible for underfunded MHPI housing projects identified pursuant to subparagraph (C) under the jurisdiction of the Secretary''; and

(3) in paragraph (3)(B), by inserting ''that'' before ''require''.

(e) SUSPENSION OF RESIDENT ENERGY CONSERVATION PROGRAM.—Section 3063(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) by striking ''on the installation military housing unit''; and

(2) by striking ''on the'' and inserting ''covered by a program suspended under subsection (a) on that''.

(f) CLERICAL AMENDMENTS.—

(1) CHIEF HOUSING OFFICER.—

(A) ADDITION.—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 2870 the following new item:

''2870a. Chief Housing Officer.''.

(B) REPEAL.—The table of sections at the beginning of subchapter V of chapter 169 of such title is amended by striking the item relating to section 2890a.

(2) DISCLOSURE OF PERSONALLY IDENTIFIABLE INFORMATION.—The table of sections at the beginning of subchapter V of such title is amended by striking the item relating to section 2892b and inserting the following new item:

''2892b. Prohibition on requirement to disclose personally identifiable information in requests for certain maintenance.''.

SEC. 2823. REQUIREMENT THAT SECRETARY OF DEFENSE IMPLEMENT RECOMMENDATIONS RELATING TO MILITARY FAMILY HOUSING CONTAINED IN REPORT BY INSPECTOR GENERAL OF DEPARTMENT OF DEFENSE.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall implement the recommendations of the Inspector General of the Department of Defense contained in the report of the Inspector General dated April 30, 2020, and entitled ''Evaluation of the DoD's Management of Health and Safety Hazards in Government-Owned and Government-Controlled Military Family Housing''.

Subtitle C—Project Management and Oversight Reforms

SEC. 2841. PROMOTION OF ENERGY RESILIENCE AND ENERGY SECURITY IN PRIVATIZED UTILITY SYSTEMS.

(a) UTILITY PRIVATIZATION CONTRACT RENEWALS.—Section 2688(d)(2) of title 10, United States Code, is amended—

(1) in the first sentence, by inserting ''or the renewal of such a contract'' after ''paragraph (1)''; and

(2) by adding at the end the following new sentence: ''A renewal of a contract pursuant to this paragraph may be entered into only within the last 5 years of the existing contract term.''.

(b) USE OF ERCIP FUNDS ON PRIVATIZED UTILITY SYSTEMS.—Section 2914 of such title is amended—

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

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

''(c) USE OF CERTAIN OTHER AUTHORITIES.—A project under this section may be—

''(1) carried out in conjunction with the authorities provided in subsections (j), and (k) of section 2688 of this title and section 2913 of this title, notwithstanding that the United States does not own a utility system covered by the project; or

''(2) included as a separate requirement in a contract entered into pursuant to title VIII of the National Energy Conservation Policy Act (42 U.S.C. 8287 et seq.).''.

SEC. 2842. CONSIDERATION OF ENERGY SECURITY AND ENERGY RESILIENCE IN LIFE-CYCLE COST FOR MILITARY CONSTRUCTION.

(a) IN GENERAL.—Subchapter I of chapter 169 of title 10, United States Code, is amended by inserting after section 2815 the following new section:

''§ 2816. Consideration of energy security and energy resilience in life-cycle cost for military construction

''(a) IN GENERAL.—(1) The Secretary concerned, when evaluating the life-cycle designed cost of a covered military construction project, shall include as a facility requirement the long-term consideration of energy security and energy resilience that would ensure that the resulting facility is capable of continuing to perform its missions, during the life of the facility, in the event of a natural or human-caused disaster, an attack, or any other unplanned event that would otherwise interfere with the ability of the facility to perform its missions.

''(2) A facility requirement under paragraph (1) shall not be weighed, for cost purposes, against other facility requirements in determining the design of the facility.

''(b) INCLUSION IN THE BUILDING LIFE-CYCLE COST PROGRAM.—The Secretary shall include the requirements of subsection (a) in applying the latest version of the building life-cycle cost program, as developed by the National Institute of Standards and Technology, to consider on-site distributed energy assets in a building design for a covered military construction project.

''(c) COVERED MILITARY CONSTRUCTION PROJECT DEFINED.—(1) In this section, the term 'covered military construction project' means a military construction project for a facility that is used to perform critical functions during a natural or human-caused disaster, an attack, or any other unplanned event.

''(2) For purposes of paragraph (1), the term 'facility' includes any of the following:

''(A) Operations centers.

''(B) Nuclear command and control facilities.

''(C) Integrated strategic and tactical warning and attack assessment facilities.

''(D) Continuity of government facilities.

''(E) Missile defense facilities.

''(F) Air defense facilities.

''(G) Hospitals.

''(H) Armories and readiness centers of the National Guard.

''(I) Communications facilities.

''(J) Satellite and missile launch and control facilities.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by inserting after the item relating to section 2815 the following new item:

''2816. Consideration of energy security and energy resilience in life-cycle cost for military construction.''.

Subtitle D—Land Conveyances

SEC. 2861. 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, 2041.

SEC. 2862. 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, 2041.

SEC. 2863. TRANSFER OF LAND UNDER THE ADMINISTRATIVE JURISDICTION OF THE DEPARTMENT OF THE INTERIOR WITHIN NAVAL SUPPORT ACTIVITY PANAMA CITY, FLORIDA.

(a) AUTHORITY.—The Secretary of the Interior shall transfer to the Secretary of the Navy, without consideration, approximately 1.23 acres of land within Naval Support Activity Panama City, Florida, that are used on the day before the date of the enactment of this Act by the Department of the Navy pursuant to Executive Order 10355 (17 Fed. Reg. 4831; relating to delegating to the Secretary of the Interior the authority of the President to withdraw or reserve lands of the United States for public purposes) and the public land order entitled ''Public Land Order 952'' (19 Fed. Reg. 2085 (April 10, 1954)).

(b) STATUS OF FEDERAL LAND AFTER TRANSFER.—Upon completion of a transfer to the Secretary of the Navy of a parcel of land under subsection (a), the parcel received by the Secretary of the Navy 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.

(c) REIMBURSEMENT.—The Secretary of the Navy shall reimburse the Secretary of the Interior for any costs incurred by the Secretary of the Interior for preparing a legal description of the land to be transferred under subsection (a).

SEC. 2864. LAND CONVEYANCE, CAMP NAVAJO, ARIZONA.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army (in this section referred to as the ''Secretary'') 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 (in this section referred to as the ''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 for—

(1) training the Arizona Army and Air National Guard; and

(2) defense industrial base economic development purposes that are compatible with the environmental security and primary National Guard training purpose of Camp Navajo.

(b) CONDITIONS ON CONVEYANCE.—The conveyance authorized by subsection (a) shall be subject to the following conditions:

(1) USE OF REVENUES.—The State shall use all revenues generated by uses of the Property to support the training requirements of the Arizona Army and Air National Guard, to include necessary infrastructure maintenance and capital improvements.

(2) AUDIT.—The United States Property and Fiscal Office for the State of Arizona shall periodically audit all revenues generated by uses of the Property and all uses of such revenue, and shall provide the audit results to the Chief of the National Guard Bureau.

(c) REVERSIONARY INTEREST.—

(1) IN GENERAL.—If the Secretary determines at any time that the Property is not being used in accordance with the purpose of the conveyance authorized by subsection (a), or that the State has not complied with the conditions specified in subsection (b), all right, title, and interest in and to the Property, including any improvements thereto, 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) RECORD.—A determination by the Secretary under paragraph (1) 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 under subsection (c), the Secretary may accept an offer by the State to pay to the United States an amount equal to the fair market value of the Property, excluding the value of any improvements on the Property constructed without Federal funds after the date of the conveyance authorized by subsection (a), 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 COST OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—

(A) IN GENERAL.—The Secretary 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.

(B) REFUND OF EXCESS AMOUNTS.—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)(A) 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 appropriations or fund that is 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 shall be determined by a survey satisfactory to the Secretary.

(g) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

(h) ENVIRONMENTAL OBLIGATIONS.—Nothing in this section shall be construed as alleviating, altering, or affecting the responsibility of the United States for cleanup and

remediation of the Property in accordance with—

(1) the Defense Environmental Restoration Program under section 2701(a)(1) of title 10, United States Code; and

(2) the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

Subtitle E—Other Matters

SEC. 2881. MILITARY FAMILY READINESS CONSIDERATIONS IN BASING DECISIONS.

(a) TAKING OF CONSIDERATIONS INTO ACCOUNT REQUIRED.—In determining whether to proceed with any basing decision in the United States after the date of the enactment of this Act, the Secretary of the military department concerned shall take into account, among such other factors as such Secretary considers appropriate, the military family readiness considerations specified in subsection (b).

(b) MILITARY FAMILY READINESS CONSIDERATIONS.—The military family readiness considerations specified in this subsection are the following:

(1) INTERSTATE PORTABILITY OF PROFESSIONAL LICENSURE AND CERTIFICATION CREDENTIALS.—The extent to which the State in which the installation subject to the basing decision is or will be located accepts as valid professional licensure and certification credentials obtained in other States, including professional licensure and certification credentials in the following professional fields (and any subfield of such field):

(A) Accounting.

(B) Cosmetology.

(C) Emergency medical service.

(D) Engineering.

(E) Law.

(F) Nursing.

(G) Physical therapy.

(H) Psychology.

(I) Teaching.

(J) Such other professional fields (and subfields of such fields) as the Secretary of Defense shall specify for purposes of this paragraph.

(2) PUBLIC EDUCATION.—The extent to which public education is available and accessible to dependents of members of the Armed Forces in the military housing area in which the installation subject to the basing decision is or will be located, including with respect to the following:

(A) Academic performance of schools, including student-to-teacher ratios and learning rates and graduation rates.

(B) Social climate within schools, including absenteeism rates and suspension rates.

(C) Availability, accessibility, and quality of services, including pre-kindergarten, counselors and mental health support, student-to-nurse ratios, and services for military dependents with special needs as required by law.

(3) HOUSING.—The extent to which housing (including family housing) that meets Department of Defense requirements is available and accessible to members of the Armed Forces through the private sector in the military housing area in which the installation subject to the basing decision is or will be located.

(4) HEALTH CARE.—The extent to which primary healthcare and specialty healthcare is available and accessible to dependents of members of the Armed Forces through the private sector in the local community in which the installation subject to the basing decision is or will be located, including care for military dependents with special needs.

(5) INTERGOVERNMENTAL SUPPORT.—The extent to which the State in which the installation subject to the basing decision is or will be located, and local governments in the vicinity of the installation, have or will have intergovernmental support agreements with the installation for the effective and efficient provision of public services to the installation.

(6) OTHER CONSIDERATIONS.—Such other considerations in connection with military family readiness as the Secretary of Defense shall specify for purposes of this subsection.

(c) ANALYTICAL FRAMEWORK.—The Secretary of a military department shall take into account the considerations specified in subsection (b), among such other factors as the Secretary considers appropriate, in determining whether to proceed with a basing decision under subsection (a) using an analytical framework developed by the Secretary for that purpose that uses criteria based on quantitative data available to the Department of Defense and on such reliable quantitative data from sources outside the Department as the Secretary considers appropriate.

(d) BASING DECISION SCORECARD.—

(1) IN GENERAL.—Each Secretary of a military department shall establish and maintain a scorecard on military installations under the jurisdiction of such Secretary, and on States and localities in which such installations are or may be located, relevant to the taking into account of the considerations specified in subsection (b) in determinations of such Secretary on basing decisions as required by subsection (a).

(2) UPDATE.—Each Secretary shall update the scorecard required of such Secretary by this subsection not less frequently than once each year in order to keep the information in such scorecard as current as is practicable.

(3) AVAILABILITY TO PUBLIC.—A current version of each scorecard under this subsection shall be available to the public through an Internet website of the military department concerned that is accessible to the public.

(e) BRIEFINGS.—Not later than April 1 of each of 2021, 2022, and 2023, the Secretary of Defense shall brief the Committees on Armed Services of the Senate and the House of Representatives on actions taken pursuant to this section, including a description and assessment of the effect of the taking into account of the considerations specified in subsection (b) on particular basing decisions in the United States during the one-year period ending on the date of the briefing.

(f) BASING DECISION DEFINED.—In this section, the term ''basing decision'' means any of the following:

(1) The establishment of a new mission at a military installation.

(2) The relocation of an existing mission from a military installation to another military installation.

(3) The establishment of a new military installation.

SEC. 2882. PROHIBITION ON USE OF FUNDS TO REDUCE AIR BASE RESILIENCY OR DEMOLISH PROTECTED AIRCRAFT SHELTERS IN THE EUROPEAN THEATER WITHOUT CREATING A SIMILAR PROTECTION FROM ATTACK.

No funds authorized to be appropriated by this Act or any other Act for the Department of Defense may be obligated or expended to implement any activity that reduces air base resiliency or demolishes protected aircraft shelters in the European theater, and the Department may not otherwise implement any such activity, without creating a similar protection from attack in the European theater until such time as the Secretary of Defense certifies to the congressional defense committees that protected aircraft shelters are not required in the European theater.

SEC. 2883. PROHIBITIONS RELATING TO CLOSURE OR RETURNING TO HOST NATION OF EXISTING BASES UNDER THE EUROPEAN CONSOLIDATION INITIATIVE.

(a) PROHIBITION ON USE OF FUNDS.—No funds authorized to be appropriated by this Act for fiscal year 2021 for the Department of Defense may be obligated or expended to implement any activity that closes or returns to the host nation any existing base under the European Consolidation Initiative.

(b) PROHIBITION ON CLOSURE OR RETURN.—The Secretary of Defense shall not implement any activity that closes or returns to the host nation any existing base under the European Consolidation Initiative until the Secretary certifies that there is no longer a need for a rotational military presence in the European theater.

SEC. 2884. ENHANCEMENT OF AUTHORITY TO ACCEPT CONDITIONAL GIFTS OF REAL PROPERTY ON BEHALF OF MILITARY MUSEUMS.

Section 2601(e)(1) of title 10, United States Code, is amended by inserting ''a military museum,'' after ''offered to''.

SEC. 2885. EQUAL TREATMENT OF INSURED DEPOSITORY INSTITUTIONS AND CREDIT UNIONS OPERATING ON MILITARY INSTALLATIONS.

Section 2667 of title 10, United States Code, is amended by adding at the end the following:

''(1) TREATMENT OF INSURED DEPOSITORY INSTITUTIONS.—(1) Each covered insured depository institution operating on a military installation within the continental United States may be allotted space or leased land on the military installation without charge for rent or services in the same manner as a credit union organized under State law or a Federal credit union under section 124 of the Federal Credit Union Act (12 U.S.C. 1770) if space is available.

''(2) Each covered insured depository institution, credit union organized under State law, and Federal credit union operating on a military installation within the continental United States shall be treated equally with respect to policies of the Department of Defense governing the financial terms of leases, logistical support, services, and utilities.

''(3) The Secretary concerned shall not be required to provide no-cost office space or a no-cost land lease to any covered insured depository institution, credit union organized under State law, or Federal credit union.

''(4) In this subsection:

''(A) The term 'covered insured depository institution' means an insured depository institution that meets the requirements applicable to a credit union organized under State law or a Federal credit union under section 124 of the Federal Credit Union Act (12 U.S.C. 1770). The depositors of an insured depository institution shall be considered members for purposes of the application of this subparagraph to that section.

''(B) The term 'Federal credit union' has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).

''(C) The term 'insured depository institution' has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).''.

SEC. 2886. REPORT ON OPERATIONAL AVIATION UNITS IMPACTED BY NOISE RESTRICTIONS OR NOISE MITIGATION MEASURES.

(a) REPORT.—Not later than 90 days after the date on which the Secretary of the Air Force or the Secretary of the Navy determines that noise restrictions placed on an operational aviation unit under the jurisdiction of the Secretary concerned prohibit the unit from reaching a combat ready or deployable status or prohibit the maintaining of aircrew currency requirements or required noise mitigation measures become

cost prohibitive to the Department of Defense, the Secretary concerned, in consultation with the Secretary of Defense, shall submit to the congressional defense committees a report setting forth—

(1) recommendations to preserve or restore the readiness of such unit; and

(2) appropriate steps to be taken by the Secretary concerned to lower the cost of noise mitigation measures.

(b) COST PROHIBITIVE.—A required noise mitigation measure shall be considered cost prohibitive to the Department of Defense for purposes of subsection (a) if the cost to implement the measure at an installation exceeds 10 percent of the annual budget for the installation for facilities sustainment, restoration, and modernization.

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 project for the installation outside the United States, and in the amount, set forth in the following table:

Navy: Outside the United States

Country	Installation	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	Installation	Amount
Germany	Ramstein	$36,345,000
	Spangdahlem Air Base	$25,824,000
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.

SEC. 2904. REPLENISHMENT OF CERTAIN MILITARY CONSTRUCTIONS FUNDS.

(a) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2021 by section 2903 and available as specified in the funding table in section 4602, $3,600,000,000 shall be available for replenishment of funds that were authorized to be appropriated by military construction authorization Acts for fiscal years before fiscal year 2021 for military construction projects authorized by such Acts, but were used instead for military construction projects authorized by section 2808 of title 10, United States Code, in connection with the national emergency along the southern land border of the United States declared in 2019 pursuant to the National Emergencies Act (50 U.S.C. 1601 et seq.).

(b) REPLENISHMENT BY TRANSFER.—

(1) IN GENERAL.—Any amounts available under subsection (a) that are used for replenishment of funds as described in that subsection shall be transferred to the account that was the source of such funds.

(2) INAPPLICABILITY TOWARD TRANSFER LIMITATIONS.—Any transfer of amounts under this subsection shall not count toward any limitation on transfer of Department of Defense funds in section 1001 or 1512 or any other limitation on transfer of Department of funds in law.

(3) SUNSET OF AUTHORITY.—The authority to make transfers under this subsection shall terminate on September 30, 2021.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Amounts transferred under subsection (b) for replenishment of funds as described in subsection (a) may be used only for military construction projects for which such funds were originally authorized in a military construction authorization Act described in subsection (a).

(2) NO INCREASE IN AUTHORIZED AMOUNT OF PROJECTS.—The total amount of funds available for a military construction project described in paragraph (1) may not exceed the current amount authorized for such project by applicable military construction authorization Acts (including this Act). A replenishment of funds under this section for a military construction project shall not operate to increase the authorized amount of the project or the amount authorized to be available for the project.

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, HE Synthesis, Formulation, and Production, Pantex Plant, Amarillo, Texas, $31,000,000.

Project 21–D–511, Savannah River Plutonium Processing Facility, Savannah River Site, Aiken, South Carolina, $241,900,000.

Project 21–D–512, Plutonium Pit Production Project, Los Alamos National Laboratory, Los Alamos, New Mexico, $226,000,000.

Project 21–D–530, KL Steam and Condensate Upgrades, Knolls Atomic Power Laboratory, Schenectady, New York, $4,000,000.

General Plant Project, U1a.03 Test Bed Facility Improvements, Nevada National Security Side, Nevada, $16,000,000.

General Plant Project, TA–15 DARHT Hydro Vessel Repair Facility, Los Alamos National Laboratory, New Mexico, $16,500,000.

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 project:

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—Budget of the National Nuclear Security Administration

SEC. 3111. REVIEW OF ADEQUACY OF NUCLEAR WEAPONS BUDGET.

(a) IN GENERAL.—Subtitle A of title XVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:

"SEC. 4717. REVIEW OF ADEQUACY OF NUCLEAR WEAPONS BUDGET.

"(a) REVIEW OF ADEQUACY OF ADMINISTRATION BUDGET BY NUCLEAR WEAPONS COUNCIL.—

"(1) TRANSMISSION TO COUNCIL.—The Secretary of Energy shall transmit to the Nuclear Weapons Council (in this section referred to as the 'Council') a copy of the proposed budget request of the Administration for each fiscal year before that budget request is submitted to the Director of the Office of Management and Budget in relation to the preparation of the budget of the President to be submitted to Congress under section 1105(a) of title 31, United States Code.

"(2) REVIEW AND DETERMINATION OF ADEQUACY.—

"(A) REVIEW.—The Council shall review each budget request transmitted to the Council under paragraph (1).

"(B) DETERMINATION OF ADEQUACY.—

''(i) INADEQUATE REQUESTS.—If the Council determines that a budget request for a fiscal year transmitted to the Council under paragraph (1) is inadequate, in whole or in part, to implement the objectives of the Department of Defense with respect to nuclear weapons for that fiscal year, the Council shall submit to the Secretary of Energy a written description of funding levels and specific initiatives that would, in the determination of the Council, make the budget request adequate to implement those objectives.

''(ii) ADEQUATE REQUESTS.—If the Council determines that a budget request for a fiscal year transmitted to the Council under paragraph (1) is adequate to implement the objectives described in clause (i) for that fiscal year, the Council shall submit to the Secretary of Energy a written statement confirming the adequacy of the request.

''(iii) RECORDS.—The Council shall maintain a record of each description submitted under clause (i) and each statement submitted under clause (ii).

''(3) DEPARTMENT OF ENERGY RESPONSE.—

''(A) IN GENERAL.—If the Council submits to the Secretary of Energy a written description under paragraph (2)(B)(i) with respect to the budget request of the Administration for a fiscal year, the Secretary shall include the funding levels and initiatives identified in that description in the budget request before submitting the budget request to the Director of the Office of Management and Budget.

''(B) SUMMARY OF CHANGES.—The Secretary shall include, as an appendix to the budget request of the Administration submitted to the Director under subparagraph (A)—

''(i) a summary of the changes made to the budget request under subparagraph (A); and

''(ii) any additional comments the Secretary considers appropriate.

''(C) TRANSMISSION TO CONGRESS.—The Secretary of Energy shall transmit to Congress, with the budget justification materials submitted in support of the Department of Energy budget for a fiscal year (as submitted with the budget of the President under section 1105(a) of title 31, United States Code), a copy of the appendix described in subparagraph (B).

''(b) REVIEW AND CERTIFICATION OF DEPARTMENT OF ENERGY BUDGET BY NUCLEAR WEAPONS COUNCIL.—

''(1) IN GENERAL.—At the time the Secretary of Energy submits the budget request of the Department of Energy for that fiscal year to the Director of the Office of Management and Budget in relation to the preparation of the budget of the President, the Secretary shall transmit a copy of the budget request of the Department to the Council.

''(2) CERTIFICATION.—The Council shall—

''(A) review the budget request transmitted to the Council under paragraph (1);

''(B) based on the review under subparagraph (A), make a determination with respect to whether the budget request includes the funding levels and initiatives described in subsection (a)(2)(B)(i); and

''(C) submit to Congress—

''(i)(I) a certification that the budget request is adequate to implement the objectives described in subsection (a)(2)(B)(i); or

''(II) a statement that the budget request is not adequate to implement those objectives; and

''(ii) a copy of the written description submitted by the Council to the Secretary under subsection (a)(2)(B)(i), if any.''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4716 the following new item:

''Sec. 4717. Review of adequacy of nuclear weapons budget.''.

SEC. 3112. TREATMENT OF BUDGET OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

Section 3251(a) of the National Nuclear Security Administration Act (50 U.S.C. 2451(a)) is amended to read as follows:

''(a) PRESIDENT'S BUDGET.—In each budget submitted by the President to Congress under section 1105 of title 31, United States Code, amounts requested for the Administration shall be set forth—

''(1) separately within the other amounts requested for the Department of Energy; and

''(2) within a separate budget subfunction from other atomic energy defense activities within the Department of Energy.''.

SEC. 3113. RESPONSIBILITY OF ADMINISTRATOR FOR NUCLEAR SECURITY FOR ENSURING NATIONAL NUCLEAR SECURITY ADMINISTRATION BUDGET SATISFIES NUCLEAR WEAPONS NEEDS OF DEPARTMENT OF DEFENSE.

Section 3252 of the National Nuclear Security Administration Act (50 U.S.C. 2452) is amended by adding at the end the following new subsection:

''(d) RESPONSIBILITY OF ADMINISTRATOR FOR ENSURING ADMINISTRATION BUDGET SATISFIES DEPARTMENT OF DEFENSE NEEDS.—Subject to the direction of the President, the Administrator shall, after consultation with the Secretary of Defense, ensure that the budget of the Administration is adequate to satisfy the nuclear weapons needs of the Department of Defense, including the nuclear weapons needs of the United States Strategic Command, the military departments, and other components of the Department of Defense, as appropriate.''.

SEC. 3114. PARTICIPATION OF SECRETARY OF DEFENSE IN PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION PROCESS OF NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Subtitle D of the National Nuclear Security Administration Act (50 U.S.C. 2451 et seq.) is amended by adding at the end the following new section:

''SEC. 3255. PARTICIPATION OF SECRETARY OF DEFENSE IN PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION PROCESS OF ADMINISTRATION.

''(a) GUIDANCE WITH RESPECT TO DEVELOPMENT OF BUDGET.—

''(1) IN GENERAL.—The Secretary of Defense, acting through the Nuclear Weapons Council, shall provide to the Administrator guidance with respect to the development of the budget of the Administration for each fiscal year.

''(2) NATIONAL STRATEGIES.—The guidance provided under paragraph (1) shall support the national strategy of the United States as set forth in—

''(A) the most recent national defense strategy under section 113(g) of title 10, United States Code; and

''(B) the most recent National Military Strategy under section 153(b) of such title.

''(b) PARTICIPATION IN DEVELOPMENT OF BUDGET.—The Secretary, acting through the Council, shall participate in the development of the budget of the Administration, including the preparation of the future-years nuclear security program under section 3253.

''(c) OVERSIGHT OF EXECUTION OF WEAPONS ACTIVITIES.—The Secretary, acting through the Council, shall ensure the effective execution of the activities carried out using amounts available to the Administration for weapons activities.

''(d) BUDGET OF THE ADMINISTRATION DEFINED.—In this section, the term 'budget of the Administration' means the budget of the Administration for a fiscal year, as submitted to Congress with the budget of the President for that fiscal year under section 1105(a) of title 31, United States Code.''.

(b) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3254 the following new item:

''Sec. 3255. Participation of Secretary of Defense in planning, programming, budgeting, and execution process of Administration.''.

SEC. 3115. REQUIREMENT FOR UPDATED PLANNING, PROGRAMMING, BUDGETING, AND EXECUTION GUIDANCE FOR NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Not later than February 15, 2021, the Administrator for Nuclear Security shall issue updated guidance for the planning, programming, budgeting, and execution process of the National Nuclear Security Administration to replace the guidance issued on December 9, 2019 (document number NAP 130.1).

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

(1) Specification of processes for coordination with the Nuclear Weapons Council under section 179 of title 10, United States Code, and other officials of the Department of Defense at each stage of the planning, programming, budgeting, and execution process of the National Nuclear Security Administration, including coordination between—

(A) the Director for Cost Estimating and Program Evaluation of the Administration and the Director of Cost Assessment and Program Evaluation of the Department;

(B) the Associate Administrator for Management and Budget and the Under Secretary of Defense (Comptroller); and

(C) program managers of the Administration and program managers of the Department.

(2) Participation of appropriate officials of the Department in decisionmaking at each stage of the planning, programming, budgeting, and execution process of the Administration, including participation of the Assistant Secretary of Defense for Nuclear, Chemical, and Biological Defense Programs as a member of the Management Council of the Administration.

(3) Specification of incorporation into the planning, programming, budgeting, and execution process of the Administration of planning documents of the Department of Defense, including the most recent national defense strategy under section 113(g) of title 10, United States Code.

(4) A requirement for the Chairman of the Nuclear Weapons Council to jointly sign, with the Administrator, the planning, programming, and fiscal guidance documents of the Administration.

SEC. 3116. CROSS-TRAINING IN BUDGET PROCESSES OF DEPARTMENT OF DEFENSE AND NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—Not later than January 1, 2021, the Secretary of Defense and the Administrator for Nuclear Security shall jointly establish a program to provide for the cross-training of the personnel specified in subsection (b) on the respective budgetary and programming systems and processes of the Department of Defense and the National Nuclear Security Administration.

(b) PERSONNEL SPECIFIED.—The personnel specified in this subsection are personnel of the following:

(1) The Office of the Under Secretary of Defense (Comptroller).

(2) The Office of Management and Budget of the National Nuclear Security Administration.

(3) The Office of the Director of Cost Assessment and Program Evaluation of the Department of Defense.

(4) The Office of the Director of Cost Estimation and Program Evaluation of the Administration.

(5) The Chairman of the Nuclear Weapons Council established under section 179 of title 10, United States Code.

(6) The Office of Administrator for Nuclear Security.

(c) REPORT REQUIRED.—Not later than February 15, 2021, the Secretary and the Administrator shall jointly submit to the congressional defense committees a report on the details of the program required by subsection (a).

Subtitle C—Personnel Matters

SEC. 3121. NATIONAL NUCLEAR SECURITY ADMINISTRATION PERSONNEL SYSTEM.

(a) IN GENERAL.—Subtitle C of the National Nuclear Security Administration Act (50 U.S.C. 2441 et seq.) is amended by adding at the end the following new section:

"SEC. 3248. ALTERNATIVE PERSONNEL SYSTEM.

''(a) IN GENERAL.—The Administrator may adapt the pay banding and performance-based pay adjustment demonstration project carried out by the Administration under the authority provided by section 4703 of title 5, United States Code, into a permanent alternative personnel system for the Administration (to be known as the 'National Nuclear Security Administration Personnel System') and implement that system with respect to employees of the Administration.

''(b) MODIFICATIONS.—In adapting the demonstration project described in subsection (a) into a permanent alternative personnel system, the Administrator—

''(1) may, subject to paragraph (2), revise the requirements and limitations of the demonstration project to the extent necessary; and

''(2) shall—

''(A) ensure that the permanent alternative personnel system is carried out in a manner consistent with the final plan for the demonstration project published in the Federal Register on December 21, 2007 (72 Fed. Reg. 72776);

''(B) ensure that significant changes in the system not take effect until revisions to the plan for the demonstration project are approved by the Office of Personnel Management and published in the Federal Register;

''(C) ensure that procedural modifications or clarifications to the final plan for the demonstration project be made through local notification processes;

''(D) authorize, and establish incentives for, employees of the Administration to have rotational assignments among different programs of the Administration, the headquarters and field offices of the Administration, and the management and operating contractors of the Administration; and

''(E) establish requirements for employees of the Administration who are in the permanent alternative personnel system described in subsection (a) to be promoted to senior-level positions in the Administration, including requirements with respect to—

''(i) professional training and continuing education; and

''(ii) a certain number and types of rotational assignments under subparagraph (D), as determined by the Administrator.

''(c) APPLICATION TO NAVAL NUCLEAR PROPULSION PROGRAM.—The Director of the Naval Nuclear Propulsion Program established pursuant to section 4101 of the Atomic Energy Defense Act (50 U.S.C. 2511) and section 3216 of this Act may, with the concurrence of the Secretary of the Navy, apply the alternative personnel system under subsection (a) to—

''(1) all employees of the Naval Nuclear Propulsion Program in the competitive service (as defined in section 2102 of title 5, United States Code); and

''(2) all employees of the Department of Navy who are assigned to the Naval Nuclear Propulsion Program and are in the excepted service (as defined in section 2103 of title 5, United States Code) (other than such employees in statutory excepted service systems).''.

(b) BRIEFING.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall provide a briefing to the appropriate congressional committees on the implementation of section 3248 of the National Nuclear Security Administration Act, as added by subsection (a).

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

(A) the congressional defense committees;

(B) the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(C) the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(c) CONFORMING AMENDMENTS.—Section 3116 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115–91; 131 Stat. 1888; 50 U.S.C. 2441 note prec) is amended—

(1) by striking subsections (a) and (d); and

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

(d) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3247 the following new item:

''Sec. 3248. Alternative personnel system.''.

SEC. 3122. INCLUSION OF CERTAIN EMPLOYEES AND CONTRACTORS OF DEPARTMENT OF ENERGY IN DEFINITION OF PUBLIC SAFETY OFFICER FOR PURPOSES OF CERTAIN DEATH BENEFITS.

Section 1204(9) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284(9)) is amended—

(1) in subparagraph (D), by striking ''or'' at the end;

(2) in subparagraph (E)(ii), by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(F) an employee or contractor of the Department of Energy who—

''(i) is—

''(I) a nuclear materials courier (as defined in section 8331(27) of title 5, United States Code); or

''(II) designated by the Secretary of Energy as a member of an emergency response team; and

''(ii) is performing official duties of the Department, pursuant to a deployment order issued by the Secretary, to protect the public, property, or the interests of the United States by—

''(I) assessing, locating, identifying, securing, rendering safe, or disposing of weapons of mass destruction (as defined in section 1403 of the Defense Against Weapons of Mass Destruction Act of 1996 (50 U.S.C. 2302)); or

''(II) managing the immediate consequences of a radiological release or exposure.''.

SEC. 3123. REIMBURSEMENT FOR LIABILITY INSURANCE FOR NUCLEAR MATERIALS COURIERS.

Section 636(c)(2) of division A of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (Public Law 104–208; 5 U.S.C. prec. 5941 note) is amended by striking ''or under'' and all that follows and inserting the following: ''a special agent under section 203 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4823), or a nuclear materials courier (as defined in section 8331(27) of such title 5);''.

SEC. 3124. TRANSPORTATION AND MOVING EXPENSES FOR IMMEDIATE FAMILY OF DECEASED NUCLEAR MATERIALS COURIERS.

Section 5724d(c)(1) of title 5, United States Code, is amended—

(1) in subparagraph (B), by striking ''; and'' and inserting a semicolon; and

(2) by adding at the end the following:

''(D) any nuclear materials courier, as defined in section 8331(27); and''.

SEC. 3125. EXTENSION OF AUTHORITY FOR APPOINTMENT OF CERTAIN SCIENTIFIC, ENGINEERING, AND TECHNICAL PERSONNEL.

Section 4601(c) of the Atomic Energy Defense Act (50 U.S.C. 2701(c)) is amended by striking ''September 30, 2020'' and inserting ''September 30, 2021''.

Subtitle D—Cybersecurity

SEC. 3131. REPORTING ON PENETRATIONS OF NETWORKS OF CONTRACTORS AND SUBCONTRACTORS.

(a) IN GENERAL.—Subtitle A of title XLV of the Atomic Energy Defense Act (50 U.S.C. 2651 et seq.) is amended by adding at the end the following new section:

"SEC. 4511. REPORTING ON PENETRATIONS OF NETWORKS OF CONTRACTORS AND SUBCONTRACTORS.

''(a) PROCEDURES FOR REPORTING PENETRATIONS.—The Administrator shall establish procedures that require each contractor and subcontractor to report to the Chief Information Officer when a covered network of the contractor or subcontractor that meets the criteria established pursuant to subsection (b) is successfully penetrated.

''(b) ESTABLISHMENT OF CRITERIA FOR COVERED NETWORKS.—

''(1) IN GENERAL.—The Administrator shall, in consultation with the officials specified in paragraph (2), establish criteria for covered networks to be subject to the procedures for reporting penetrations under subsection (a).

''(2) OFFICIALS SPECIFIED.—The officials specified in this paragraph are the following officials of the Administration:

''(A) The Deputy Administrator for Defense Programs.

''(B) The Associate Administrator for Acquisition and Project Management.

''(C) The Chief Information Officer.

''(D) Any other official of the Administration the Administrator considers necessary.

''(c) PROCEDURE REQUIREMENTS.—

''(1) RAPID REPORTING.—

''(A) IN GENERAL.—The procedures established pursuant to subsection (a) shall require each contractor or subcontractor to submit to the Chief Information Officer a report on each successful penetration of a covered network of the contractor or subcontractor that meets the criteria established pursuant to subsection (b) not later than 60 days after the discovery of the successful penetration.

''(B) ELEMENTS.—Subject to subparagraph (C), each report required by subparagraph (A) with respect to a successful penetration of a covered network of a contractor or subcontractor shall include the following:

''(i) A description of the technique or method used in such penetration.

''(ii) A sample of the malicious software, if discovered and isolated by the contractor or subcontractor, involved in such penetration.

''(iii) A summary of information created by or for the Administration in connection with any program of the Administration that has been potentially compromised as a result of such penetration.

''(C) AVOIDANCE OF DELAYS IN REPORTING.—If a contractor or subcontractor is not able to obtain all of the information required by subparagraph (B) to be included in a report required by subparagraph (A) by the date that is 60 days after the discovery of a successful penetration of a covered network of the contractor or subcontractor, the contractor or subcontractor shall—

''(i) include in the report all information available as of that date; and

''(ii) provide to the Chief Information Officer the additional information required by subparagraph (B) as the information becomes available.

''(2) ACCESS TO EQUIPMENT AND INFORMATION BY ADMINISTRATION PERSONNEL.—Concurrent with the establishment of the procedures pursuant to subsection (a), the Administrator shall establish procedures to be used if information owned by the Administration was in use during or at risk as a result of the successful penetration of a covered network—

''(A) in order to—

''(i) in the case of a penetration of a covered network of a management and operating contractor, enhance the access of personnel of the Administration to Government-owned equipment and information; and

''(ii) in the case of a penetration of a covered network of a contractor or subcontractor that is not a management and operating contractor, facilitate the access of personnel of the Administration to the equipment and information of the contractor or subcontractor; and

''(B) which shall—

''(i) include mechanisms for personnel of the Administration to, upon request, obtain access to equipment or information of a contractor or subcontractor necessary to conduct forensic analysis in addition to any analysis conducted by the contractor or subcontractor;

''(ii) provide that a contractor or subcontractor is only required to provide access to equipment or information as described in clause (i) to determine whether information created by or for the Administration in connection with any program of the Administration was successfully exfiltrated from a network of the contractor or subcontractor and, if so, what information was exfiltrated; and

''(iii) provide for the reasonable protection of trade secrets, commercial or financial information, and information that can be used to identify a specific person.

''(3) DISSEMINATION OF INFORMATION.—The procedures established pursuant to subsection (a) shall allow for limiting the dissemination of information obtained or derived through such procedures so that such information may be disseminated only to entities—

''(A) with missions that may be affected by such information;

''(B) that may be called upon to assist in the diagnosis, detection, or mitigation of cyber incidents;

''(C) that conduct counterintelligence or law enforcement investigations; or

''(D) for national security purposes, including cyber situational awareness and defense purposes.

''(d) DEFINITIONS.—In this section:

''(1) CHIEF INFORMATION OFFICER.—The term 'Chief Information Officer' means the Associate Administrator for Information Management and Chief Information Officer of the Administration.

''(2) CONTRACTOR.—The term 'contractor' means a private entity that has entered into a contract or contractual action of any kind with the Administration to furnish supplies, equipment, materials, or services of any kind.

''(3) COVERED NETWORK.—The term 'covered network' includes any network or information system that accesses, receives, or stores—

''(A) classified information; or

''(B) sensitive unclassified information germane to any program of the Administration, as determined by the Administrator.

''(4) SUBCONTRACTOR.—The term 'subcontractor' means a private entity that has entered into a contract or contractual action with a contractor or another subcontractor to furnish supplies, equipment, materials, or services of any kind in connection with another contract in support of any program of the Administration.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4510 the following new item:

''Sec. 4511. Reporting on penetrations of networks of contractors and subcontractors.''.

SEC. 3132. CLARIFICATION OF RESPONSIBILITY FOR CYBERSECURITY OF NATIONAL NUCLEAR SECURITY ADMINISTRATION FACILITIES.

(a) ESTABLISHMENT OF CHIEF INFORMATION OFFICER.—Subtitle B of the National Nuclear Security Administration Act (50 U.S.C. 2421 et seq.) is amended by adding at the end the following new section:

''SEC. 3237. CHIEF INFORMATION OFFICER.

''There is within the Administration a Chief Information Officer, who shall be—

''(1) appointed by the Administrator; and

''(2) responsible for the development and implementation of cybersecurity for all facilities of the Administration.''.

(b) CONFORMING AMENDMENT.—Section 3232(b)(3) of the National Nuclear Security Administration Act (50 U.S.C. 2422(b)(3)) is amended by striking ''and cyber''.

(c) CLERICAL AMENDMENT.—The table of contents for the National Nuclear Security Administration Act is amended by inserting after the item relating to section 3236 the following new item:

''Sec. 3237. Chief Information Officer.''.

Subtitle E—Defense Environmental Cleanup

SEC. 3141. PUBLIC STATEMENT OF ENVIRONMENTAL LIABILITIES FOR FACILITIES UNDERGOING DEFENSE ENVIRONMENTAL CLEANUP.

(a) IN GENERAL.—Subtitle A of title XLIV of the Atomic Energy Defense Act (50 U.S.C. 2581 et seq.) is amended by adding at the end the following new section:

''SEC. 4410. PUBLIC STATEMENT OF ENVIRONMENTAL LIABILITIES.

''Each year, at the same time that the Department of Energy submits its annual financial report under section 3516 of title 31, United States Code, the Secretary of Energy shall make available to the public a statement of environmental liabilities, as calculated for the most recent audited financial statement of the Department under section 3515 of that title, for each defense nuclear facility at which defense environmental cleanup activities are occurring.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4409 the following new item:

''Sec. 4410. Public statement of environmental liabilities.''.

SEC. 3142. INCLUSION OF MISSED MILESTONES IN FUTURE-YEARS DEFENSE ENVIRONMENTAL CLEANUP PLAN.

Section 4402A(b)(3) of the Atomic Energy Defense Act (50 U.S.C. 2582A(b)(3)) is amended by adding at the end the following:

''(D) For any milestone that has been missed, renegotiated, or postponed, a statement of the current milestone, the original milestone, and any interim milestones.''.

SEC. 3143. CLASSIFICATION OF DEFENSE ENVIRONMENTAL CLEANUP AS CAPITAL ASSET PROJECTS OR OPERATIONS ACTIVITIES.

(a) IN GENERAL.—The Assistant Secretary of Energy for Environmental Management, in consultation with other appropriate officials of the Department of Energy, shall establish requirements for the classification of defense environmental cleanup projects as capital asset projects or operations activities.

(b) REPORT REQUIRED.—Not later than March 1, 2021, the Assistant Secretary shall submit to the congressional defense committees a report—

(1) setting forth the requirements established under subsection (a); and

(2) assessing whether any ongoing defense environmental cleanup projects should be reclassified based on those requirements.

SEC. 3144. CONTINUED ANALYSIS OF APPROACHES FOR SUPPLEMENTAL TREATMENT OF LOW-ACTIVITY WASTE AT HANFORD NUCLEAR RESERVATION.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Energy shall enter into an arrangement with a federally funded research and development center to conduct a follow-on analysis to the analysis required by section 3134 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2769) with respect to approaches for treating the portion of low-activity waste at the Hanford Nuclear Reservation, Richland, Washington, intended for supplemental treatment.

(b) COMPARISON OF ALTERNATIVES TO AID DECISIONMAKING.—The analysis required by subsection (a) shall be designed, to the greatest extent possible, to provide decision-makers with the ability to make a direct comparison between approaches for the supplemental treatment of low-activity waste at the Hanford Nuclear Reservation based on criteria that are relevant to decisionmaking and most clearly differentiate between approaches.

(c) ELEMENTS.—The analysis required by subsection (a) shall include an assessment of the following:

(1) The most effective potential technology for supplemental treatment of low-activity waste that will produce an effective waste form, including an assessment of the following:

(A) The maturity and complexity of the technology.

(B) The extent of previous use of the technology.

(C) The life cycle costs and duration of use of the technology.

(D) The effectiveness of the technology with respect to immobilization.

(E) The performance of the technology expected under permanent disposal.

(2) The differences among approaches for the supplemental treatment of low-activity waste considered as of the date of the analysis.

(3) The compliance of such approaches with the technical standards described in section 3134(b)(2)(D) of section 3134 of the National Defense Authorization Act for Fiscal Year 2017.

(4) The differences among potential disposal sites for the waste form produced through such treatment, including mitigation of radionuclides, including technetium-99, selenium-79, and iodine-129, on a system level.

(5) Potential modifications to the design of facilities to enhance performance with respect to disposal of the waste form to account for the following:

(A) Regulatory compliance.

(B) Public acceptance.

(C) Cost.

(D) Safety.

(E) The expected radiation dose to maximally exposed individuals over time.

(F) Differences among disposal environments.

(6) Approximately how much and what type of pretreatment is needed to meet regulatory requirements regarding long-lived radionuclides and hazardous chemicals to reduce disposal costs for radionuclides described in paragraph (4).

(7) Whether the radionuclides can be left in the waste form or economically removed and bounded at a system level by the performance assessment of a potential disposal site and, if the radionuclides cannot be left in the waste form, how to account for the secondary waste stream.

(8) Other relevant factors relating to the technology described in paragraph (1), including the following:

(A) The costs and risks in delays with respect to tank performance over time.

(B) Consideration of experience with treatment methods at other sites and commercial facilities.

(C) Outcomes of the test bed initiative of the Office of Environmental Management at the Hanford Nuclear Reservation.

(d) REVIEW, CONSULTATION, SUBMISSION, AND LIMITATIONS.—The provision of subsections (c) through (f) of section 3134 of the National Defense Authorization Act for Fiscal Year 2017 shall apply with respect to the analysis required by subsection (a) to the same extent and in the same manner that such provisions applied with respect to the analysis required by subsection (a) of such section 3134, except that subsection (e) of such section shall be applied and administered by substituting ''the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021'' for ''the date of the enactment of this Act'' each place it appears.

Subtitle F—Other Matters

SEC. 3151. MODIFICATIONS TO ENHANCED PROCUREMENT AUTHORITY TO MANAGE SUPPLY CHAIN RISK.

Section 4806 of the Atomic Energy Defense Act (50 U.S.C. 2786) is amended—

(1) in subsections (a) and (c), by inserting ''or special exclusion action'' after ''covered procurement action'' each place it appears;

(2) by redesignating subsections (e) and (f) as subsections (f) and (g), respectively;

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

''(e) DELEGATION OF AUTHORITY.—The Secretary may delegate the authority under this section to—

''(1) in the case of the Administration, the Administrator; and

''(2) in the case of any other component of the Department of Energy, the Senior Procurement Executive of the Department.''; and

(4) in subsection (f), as redesignated by paragraph (2)—

(A) by redesignating paragraph (6) as paragraph (7); and

(B) by inserting after paragraph (5) the following new paragraph (6):

''(6) SPECIAL EXCLUSION ACTION.—The term 'special exclusion action' means an action to prohibit, for a period not to exceed two years, the award of any contracts or subcontracts by the Administration or any other component of the Department of Energy related to any covered system to a source the Secretary determines to represent a supply chain risk.''.

SEC. 3152. LABORATORY- OR PRODUCTION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—Section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791) is amended to read as follows:

''SEC. 4811. LABORATORY- OR PRODUCTION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT PROGRAMS.

''(a) AUTHORITY.—The directors of the national security laboratories and the nuclear weapons production facilities are authorized to carry out laboratory- or production facility-directed research and development.

''(b) REGULATIONS.—The Administrator shall prescribe regulations for the conduct of laboratory- or production facility-directed research and development at the national security laboratories and the nuclear weapons production facilities.

''(c) FUNDING.—Of the funds provided by the Administration to a national security laboratory or nuclear weapons production facility for national security activities, the Administrator shall provide a specific amount, of not less than 5 percent and not more than 7 percent of such funds, to be used by the laboratory or facility for laboratory- or production facility-directed research and development.

''(d) DEFINITION.—In this section, the term 'laboratory- or production facility-directed research and development' means research and development work of a creative and innovative nature which, under the regulations prescribed pursuant to subsection (b), is selected by the director of a national security laboratory or nuclear weapons production facility for the purpose of maintaining the vitality of the laboratory or facility in defense-related scientific disciplines.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4811 and inserting the following new item:

''Sec. 4811. Laboratory- or production facility-directed research and development programs.''.

SEC. 3153. PROHIBITION ON USE OF LABORATORY- OR PRODUCTION FACILITY-DIRECTED RESEARCH AND DEVELOPMENT FUNDS FOR GENERAL AND ADMINISTRATIVE OVERHEAD COSTS.

Section 4811 of the Atomic Energy Defense Act (50 U.S.C. 2791), as amended by section 3152, is further amended—

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

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

''(d) PROHIBITION ON USE OF FUNDS FOR OVERHEAD.—Funds provided to a national security laboratory or nuclear weapons production facility for laboratory- or production facility-directed research and development may not be used to cover the costs of general and administrative overhead for the laboratory or facility.''.

SEC. 3154. MONITORING OF INDUSTRIAL BASE FOR NUCLEAR WEAPONS COMPONENTS, SUBSYSTEMS, AND MATERIALS.

(a) DESIGNATION OF OFFICIAL.—Not later than March 1, 2021, the Administrator for Nuclear Security shall designate a senior official within the National Nuclear Security Administration to be responsible for monitoring the industrial base that supports the nuclear weapons components, subsystems, and materials of the Administration, including—

(1) the consistent monitoring of the current status of the industrial base;

(2) tracking of industrial base issues over time; and

(3) proactively identifying gaps or risks in specific areas relating to the industrial base.

(b) PROVISION OF RESOURCES.—The Administrator shall ensure that the official designated under subsection (a) is provided with resources sufficient to conduct the monitoring required by that subsection.

(c) CONSULTATIONS.—The Administrator, acting through the official designated under subsection (a), shall, to the extent practicable and beneficial, in conducting the monitoring required by that subsection, consult with—

(1) officials of the Department of Defense who are members of the Nuclear Weapons Council established under section 179 of title 10, United States Code;

(2) officials of the Department of Defense responsible for the defense industrial base; and

(3) other components of the Department of Energy that rely on similar components, subsystems, or materials.

(d) BRIEFINGS.—

(1) INITIAL BRIEFING.—Not later than April 1, 2021, the Administrator shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on the designation of the official required by subsection (a), including on—

(A) the responsibilities assigned to that official; and

(B) the plan for providing that official with resources sufficient to conduct the monitoring required by subsection (a).

(2) SUBSEQUENT BRIEFINGS.—Not later than April 1, 2022, and annually thereafter through 2024, the Administrator shall provide to the Committees on Armed Services of the Senate and the House of Representatives a briefing on activities carried out under this section that includes an assessment of the progress made by the official designated under subsection (a) in conducting the monitoring required by that subsection.

SEC. 3155. PROHIBITION ON USE OF FUNDS FOR ADVANCED NAVAL NUCLEAR FUEL SYSTEM BASED ON LOW-ENRICHED URANIUM.

(a) IN GENERAL.—None of the funds authorized to be appropriated for the National Nuclear Security Administration for fiscal year 2021 may be obligated or expended to conduct research and development of an advanced naval nuclear fuel system based on low-enriched uranium until the following certifications are submitted to the congressional defense committees:

(1) A joint certification of the Secretary of Energy and the Secretary of Defense that the determination made by the Secretary of Energy and the Secretary of the Navy pursuant to section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) and submitted to the congressional defense committees on March 25, 2018, that the United States should not pursue such research and development, no longer reflects the policy of the United States.

(2) A certification of the Secretary of the Navy that an advanced naval nuclear fuel system based on low-enriched uranium would not reduce vessel capability, increase expense, or reduce operational availability as a result of refueling requirements.

(b) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on activities conducted using amounts made available for fiscal year 2020 for nonproliferation fuels development, including a description of progress made toward technological or nonproliferation goals.

SEC. 3156. AUTHORIZATION OF APPROPRIATIONS FOR W93 NUCLEAR WARHEAD PROGRAM.

In accordance with section 4209(a)(1)(B) of the Atomic Energy Defense Act (50 U.S.C.

2529(a)(1)(B)), funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2021 for the W93 nuclear warhead program as specified in the funding table in section 4701.

SEC. 3157. REVIEW OF FUTURE OF COMPUTING BEYOND EXASCALE AT THE NATIONAL NUCLEAR SECURITY ADMINISTRATION.

(a) IN GENERAL.—The Administrator for Nuclear Security, in consultation with the Secretary of Energy, shall enter into an agreement with the National Academy of Science to review the future of computing beyond exascale computing to meet national security needs at the National Nuclear Security Administration.

(b) ELEMENTS.—The review required by subsection (a) shall address the following:

(1) Future computing needs of the National Nuclear Security Administration that exascale computing will not accomplish during the 20 years after the date of the enactment of this Act.

(2) Computing architectures that potentially can meet those needs, including—

(A) classical computing architectures employed as of such date of enactment;

(B) quantum computing architectures and other novel computing architectures;

(C) hybrid combinations of classical and quantum computing architectures; and

(D) other architectures as necessary.

(3) The development of software for the computing architectures described in paragraph (2).

(4) The maturity of the computing architectures described in paragraph (2) and the software described in paragraph (3), with key obstacles that must be overcome for the employment of such architectures and software.

(5) The secure industrial base that exists as of the date of the enactment of this Act to meet the unique needs of computing at the National Nuclear Security Administration, including needs with respect to—

(A) personnel;

(B) microelectronics; and

(C) other appropriate matters.

(c) INFORMATION AND CLEARANCES.—The Administrator shall ensure that personnel of the National Academy of Sciences overseeing the implementation of the agreement required by subsection (a) or conducting the review required by that subsection receive, in a timely manner, access to information and necessary security clearances to enable the conduct of the review.

(d) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the National Academy of Sciences shall submit to the congressional defense committees a report on the findings of the review required by subsection (a).

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

(e) EXASCALE COMPUTING DEFINED.—In this section, the term ''exascale computing'' means computing through the use of a computing machine that performs near or above 10 to the 18th power floating point operations per second.

SEC. 3158. APPLICATION OF REQUIREMENT FOR INDEPENDENT COST ESTIMATES AND REVIEWS TO NEW NUCLEAR WEAPON SYSTEMS.

Section 4217(b)(1) of the Atomic Energy Defense Act (50 U.S.C. 2537(b)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (i), by inserting '', and each new nuclear weapon system at the completion of phase 2A'' after ''phase 6.2A'';

(B) in clause (ii), by inserting '', and each new nuclear weapon system at the completion of phase 3'' after ''phase 6.3''; and

(C) in clause (iii)—

(i) by inserting '', and each new nuclear weapon system at the completion of phase 4'' after ''phase 6.4''; and

(ii) by inserting ''or 5, as applicable'' after ''phase 6.5''; and

(2) in subparagraph (B), by inserting '', and each new nuclear weapon system at the completion of phase 2'' after ''phase 6.2''.

SEC. 3159. EXTENSION AND EXPANSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

(a) IN GENERAL.—Section 3112A of the USEC Privatization Act (42 U.S.C. 2297h–10a) is amended—

(1) in subsection (a)—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

''(7) SUSPENSION AGREEMENT.—The term 'Suspension Agreement' has the meaning given that term in section 3102(13).'';

(2) in subsection (b)—

(A) by striking ''United States to support'' and inserting the following: ''United States—

''(1) to support'';

(B) by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(2) that reliance on uranium imports raises significant national security concerns;

''(3) to revive and strengthen the supply chain for nuclear fuel produced and used in the United States; and

''(4) to expand production of nuclear fuel in the United States.''; and

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''After'' and inserting ''Except as provided in subparagraph (B), after'';

(ii) in subparagraph (A)—

(I) in clause (vi), by striking ''; and'' and inserting a semicolon;

(II) in clause (vii), by striking the period at the end and inserting a semicolon; and

(III) by adding at the end the following:

''(viii) in calendar year 2021, 422,038 kilograms;

''(ix) in calendar year 2022, 415,573 kilograms;

''(x) in calendar year 2023, 409,445 kilograms;

''(xi) in calendar year 2024, 404,469 kilograms;

''(xii) in calendar year 2025, 399,241 kilograms;

''(xiii) in calendar year 2026, 393,985 kilograms;

''(xiv) in calendar year 2027, 389,656 kilograms;

''(xv) in calendar year 2028, 389,656 kilograms;

''(xvi) in calendar year 2029, 384,905 kilograms;

''(xvii) in calendar year 2030, 375,882 kilograms;

''(xviii) in calendar year 2031, 372,171 kilograms;

''(xix) in calendar year 2032, 364,694 kilograms;

''(xx) in calendar year 2033, 359,353 kilograms;

''(xxi) in calendar year 2034, 337,344 kilograms; and

''(xxii) in calendar year 2035, 333,296 kilograms.'';

(iii) by redesignating subparagraph (B) as subparagraph (D); and

(iv) by inserting after subparagraph (A) the following:

''(B) HARMONIZATION WITH SUSPENSION AGREEMENT.—

''(i) IN GENERAL.—If, not later than December 31, 2020, the Department of Commerce and the Russian Federation finalize an amendment to the Suspension Agreement to extend the Agreement, the import limitations under subparagraph (A) for a calendar year shall be superceded by any export limitations, including the associated calculation parameters, agreed to by the Department of Commerce as part of that amendment.

''(ii) TERMINATION OF SUSPENSION AGREEMENT.—If the Suspension Agreement terminates or expires, the import limitations specified in subparagraph (A) shall—

''(I) take effect on the date on which the Suspension Agreement terminates or expires; and

''(II) apply in addition to any antidumping duties imposed pursuant to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.) with respect to low-enriched uranium produced in the Russian Federation.

''(C) SEPARATIVE WORK UNITS REQUIREMENT.—Not more than 25 percent of the quantity of low-enriched uranium produced in the Russian Federation and imported under subparagraph (A) in any year may be imported under contracts other than contracts exclusively for separative work units.'';

(B) in paragraph (3), by striking ''United States—'' and all that follows and inserting the following: ''United States for processing and to be certified for reexportation and not for consumption in the United States.'';

(C) in paragraph (5)—

(i) in subparagraph (A)—

(I) by striking ''reference data'' and all that follows through ''2019'' and inserting the following: ''lower scenario data in the document of the World Nuclear Association entitled 'Nuclear Fuel Report: Global Scenarios for Demand and Supply Availability 2019–2040'. In each of calendar years 2023, 2027, and 2031''; and

(II) by striking ''report or a subsequent report'' and inserting ''document'';

(ii) by redesignating subparagraphs (B) and (C) as subpagraphs (C) and (D), respectively;

(iii) by inserting after subparagraph (A) the following:

''(B) REPORT REQUIRED.—Not later than one year after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and every 3 years thereafter, the Secretary shall submit to Congress a report that includes—

''(i) a recommendation on the use of all publicly available data to ensure accurate forecasting by scenario data to comport to actual demand for low-enriched uranium for nuclear reactors in the United States; and

''(ii) an identification of the steps to be taken to adjust the import limitations described in paragraph (2)(A) based on the most accurate scenario data.''; and

(iv) in subparagraph (D), as redesignated by clause (ii), by striking ''subparagraph (B)'' and inserting ''subparagraph (D)'';

(D) in paragraph (6), in the matter preceding subparagraph (A), by striking ''the adjustment under paragraph (5)(A)'' and inserting ''any adjustment under paragraph (2)(B) or (5)(A)'';

(E) in paragraph (7)(A), by striking ''0.3 percent'' and inserting ''0.22 percent'';

(F) in paragraph (9), by striking ''2020'' and inserting ''2035'';

(G) by striking ''(2)(B)'' each place it appears and inserting ''(2)(D)''; and

(H) in paragraph (12)(B), by inserting ''or the Suspension Agreement'' after ''the Russian HEU Agreement''.

(b) APPLICABILITY.—The amendments made by subsection (a) apply with respect to uranium imported from the Russian Federation on or after January 1, 2021.

SEC. 3160. INTEGRATION OF STOCKPILE STEWARDSHIP AND NONPROLIFERATION MISSIONS.

(a) SENSE OF SENATE.—It is the sense of the Senate that, in recognition of the close relationships between the nuclear weapons expertise and infrastructure of the national security laboratories (as defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501)), those laboratories should continue to apply their capabilities to assessing, understanding, and countering current and emerging nuclear threats, including the nuclear capabilities of adversaries of the United States.

(b) INTEGRATION.—The Secretary of Energy shall ensure that the capabilities of the stockpile stewardship program under section 4201 of the Atomic Energy Defense Act (50 U.S.C. 2521) are available to assess proliferation challenges, nuclear capabilities of adversaries of the United States, and related safeguards.

SEC. 3161. TECHNOLOGY DEVELOPMENT AND INTEGRATION PROGRAM.

The Administrator for Nuclear Security shall establish a technology development and integration program to improve the safety and security of the nuclear weapons stockpile, and to prevent proliferation, through research and development, engineering, and integration of technologies applicable to multiple weapons systems in the stockpile.

SEC. 3162. ADVANCED MANUFACTURING DEVELOPMENT PROGRAM.

The Administrator for Nuclear Security shall establish an advanced manufacturing development program to focus on the development, demonstration, and deployment of next-generation processes and manufacturing tools to ensure that the nuclear weapons stockpile is safe and secure.

SEC. 3163. MATERIALS SCIENCE PROGRAM.

The Administrator for Nuclear Security shall establish a materials science program to develop new materials to replace materials that are no longer available for weapons sustainment.

SEC. 3164. MODIFICATIONS TO INERTIAL CONFINEMENT FUSION IGNITION AND HIGH YIELD PROGRAM.

(a) IN GENERAL.—The Inertial Confinement Fusion Ignition and High Yield Program of the National Nuclear Security Administration (in this section referred to as the ''Program'') shall provide the scientific understanding and experimental capabilities required to validate the safety and effectiveness of the nuclear weapons stockpile.

(b) RECOMMENDATIONS RELATING TO HIGH ENERGY DENSITY PHYSICS.—

(1) ESTABLISHMENT OF WORKING GROUP.—The Administrator for Nuclear Security shall establish a working group to identify and implement any recommendations issued by the National Academies of Sciences, Engineering, and Medicine as required by section 3137 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

(2) REPORT REQUIRED.—Not later than March 31, 2021, the Administrator shall submit to the congressional defense committees a report on the timelines for completing implementation of the recommendations described in paragraph (1).

SEC. 3165. EARNED VALUE MANAGEMENT PROGRAM FOR LIFE EXTENSION PROGRAMS.

(a) IN GENERAL.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

''SEC. 4223. EARNED VALUE MANAGEMENT PROGRAM FOR LIFE EXTENSION PROGRAMS.

''(a) IN GENERAL.—The Administrator shall establish an earned value management program to establish earned value management standards—

''(1) to ensure specific benchmarks are set for technology readiness for life extension programs; and

''(2) to ensure that appropriate risk mitigation measures are taken to meet the cost and schedule requirements of such programs.

''(b) REVIEW OF CONTRACTOR EARNED VALUE MANAGEMENT SYSTEMS.—The Administrator shall enter into an arrangement with an independent entity under which that entity shall review and determine whether the earned value management standards of contractors of the Administration for life extension programs are consistent with the standards established under subsection (a).

''(c) RECONCILIATION OF COST ESTIMATES.—The Administrator shall ensure that key decisions of the Administration concerning project milestones in life extension programs are based on a reconciliation of cost estimates of the Administration with any independent cost estimates conducted by the Director of Cost Estimating and Program Evaluation.''.

(b) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by inserting after the item relating to section 4222 the following new item:

''Sec. 4223. Earned value management program for life extension programs.''.

SEC. 3166. USE OF HIGH PERFORMANCE COMPUTING CAPABILITIES FOR COVID–19 RESEARCH.

The Secretary of Energy shall make the unclassified high performance computing capabilities of the Department of Energy available for research relating to the coronavirus disease 2019 (commonly known as ''COVID–19'') so long as and to the extent that doing so does not negatively affect the stockpile stewardship mission of the National Nuclear Security Administration.

SEC. 3167. AVAILABILITY OF STOCKPILE RESPONSIVENESS FUNDS FOR PROJECTS TO REDUCE TIME NECESSARY TO EXECUTE A NUCLEAR TEST.

From amounts authorized to be appropriated by section 3101 and available, as specified in the funding table in section 4701, for the Stockpile Responsiveness Program under section 4220 of the Atomic Energy Defense Act (50 U.S.C. 2538b), not less than $10,000,000 shall be made available to carry out projects related to reducing the time required to execute a nuclear test if necessary.

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.).

SEC. 3202. NONPUBLIC COLLABORATIVE DISCUSSIONS BY DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

Section 313 of the Atomic Energy Act of 1954 (42 U.S.C. 2286b) is amended by adding at the end the following new subsection:

''(k) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

''(1) IN GENERAL.—Notwithstanding section 552b of title 5, United States Code, a quorum of the members of the Board may hold a meeting that is not open to public observation to discuss official business of the Board if—

''(A) no formal or informal vote or other official action is taken at the meeting;

''(B) each individual present at the meeting is a member or an employee of the Board;

''(C) at least one member of the Board from each political party is present at the meeting, unless all members of the Board are of the same political party at the time of the meeting; and

''(D) the general counsel of the Board, or a designee of the general counsel, is present at the meeting.

''(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—

''(A) IN GENERAL.—Except as provided by subparagraph (B), not later than two business days after the conclusion of a meeting described in paragraph (1), the Board shall make available to the public, in a place easily accessible to the public—

''(i) a list of the individuals present at the meeting; and

''(ii) a summary of the matters, including key issues, discussed at the meeting, except for any matter the Board properly determines may be withheld from the public under section 552b(c) of title 5, United States Code.

''(B) INFORMATION ABOUT MATTERS WITHHELD FROM PUBLIC.—If the Board properly determines under subparagraph (A)(ii) that a matter may be withheld from the public under section 552b(c) of title 5, United States Code, the Board shall include in the summary required by that subparagraph as much general information as possible with respect to the matter.

''(3) RULES OF CONSTRUCTION.—Nothing in this subsection may be construed—

''(A) to limit the applicability of section 552b of title 5, United States Code, with respect to—

''(i) a meeting of the members of the Board other than a meeting described in paragraph (1); or

''(ii) any information that is proposed to be withheld from the public under paragraph (2)(A)(ii); or

''(B) to authorize the Board to withhold from any individual any record that is accessible to that individual under section 552a of title 5, United States Code.''.

SEC. 3203. IMPROVEMENTS TO OPERATIONS OF DEFENSE NUCLEAR FACILITIES SAFETY BOARD.

(a) MISSION OF BOARD.—Section 312(a) of the Atomic Energy Act of 1954 (42 U.S.C. 2286a(a)) is amended by striking ''employees and contractors at such facilities'' and inserting ''workers at such facilities conducting activities covered by part 830 of title 10, Code of Federal Regulations (or any successor regulation)''.

(b) COOPERATION.—Section 314(a) of the Atomic Energy Act of 1954 (42 U.S.C. 2286c(a)) is amended—

(1) by inserting ''(1)'' before ''Except''; and

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

''(2) For purposes of this subsection, the term 'unfettered access', with respect to a facility or personnel of or information related to a facility, means access equivalent to the access to the facility, personnel, or information provided to a regular employee of the facility, after proper identification and compliance with applicable access control measures for security, radiological protection, and personal safety.''.

TITLE XXXV—MARITIME ADMINISTRATION

SEC. 3501. MARITIME ADMINISTRATION.

Section 109 of title 49, United States Code, is amended to read as follows:

''§ 109. Maritime Administration

''(a) ORGANIZATION AND MISSION.—The Maritime Administration is an administration in the Department of Transportation. The mission of the Maritime Administration is to foster, promote, and develop the merchant maritime industry of the United States.

''(b) MARITIME ADMINISTRATOR.—The head of the Maritime Administration is the Maritime Administrator, who is appointed by the President by and with the advice and consent of the Senate. The Administrator shall

report directly to the Secretary of Transportation and carry out the duties prescribed by the Secretary.

''(c) DEPUTY MARITIME ADMINISTRATOR.—The Maritime Administration shall have a Deputy Maritime Administrator, who is appointed in the competitive service by the Secretary, after consultation with the Administrator. The Deputy Administrator shall carry out the duties prescribed by the Administrator. The Deputy Administrator shall be Acting Administrator during the absence or disability of the Administrator and, unless the Secretary designates another individual, during a vacancy in the office of Administrator.

''(d) DUTIES AND POWERS VESTED IN SECRETARY.—All duties and powers of the Maritime Administration are vested in the Secretary.

''(e) REGIONAL OFFICES.—The Maritime Administration shall have regional offices for the Atlantic, Gulf, Great Lakes, and Pacific port ranges, and may have other regional offices as necessary. The Secretary shall appoint a qualified individual as Director of each regional office. The Secretary shall carry out appropriate activities and programs of the Maritime Administration through the regional offices.

''(f) INTERAGENCY AND INDUSTRY RELATIONS.—The Secretary shall establish and maintain liaison with other agencies, and with representative trade organizations throughout the United States, concerned with the transportation of commodities by water in the export and import foreign commerce of the United States, for the purpose of securing preference to vessels of the United States for the transportation of those commodities.

''(g) DETAILING OFFICERS FROM ARMED FORCES.—To assist the Secretary in carrying out duties and powers relating to the Maritime Administration, not more than five officers of the Armed Forces may be detailed to the Secretary at any one time, in addition to details authorized by any other law. During the period of a detail, the Secretary shall pay the officer an amount that, when added to the officer's pay and allowances as an officer in the Armed Forces, makes the officer's total pay and allowances equal to the amount that would be paid to an individual performing work the Secretary considers to be of similar importance, difficulty, and responsibility as that performed by the officer during the detail.

''(h) CONTRACTS, COOPERATIVE AGREEMENTS, AND AUDITS.—

''(1) CONTRACTS AND COOPERATIVE AGREEMENTS.—In the same manner that a private corporation may make a contract within the scope of its authority under its charter, the Secretary may make contracts and cooperative agreements for the United States Government and disburse amounts to—

''(A) carry out the Secretary's duties and powers under this section, subtitle V of title 46, and all other Maritime Administration programs; and

''(B) protect, preserve, and improve collateral held by the Secretary to secure indebtedness.

''(2) AUDITS.—The financial transactions of the Secretary under paragraph (1) shall be audited by the Comptroller General. The Comptroller General shall allow credit for an expenditure shown to be necessary because of the nature of the business activities authorized by this section or subtitle V of title 46. At least once a year, the Comptroller General shall report to Congress any departure by the Secretary from this section or subtitle V of title 46.

''(i) GRANT ADMINISTRATIVE EXPENSES.—Except as otherwise provided by law, the administrative and related expenses for the administration of any grant programs by the Maritime Administrator may not exceed 3 percent.

''(j) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—Except as otherwise provided in this subsection, there are authorized to be appropriated such amounts as may be necessary to carry out the duties and powers of the Secretary relating to the Maritime Administration.

''(2) LIMITATIONS.—Only those amounts specifically authorized by law may be appropriated for the use of the Maritime Administration for—

''(A) acquisition, construction, or reconstruction of vessels;

''(B) construction-differential subsidies incident to the construction, reconstruction, or reconditioning of vessels;

''(C) costs of national defense features;

''(D) payments of obligations incurred for operating-differential subsidies;

''(E) expenses necessary for research and development activities, including reimbursement of the Vessel Operations Revolving Fund for losses resulting from expenses of experimental vessel operations;

''(F) the Vessel Operations Revolving Fund;

''(G) National Defense Reserve Fleet expenses;

''(H) expenses necessary to carry out part B of subtitle V of title 46; and

''(I) other operations and training expenses related to the development of waterborne transportation systems, the use of waterborne transportation systems, and general administration.''.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 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 1522 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 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	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
2	MQ–1 UAV	0	165,000
	Reverse planned temporary procurement pause		[165,000]
3	FUTURE UAS FAMILY	1,100	1,100
4	RQ–11 (RAVEN)	20,851	20,851
	ROTARY		
7	AH–64 APACHE BLOCK IIIA REMAN	792,027	792,027
8	AH–64 APACHE BLOCK IIIA REMAN AP	169,460	169,460
11	UH–60 BLACKHAWK M MODEL (MYP)	742,998	742,998
12	UH–60 BLACKHAWK M MODEL (MYP) AP	87,427	87,427
13	UH–60 BLACK HAWK L AND V MODELS	172,797	172,797
14	CH–47 HELICOPTER	160,750	160,750
15	CH–47 HELICOPTER AP	18,372	18,372
	MODIFICATION OF AIRCRAFT		
18	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	7,509	7,509
19	GRAY EAGLE MODS2	16,280	16,280
20	MULTI SENSOR ABN RECON (MIP)	35,864	35,864
21	AH–64 MODS	118,316	118,316
22	CH–47 CARGO HELICOPTER MODS (MYP)	15,548	35,548
	IVCS		[20,000]
23	GRCS SEMA MODS (MIP)	2,947	2,947
24	ARL SEMA MODS (MIP)	9,598	9,598

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
25	EMARSS SEMA MODS (MIP)	2,452	2,452
26	UTILITY/CARGO AIRPLANE MODS	13,868	13,868
27	UTILITY HELICOPTER MODS	25,842	25,842
28	NETWORK AND MISSION PLAN	77,432	77,432
29	COMMS, NAV SURVEILLANCE	101,355	101,355
31	AVIATION ASSURED PNT	54,609	54,609
32	GATM ROLLUP	12,180	12,180
34	UAS MODS	4,204	4,204
	GROUND SUPPORT AVIONICS		
35	AIRCRAFT SURVIVABILITY EQUIPMENT	49,455	49,455
36	SURVIVABILITY CM	8,035	8,035
37	CMWS	10,567	10,567
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	237,467	237,467
	OTHER SUPPORT		
39	AVIONICS SUPPORT EQUIPMENT	1,789	1,789
40	COMMON GROUND EQUIPMENT	17,584	17,584
41	AIRCREW INTEGRATED SYSTEMS	48,265	48,265
42	AIR TRAFFIC CONTROL	26,408	26,408
44	LAUNCHER, 2.75 ROCKET	2,256	2,256
45	LAUNCHER GUIDED MISSILE: LONGBOW HELLFIRE XM2	8,982	8,982
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**3,074,594**	**3,259,594**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
2	M-SHORAD—PROCUREMENT	378,654	378,654
3	MSE MISSILE	603,188	779,773
	Transfer missiles from EDI OCO		[176,585]
4	PRECISION STRIKE MISSILE (PRSM)	49,941	49,941
5	INDIRECT FIRE PROTECTION CAPABILITY INC 2–I	106,261	65,761
	Army-identified funding early to need		[–40,500]
	AIR-TO-SURFACE MISSILE SYSTEM		
6	HELLFIRE SYS SUMMARY	91,225	91,225
7	JOINT AIR-TO-GROUND MSLS (JAGM)	213,397	213,397
8	LONG RANGE PRECISION MUNITION	45,307	45,307
	ANTI-TANK/ASSAULT MISSILE SYS		
9	JAVELIN (AAWS-M) SYSTEM SUMMARY	190,325	190,325
10	TOW 2 SYSTEM SUMMARY	121,074	121,074
11	GUIDED MLRS ROCKET (GMLRS)	850,157	850,157
12	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	30,836	30,836
13	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	41,226	41,226
	MODIFICATIONS		
16	PATRIOT MODS	278,050	278,050
17	ATACMS MODS	141,690	141,690
20	AVENGER MODS	13,942	13,942
21	ITAS/TOW MODS	5,666	5,666
22	MLRS MODS	310,419	310,419
23	HIMARS MODIFICATIONS	6,081	6,081
	SPARES AND REPAIR PARTS		
24	SPARES AND REPAIR PARTS	5,090	5,090
	SUPPORT EQUIPMENT & FACILITIES		
25	AIR DEFENSE TARGETS	8,978	8,978
	TOTAL MISSILE PROCUREMENT, ARMY	**3,491,507**	**3,627,592**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
2	ARMORED MULTI PURPOSE VEHICLE (AMPV)	192,971	172,971
	Program decrease		[–20,000]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
4	STRYKER UPGRADE	847,212	847,212
5	BRADLEY PROGRAM (MOD)	493,109	473,109
	UBIS slip		[–20,000]
6	M109 FOV MODIFICATIONS	26,893	26,893
7	PALADIN INTEGRATED MANAGEMENT (PIM)	435,825	435,825
9	ASSAULT BRIDGE (MOD)	5,074	5,074
10	ASSAULT BREACHER VEHICLE	19,500	19,500
11	M88 FOV MODS	18,382	13,382
	Unjustified growth		[–5,000]
12	JOINT ASSAULT BRIDGE	72,178	61,678
	IOTE and testing delay		[–10,500]
13	M1 ABRAMS TANK (MOD)	392,013	392,013
14	ABRAMS UPGRADE PROGRAM	1,033,253	1,033,253
	WEAPONS & OTHER COMBAT VEHICLES		
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	17,864	17,864
18	MORTAR SYSTEMS	10,288	10,288
19	XM320 GRENADE LAUNCHER MODULE (GLM)	5,969	5,969
20	PRECISION SNIPER RIFLE	10,137	10,137
21	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM	999	999
22	CARBINE	7,411	7,411
23	NEXT GENERATION SQUAD WEAPON	35,822	35,822
24	COMMON REMOTELY OPERATED WEAPONS STATION	24,534	24,534
25	HANDGUN	4,662	4,662
	MOD OF WEAPONS AND OTHER COMBAT VEH		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
26	MK–19 GRENADE MACHINE GUN MODS	6,444	6,444
27	M777 MODS	10,983	10,983
28	M4 CARBINE MODS	4,824	4,824
31	M240 MEDIUM MACHINE GUN MODS	6,385	6,385
32	SNIPER RIFLES MODIFICATIONS	1,898	1,898
33	M119 MODIFICATIONS	2,009	2,009
34	MORTAR MODIFICATION	1,689	1,689
35	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	2,604	2,604
	SUPPORT EQUIPMENT & FACILITIES		
36	ITEMS LESS THAN $5.0M (WOCV-WTCV)	2,763	2,763
37	PRODUCTION BASE SUPPORT (WOCV-WTCV)	3,045	3,045
	TOTAL PROCUREMENT OF W&TCV, ARMY	**3,696,740**	**3,641,240**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	68,472	68,472
2	CTG, 7.62MM, ALL TYPES	109,933	109,933
3	NEXT GENERATION SQUAD WEAPON AMMUNITION	11,988	11,988
4	CTG, HANDGUN, ALL TYPES	853	853
5	CTG, .50 CAL, ALL TYPES	58,280	58,280
6	CTG, 20MM, ALL TYPES	31,708	31,708
7	CTG, 25MM, ALL TYPES	9,111	9,111
8	CTG, 30MM, ALL TYPES	58,172	58,172
9	CTG, 40MM, ALL TYPES	114,638	114,638
	MORTAR AMMUNITION		
10	60MM MORTAR, ALL TYPES	31,222	31,222
11	81MM MORTAR, ALL TYPES	42,857	42,857
12	120MM MORTAR, ALL TYPES	107,762	107,762
	TANK AMMUNITION		
13	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	233,444	233,444
	ARTILLERY AMMUNITION		
14	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	35,963	35,963
15	ARTILLERY PROJECTILE, 155MM, ALL TYPES	293,692	293,692
16	PROJ 155MM EXTENDED RANGE M982	69,159	69,159
17	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	232,913	232,913
	MINES		
18	MINES & CLEARING CHARGES, ALL TYPES	65,278	65,278
19	CLOSE TERRAIN SHAPING OBSTACLE	4,995	4,995
	ROCKETS		
20	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	69,112	69,112
21	ROCKET, HYDRA 70, ALL TYPES	125,915	125,915
	OTHER AMMUNITION		
22	CAD/PAD, ALL TYPES	8,891	8,891
23	DEMOLITION MUNITIONS, ALL TYPES	54,043	54,043
24	GRENADES, ALL TYPES	28,931	28,931
25	SIGNALS, ALL TYPES	27,036	27,036
26	SIMULATORS, ALL TYPES	10,253	10,253
	MISCELLANEOUS		
27	AMMO COMPONENTS, ALL TYPES	3,476	3,476
29	ITEMS LESS THAN $5 MILLION (AMMO)	10,569	10,569
30	AMMUNITION PECULIAR EQUIPMENT	12,338	12,338
31	FIRST DESTINATION TRANSPORTATION (AMMO)	15,908	15,908
32	CLOSEOUT LIABILITIES	99	99
	PRODUCTION BASE SUPPORT		
33	INDUSTRIAL FACILITIES	592,224	592,224
34	CONVENTIONAL MUNITIONS DEMILITARIZATION	235,112	235,112
35	ARMS INITIATIVE	3,369	3,369
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**2,777,716**	**2,777,716**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
1	TACTICAL TRAILERS/DOLLY SETS	12,986	12,986
2	SEMITRAILERS, FLATBED:	31,443	31,443
3	SEMITRAILERS, TANKERS	17,082	17,082
4	HI MOB MULTI-PURP WHLD VEH (HMMWV)	44,795	44,795
5	GROUND MOBILITY VEHICLES (GMV)	37,932	37,932
8	JOINT LIGHT TACTICAL VEHICLE FAMILY OF VEHICL	894,414	894,414
9	TRUCK, DUMP, 20T (CCE)	29,368	29,368
10	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	95,092	95,092
11	FAMILY OF COLD WEATHER ALL-TERRAIN VEHICLE (C	999	999
12	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	27,687	27,687
14	PLS ESP	21,969	21,969
15	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	65,635	65,635
16	HMMWV RECAPITALIZATION PROGRAM	5,927	5,927
17	TACTICAL WHEELED VEHICLE PROTECTION KITS	36,497	36,497
18	MODIFICATION OF IN SVC EQUIP	114,977	114,977
	NON-TACTICAL VEHICLES		
20	PASSENGER CARRYING VEHICLES	1,246	1,246
21	NONTACTICAL VEHICLES, OTHER	19,870	19,870
	COMM—JOINT COMMUNICATIONS		
22	SIGNAL MODERNIZATION PROGRAM	160,469	160,469
23	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	360,379	365,379

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	MDTF scalable node equipment		[5,000]
24	SITUATION INFORMATION TRANSPORT	63,396	63,396
26	JCSE EQUIPMENT (USRDECOM)	5,170	5,170
	COMM—SATELLITE COMMUNICATIONS		
29	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	101,498	101,498
30	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	72,450	74,850
	AFRICOM force protection upgrades		[1,000]
	MDTF support requirements		[1,400]
31	SHF TERM	13,173	13,173
32	ASSURED POSITIONING, NAVIGATION AND TIMING	134,928	134,928
33	SMART-T (SPACE)	8,611	8,611
34	GLOBAL BRDCST SVC—GBS	8,191	8,191
	COMM—C3 SYSTEM		
36	COE TACTICAL SERVER INFRASTRUCTURE (TSI)	94,871	94,871
	COMM—COMBAT COMMUNICATIONS		
37	HANDHELD MANPACK SMALL FORM FIT (HMS)	550,848	552,348
	AFRICOM force protection upgrades		[1,500]
38	RADIO TERMINAL SET, MIDS LVT(2)	8,237	8,237
41	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	13,967	0
	Program cancelation		[–13,967]
43	UNIFIED COMMAND SUITE	19,579	19,579
44	COTS COMMUNICATIONS EQUIPMENT	94,156	94,156
45	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	18,313	18,313
46	ARMY COMMUNICATIONS & ELECTRONICS	51,480	51,480
	COMM—INTELLIGENCE COMM		
48	CI AUTOMATION ARCHITECTURE (MIP)	13,146	13,146
49	DEFENSE MILITARY DECEPTION INITIATIVE	5,624	5,624
	INFORMATION SECURITY		
51	INFORMATION SYSTEM SECURITY PROGRAM-ISSP	4,596	4,596
52	COMMUNICATIONS SECURITY (COMSEC)	159,272	159,272
53	DEFENSIVE CYBER OPERATIONS	54,753	55,653
	MDTF cyber defense and EW tools		[900]
54	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	1,760	1,760
56	ITEMS LESS THAN $5M (INFO SECURITY)	260	260
	COMM—LONG HAUL COMMUNICATIONS		
57	BASE SUPPORT COMMUNICATIONS	29,761	30,761
	AFRICOM UFR force protection upgrades		[1,000]
	COMM—BASE COMMUNICATIONS		
58	INFORMATION SYSTEMS	147,696	147,696
59	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,900	4,900
60	HOME STATION MISSION COMMAND CENTERS (HSMCC)	15,227	15,227
61	JOINT INFORMATION ENVIRONMENT (JIE)	3,177	3,177
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	300,035	300,035
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
65	JTT/CIBS-M (MIP)	5,304	5,304
66	TERRESTRIAL LAYER SYSTEMS (TLS) (MIP)	8,081	8,081
68	DCGS-A (MIP)	151,886	151,886
70	TROJAN (MIP)	17,593	17,593
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	28,558	28,558
73	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	999	999
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
75	LIGHTWEIGHT COUNTER MORTAR RADAR	5,332	5,332
76	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	7,849	7,849
77	AIR VIGILANCE (AV) (MIP)	8,160	8,160
79	MULTI-FUNCTION ELECTRONIC WARFARE (MFEW) SYST	8,669	8,669
81	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	0	13,400
	MDTF advanced intel systems remote collection		[13,400]
82	CI MODERNIZATION (MIP)	300	300
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
83	SENTINEL MODS	58,884	58,884
84	NIGHT VISION DEVICES	1,127,375	1,127,375
86	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	13,954	13,954
88	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	10,069	14,069
	AFRICOM UFR force protection upgrades		[4,000]
89	FAMILY OF WEAPON SIGHTS (FWS)	133,590	133,590
91	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	243,850	243,850
92	JOINT EFFECTS TARGETING SYSTEM (JETS)	69,641	69,641
94	COMPUTER BALLISTICS: LHMBC XM32	7,509	7,509
95	MORTAR FIRE CONTROL SYSTEM	3,800	3,800
96	MORTAR FIRE CONTROL SYSTEMS MODIFICATIONS	7,292	7,292
97	COUNTERFIRE RADARS	72,421	72,421
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
98	ARMY COMMAND POST INTEGRATED INFRASTRUCTURE (	49,947	49,947
99	FIRE SUPPORT C2 FAMILY	9,390	9,390
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	47,374	47,374
101	IAMD BATTLE COMMAND SYSTEM	201,587	201,587
102	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	4,495	4,495
103	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,651	18,651
105	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	2,792	2,792
106	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	9,071	9,071
107	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	12,117	12,117
108	MOD OF IN-SVC EQUIPMENT (ENFIRE)	3,004	3,004

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	14,574	14,574
110	AUTOMATED DATA PROCESSING EQUIP	140,619	140,619
111	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	4,448	4,448
112	HIGH PERF COMPUTING MOD PGM (HPCMP)	68,405	68,405
113	CONTRACT WRITING SYSTEM	8,459	8,459
114	CSS COMMUNICATIONS	57,651	57,651
115	RESERVE COMPONENT AUTOMATION SYS (RCAS)	14,848	14,848
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
117	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	4,995	4,995
	ELECT EQUIP—SUPPORT		
119	BCT EMERGING TECHNOLOGIES	16,983	20,883
	MDTF advanced intel systems remote collection		[3,900]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	1,582	1,582
	CHEMICAL DEFENSIVE EQUIPMENT		
123	CBRN DEFENSE	28,456	42,456
	WMD CST equipment		[14,000]
124	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	13,995	13,995
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	10,545	10,545
126	TACTICAL BRIDGE, FLOAT-RIBBON	72,074	72,074
127	BRIDGE SUPPLEMENTAL SET	32,493	32,493
128	COMMON BRIDGE TRANSPORTER (CBT) RECAP	62,978	62,978
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
129	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,570	5,570
130	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	2,497	2,497
132	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	109,069	109,069
134	EOD ROBOTICS SYSTEMS RECAPITALIZATION	36,584	36,584
135	ROBOTICS AND APPLIQUE SYSTEMS	179,544	179,544
137	RENDER SAFE SETS KITS OUTFITS	64,583	64,583
139	FAMILY OF BOATS AND MOTORS	5,289	5,289
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND 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	59,485
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	40,337	40,337
153	ITEMS LESS THAN $5.0M (MAINT EQ)	5,386	5,386
	CONSTRUCTION EQUIPMENT		
154	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	5,406	5,406
155	SCRAPERS, EARTHMOVING	4,188	4,188
156	LOADERS	4,521	4,521
157	HYDRAULIC EXCAVATOR	5,186	5,186
158	TRACTOR, FULL TRACKED	4,715	4,715
159	ALL TERRAIN CRANES	70,560	70,560
162	CONST EQUIP ESP	8,925	8,925
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
164	ARMY WATERCRAFT ESP	40,910	40,910
165	MANEUVER SUPPORT VESSEL (MSV)	76,576	76,576
166	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	1,844	1,844
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	53,433	53,433
168	TACTICAL ELECTRIC POWER RECAPITALIZATION	22,216	22,216
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	16,145	16,145
	TRAINING EQUIPMENT		
170	COMBAT TRAINING CENTERS SUPPORT	90,580	90,580
171	TRAINING DEVICES, NONSYSTEM	161,814	161,814
172	SYNTHETIC TRAINING ENVIRONMENT (STE)	13,063	13,063
175	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	1,950	1,950
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
176	CALIBRATION SETS EQUIPMENT	2,511	2,511
177	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	78,578	78,578
178	TEST EQUIPMENT MODERNIZATION (TEMOD)	14,941	14,941
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,629	8,629
181	PHYSICAL SECURITY SYSTEMS (OPA3)	75,499	87,499
	AFRICOM UFR force protection upgrades		[12,000]
182	BASE LEVEL COMMON EQUIPMENT	27,444	27,444
183	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	32,485	48,385
	Expeditionary Solid Waste Disposal System		[15,900]
187	SPECIAL EQUIPMENT FOR TEST AND EVALUATION	39,436	39,436
	OPA2		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
189	INITIAL SPARES—C&E	9,950	9,950
	TOTAL OTHER PROCUREMENT, ARMY	**8,625,206**	**8,685,239**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
1	F/A–18E/F (FIGHTER) HORNET	1,761,146	1,761,146
3	JOINT STRIKE FIGHTER CV	2,181,780	2,381,780
	Additional aircraft		[200,000]
4	JOINT STRIKE FIGHTER CV AP	330,386	330,386
5	JSF STOVL	1,109,393	1,234,893
	Additional 2 F–35B aircraft		[125,500]
6	JSF STOVL AP	303,035	303,035
7	CH–53K (HEAVY LIFT)	813,324	793,324
	Force Design 2030 realignment NRE excess		[–20,000]
8	CH–53K (HEAVY LIFT) AP	201,188	191,188
	Force Design 2030 realignment		[–10,000]
9	V–22 (MEDIUM LIFT)	934,793	934,793
10	V–22 (MEDIUM LIFT) AP	39,547	39,547
11	H–1 UPGRADES (UH–1Y/AH–1Z)	7,267	7,267
13	P–8A POSEIDON	80,134	80,134
15	E–2D ADV HAWKEYE	626,109	626,109
16	E–2D ADV HAWKEYE AP	123,166	123,166
	TRAINER AIRCRAFT		
17	ADVANCED HELICOPTER TRAINING SYSTEM	269,867	269,867
	OTHER AIRCRAFT		
18	KC–130J	380,984	380,984
19	KC–130J AP	67,022	67,022
21	MQ–4 TRITON	150,570	100,570
	Excess funding given procurement pause until FY23		[–50,000]
23	MQ–8 UAV	40,375	40,375
24	STUASL0 UAV	30,930	30,930
26	VH–92A EXECUTIVE HELO	610,231	610,231
	MODIFICATION OF AIRCRAFT		
28	F–18 A-D UNIQUE	208,261	208,261
29	F–18E/F AND EA–18G MODERNIZATION AND SUSTAINM	468,954	468,954
30	AEA SYSTEMS	21,061	21,061
31	AV–8 SERIES	34,082	34,082
32	INFRARED SEARCH AND TRACK (IRST)	158,055	158,055
33	ADVERSARY	42,946	42,946
34	F–18 SERIES	379,351	379,351
35	H–53 SERIES	74,771	74,771
36	MH–60 SERIES	131,584	131,584
37	H–1 SERIES	185,140	185,140
38	EP–3 SERIES	26,602	26,602
40	E–2 SERIES	175,540	175,540
41	TRAINER A/C SERIES	7,085	7,085
42	C–2A	9,525	9,525
43	C–130 SERIES	141,705	141,705
44	FEWSG	684	684
45	CARGO/TRANSPORT A/C SERIES	8,911	8,911
46	E–6 SERIES	197,206	197,206
47	EXECUTIVE HELICOPTERS SERIES	29,086	29,086
49	T–45 SERIES	155,745	155,745
50	POWER PLANT CHANGES	24,633	24,633
51	JPATS SERIES	22,682	22,682
52	AVIATION LIFE SUPPORT MODS	40,401	45,401
	Aviation body armor vest		[5,000]
53	COMMON ECM EQUIPMENT	138,480	138,480
54	COMMON AVIONICS CHANGES	143,322	143,322
55	COMMON DEFENSIVE WEAPON SYSTEM	2,142	2,142
56	ID SYSTEMS	35,999	35,999
57	P–8 SERIES	180,530	180,530
58	MAGTF EW FOR AVIATION	27,794	27,794
59	MQ–8 SERIES	28,774	28,774
60	V–22 (TILT/ROTOR ACFT) OSPREY	334,405	334,405
61	NEXT GENERATION JAMMER (NGJ)	176,638	176,638
62	F–35 STOVL SERIES	153,588	153,588
63	F–35 CV SERIES	105,452	105,452
64	QRC	126,618	126,618
65	MQ–4 SERIES	12,998	12,998
66	RQ–21 SERIES	18,550	18,550
	AIRCRAFT SPARES AND REPAIR PARTS		
70	SPARES AND REPAIR PARTS	2,198,460	2,228,460
	Additional F–35B/C spares		[30,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
71	COMMON GROUND EQUIPMENT	543,559	543,559
72	AIRCRAFT INDUSTRIAL FACILITIES	75,685	75,685
73	WAR CONSUMABLES	40,633	40,633
74	OTHER PRODUCTION CHARGES	21,194	21,194
75	SPECIAL SUPPORT EQUIPMENT	155,179	155,179
76	FIRST DESTINATION TRANSPORTATION	2,121	2,121
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**17,127,378**	**17,407,878**

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
1	TRIDENT II MODS	1,173,837	1,173,837
	SUPPORT EQUIPMENT & FACILITIES		
2	MISSILE INDUSTRIAL FACILITIES	7,275	7,275
	STRATEGIC MISSILES		
3	TOMAHAWK	277,694	303,694
	Program increase for USMC Tomahawk		[26,000]
	TACTICAL MISSILES		
4	AMRAAM	326,952	326,952
5	SIDEWINDER	126,485	126,485
7	STANDARD MISSILE	456,206	456,206
8	STANDARD MISSILE AP	66,716	66,716
9	SMALL DIAMETER BOMB II	78,867	78,867
10	RAM	90,533	90,533
11	JOINT AIR GROUND MISSILE (JAGM)	49,386	49,386
14	AERIAL TARGETS	174,336	174,336
15	DRONES AND DECOYS	41,256	41,256
16	OTHER MISSILE SUPPORT	3,501	3,501
17	LRASM	168,845	203,845
	Additional Navy LRASM missiles		[35,000]
18	LCS OTH MISSILE	32,910	32,910
	MODIFICATION OF MISSILES		
19	TOMAHAWK MODS	164,915	164,915
20	ESSM	215,375	215,375
22	HARM MODS	147,572	147,572
23	STANDARD MISSILES MODS	83,654	83,654
	SUPPORT EQUIPMENT & FACILITIES		
24	WEAPONS INDUSTRIAL FACILITIES	1,996	1,996
25	FLEET SATELLITE COMM FOLLOW-ON	53,401	53,401
	ORDNANCE SUPPORT EQUIPMENT		
27	ORDNANCE SUPPORT EQUIPMENT	215,659	215,659
	TORPEDOES AND RELATED EQUIP		
28	SSTD	5,811	3,611
	Insufficient justification for ADC non-recurring costs		[–2,200]
29	MK–48 TORPEDO	284,901	284,901
30	ASW TARGETS	13,833	13,833
	MOD OF TORPEDOES AND RELATED EQUIP		
31	MK–54 TORPEDO MODS	110,286	100,286
	Mk 54 Mod 0 production delays		[–10,000]
32	MK–48 TORPEDO ADCAP MODS	57,214	57,214
33	MARITIME MINES	5,832	5,832
	SUPPORT EQUIPMENT		
34	TORPEDO SUPPORT EQUIPMENT	97,581	97,581
35	ASW RANGE SUPPORT	4,159	4,159
	DESTINATION TRANSPORTATION		
36	FIRST DESTINATION TRANSPORTATION	4,106	4,106
	GUNS AND GUN MOUNTS		
37	SMALL ARMS AND WEAPONS	16,030	16,030
	MODIFICATION OF GUNS AND GUN MOUNTS		
38	CIWS MODS	37,147	37,147
39	COAST GUARD WEAPONS	45,804	45,804
40	GUN MOUNT MODS	74,427	74,427
41	LCS MODULE WEAPONS	4,253	4,253
42	AIRBORNE MINE NEUTRALIZATION SYSTEMS	6,662	6,662
	SPARES AND REPAIR PARTS		
45	SPARES AND REPAIR PARTS	159,578	159,578
	TOTAL WEAPONS PROCUREMENT, NAVY	**4,884,995**	**4,933,795**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
1	GENERAL PURPOSE BOMBS	41,496	41,496
2	JDAM	64,631	64,631
3	AIRBORNE ROCKETS, ALL TYPES	60,719	60,719
4	MACHINE GUN AMMUNITION	11,158	11,158
5	PRACTICE BOMBS	51,409	51,409
6	CARTRIDGES & CART ACTUATED DEVICES	64,694	64,694
7	AIR EXPENDABLE COUNTERMEASURES	51,523	51,523
8	JATOS	6,761	6,761
9	5 INCH/54 GUN AMMUNITION	31,517	31,517
10	INTERMEDIATE CALIBER GUN AMMUNITION	38,005	38,005
11	OTHER SHIP GUN AMMUNITION	40,626	40,626
12	SMALL ARMS & LANDING PARTY AMMO	48,202	48,202
13	PYROTECHNIC AND DEMOLITION	9,766	9,766
15	AMMUNITION LESS THAN $5 MILLION	2,115	2,115
	MARINE CORPS AMMUNITION		
16	MORTARS	46,781	46,781
17	DIRECT SUPPORT MUNITIONS	119,504	119,504
18	INFANTRY WEAPONS AMMUNITION	83,220	83,220
19	COMBAT SUPPORT MUNITIONS	32,650	32,650
20	AMMO MODERNIZATION	15,144	15,144

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
21	ARTILLERY MUNITIONS	59,539	59,539
22	ITEMS LESS THAN $5 MILLION	4,142	4,142
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**883,602**	**883,602**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
1	OHIO REPLACEMENT SUBMARINE	2,891,475	2,891,475
2	OHIO REPLACEMENT SUBMARINE AP	1,123,175	1,298,175
	Submarine supplier stability		[175,000]
	OTHER WARSHIPS		
3	CARRIER REPLACEMENT PROGRAM	997,544	997,544
4	CVN–81	1,645,606	1,645,606
5	VIRGINIA CLASS SUBMARINE	2,334,693	2,260,293
	Unjustified cost growth		[–74,400]
6	VIRGINIA CLASS SUBMARINE AP	1,901,187	2,373,187
	Long lead material for option ship		[472,000]
7	CVN REFUELING OVERHAULS	1,878,453	1,878,453
8	CVN REFUELING OVERHAULS AP	17,384	17,384
9	DDG 1000	78,205	78,205
10	DDG–51	3,040,270	3,010,270
	Available prior-year funds		[–30,000]
11	DDG–51 AP	29,297	464,297
	LLTM for FY22 DDG–51s		[260,000]
	Surface ship supplier stability		[175,000]
13	FFG-FRIGATE	1,053,123	1,053,123
	AMPHIBIOUS SHIPS		
14	LPD FLIGHT II	1,155,801	905,801
	Transfer to Line 15		[–250,000]
15	LPD FLIGHT II AP	0	500,000
	LPD–32 and LPD–33 program increase		[250,000]
	Transfer from Line 14 for LPD–32 and LPD–33		[250,000]
17	LHA REPLACEMENT	0	250,000
	LHA–9 program increase		[250,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
22	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	168,209	168,209
23	LCU 1700	87,395	70,395
	Insufficient justification		[–17,000]
24	OUTFITTING	825,586	747,286
	Unjustified cost growth		[–78,300]
26	SERVICE CRAFT	249,781	275,281
	Accelerate YP–703 Flight II		[25,500]
27	LCAC SLEP	56,461	0
	Insufficient justification		[–56,461]
28	COMPLETION OF PY SHIPBUILDING PROGRAMS	369,112	369,112
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**19,902,757**	**21,254,096**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
1	SURFACE POWER EQUIPMENT	11,738	11,738
	GENERATORS		
2	SURFACE COMBATANT HM&E	58,497	38,497
	Hardware and software upgrades for 5 previously procured HED ship sets		[15,000]
	HED installation early to need		[–35,000]
	NAVIGATION EQUIPMENT		
3	OTHER NAVIGATION EQUIPMENT	74,084	74,084
	OTHER SHIPBOARD EQUIPMENT		
4	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	204,806	204,806
5	DDG MOD	547,569	497,569
	Installation excess unit cost growth		[–50,000]
6	FIREFIGHTING EQUIPMENT	18,394	18,394
7	COMMAND AND CONTROL SWITCHBOARD	2,374	2,374
8	LHA/LHD MIDLIFE	78,265	78,265
9	POLLUTION CONTROL EQUIPMENT	23,035	23,035
10	SUBMARINE SUPPORT EQUIPMENT	64,632	64,632
11	VIRGINIA CLASS SUPPORT EQUIPMENT	22,868	22,868
12	LCS CLASS SUPPORT EQUIPMENT	3,976	3,976
13	SUBMARINE BATTERIES	31,322	31,322
14	LPD CLASS SUPPORT EQUIPMENT	50,475	50,475
15	DDG 1000 CLASS SUPPORT EQUIPMENT	42,279	42,279
16	STRATEGIC PLATFORM SUPPORT EQUIP	15,429	15,429
17	DSSP EQUIPMENT	2,918	2,918
18	CG MODERNIZATION	87,978	87,978
19	LCAC	9,366	9,366
20	UNDERWATER EOD EQUIPMENT	16,842	16,842
21	ITEMS LESS THAN $5 MILLION	105,715	105,715
22	CHEMICAL WARFARE DETECTORS	3,044	3,044
23	SUBMARINE LIFE SUPPORT SYSTEM	5,885	5,885
	REACTOR PLANT EQUIPMENT		
24	SHIP MAINTENANCE, REPAIR AND MODERNIZATION	1,260,721	1,260,721
25	REACTOR POWER UNITS	5,305	5,305
26	REACTOR COMPONENTS	415,404	415,404
	OCEAN ENGINEERING		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
27	DIVING AND SALVAGE EQUIPMENT	11,143	11,143
	SMALL BOATS		
28	STANDARD BOATS	52,371	52,371
	PRODUCTION FACILITIES EQUIPMENT		
29	OPERATING FORCES IPE	233,667	233,667
	OTHER SHIP SUPPORT		
30	LCS COMMON MISSION MODULES EQUIPMENT	39,714	17,414
	MCM containers and MPCE sonar processing insufficient justification		[–22,300]
31	LCS MCM MISSION MODULES	218,822	95,322
	Excess procurement ahead of satisfactory testing		[–123,500]
32	LCS ASW MISSION MODULES	61,759	4,759
	Excess procurement ahead of satisfactory testing		[–57,000]
33	LCS SUW MISSION MODULES	24,412	24,412
34	LCS IN-SERVICE MODERNIZATION	121,848	121,848
35	SMALL & MEDIUM UUV	67,709	37,609
	SMCM UUV excess procurement ahead of satisfactory testing		[–30,100]
	SHIP SONARS		
37	SPQ–9B RADAR	27,517	27,517
38	AN/SQQ–89 SURF ASW COMBAT SYSTEM	128,664	128,664
39	SSN ACOUSTIC EQUIPMENT	374,737	374,737
40	UNDERSEA WARFARE SUPPORT EQUIPMENT	9,286	9,286
	ASW ELECTRONIC EQUIPMENT		
41	SUBMARINE ACOUSTIC WARFARE SYSTEM	26,066	26,066
42	SSTD	13,241	13,241
43	FIXED SURVEILLANCE SYSTEM	193,446	193,446
44	SURTASS	63,838	63,838
	ELECTRONIC WARFARE EQUIPMENT		
45	AN/SLQ–32	387,195	330,795
	Early to need		[–56,400]
	RECONNAISSANCE EQUIPMENT		
46	SHIPBOARD IW EXPLOIT	235,744	235,744
47	AUTOMATED IDENTIFICATION SYSTEM (AIS)	3,862	3,862
	OTHER SHIP ELECTRONIC EQUIPMENT		
48	COOPERATIVE ENGAGEMENT CAPABILITY	26,006	18,706
	Common Array Block antenna program delays		[–7,300]
49	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	15,385	15,385
50	ATDLS	103,835	103,835
51	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	3,594	3,594
52	MINESWEEPING SYSTEM REPLACEMENT	15,744	15,744
53	SHALLOW WATER MCM	5,493	5,493
54	NAVSTAR GPS RECEIVERS (SPACE)	38,043	38,043
55	AMERICAN FORCES RADIO AND TV SERVICE	2,592	2,592
56	STRATEGIC PLATFORM SUPPORT EQUIP	7,985	7,985
	AVIATION ELECTRONIC EQUIPMENT		
57	ASHORE ATC EQUIPMENT	83,475	83,475
58	AFLOAT ATC EQUIPMENT	65,113	65,113
59	ID SYSTEMS	23,815	23,815
60	JOINT PRECISION APPROACH AND LANDING SYSTEM (	100,751	100,751
61	NAVAL MISSION PLANNING SYSTEMS	13,947	13,947
	OTHER SHORE ELECTRONIC EQUIPMENT		
62	MARITIME INTEGRATED BROADCAST SYSTEM	1,375	1,375
63	TACTICAL/MOBILE C4I SYSTEMS	22,771	22,771
64	DCGS-N	18,872	18,872
65	CANES	389,585	389,585
66	RADIAC	10,335	10,335
67	CANES-INTELL	48,654	48,654
68	GPETE	8,133	8,133
69	MASF	4,150	4,150
70	INTEG COMBAT SYSTEM TEST FACILITY	5,934	5,934
71	EMI CONTROL INSTRUMENTATION	4,334	4,334
72	ITEMS LESS THAN $5 MILLION	159,815	105,015
	NGSSR available prior year funds		[–54,800]
	SHIPBOARD COMMUNICATIONS		
73	SHIPBOARD TACTICAL COMMUNICATIONS	56,106	56,106
74	SHIP COMMUNICATIONS AUTOMATION	124,288	124,288
75	COMMUNICATIONS ITEMS UNDER $5M	45,120	45,120
	SUBMARINE COMMUNICATIONS		
76	SUBMARINE BROADCAST SUPPORT	31,133	31,133
77	SUBMARINE COMMUNICATION EQUIPMENT	62,214	62,214
	SATELLITE COMMUNICATIONS		
78	SATELLITE COMMUNICATIONS SYSTEMS	47,421	47,421
79	NAVY MULTIBAND TERMINAL (NMT)	64,552	64,552
	SHORE COMMUNICATIONS		
80	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,398	4,398
	CRYPTOGRAPHIC EQUIPMENT		
81	INFO SYSTEMS SECURITY PROGRAM (ISSP)	157,551	157,551
82	MIO INTEL EXPLOITATION TEAM	985	985
	CRYPTOLOGIC EQUIPMENT		
83	CRYPTOLOGIC COMMUNICATIONS EQUIP	15,906	15,906
	OTHER ELECTRONIC SUPPORT		
90	COAST GUARD EQUIPMENT	70,689	70,689
	SONOBUOYS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
92	SONOBUOYS—ALL TYPES	237,639	286,739
	Program increase for sonobuoys		[49,100]
	AIRCRAFT SUPPORT EQUIPMENT		
93	MINOTAUR	5,077	5,077
94	WEAPONS RANGE SUPPORT EQUIPMENT	83,969	83,969
95	AIRCRAFT SUPPORT EQUIPMENT	187,758	187,758
96	ADVANCED ARRESTING GEAR (AAG)	16,059	16,059
97	METEOROLOGICAL EQUIPMENT	15,192	15,192
99	LEGACY AIRBORNE MCM	6,674	6,674
100	LAMPS EQUIPMENT	1,189	1,189
101	AVIATION SUPPORT EQUIPMENT	58,873	58,873
102	UMCS-UNMAN CARRIER AVIATION(UCA)MISSION CNTRL	60,937	60,937
	SHIP GUN SYSTEM EQUIPMENT		
103	SHIP GUN SYSTEMS EQUIPMENT	5,540	5,540
	SHIP MISSILE SYSTEMS EQUIPMENT		
104	HARPOON SUPPORT EQUIPMENT	208	208
105	SHIP MISSILE SUPPORT EQUIPMENT	262,077	262,077
106	TOMAHAWK SUPPORT EQUIPMENT	84,087	84,087
	FBM SUPPORT EQUIPMENT		
107	STRATEGIC MISSILE SYSTEMS EQUIP	258,910	258,910
	ASW SUPPORT EQUIPMENT		
108	SSN COMBAT CONTROL SYSTEMS	173,770	173,770
109	ASW SUPPORT EQUIPMENT	26,584	26,584
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	7,470	7,470
111	ITEMS LESS THAN $5 MILLION	6,356	6,356
	OTHER EXPENDABLE ORDNANCE		
112	ANTI-SHIP MISSILE DECOY SYSTEM	86,356	86,356
113	SUBMARINE TRAINING DEVICE MODS	69,240	69,240
114	SURFACE TRAINING EQUIPMENT	192,245	192,245
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	6,123	6,123
116	GENERAL PURPOSE TRUCKS	2,693	2,693
117	CONSTRUCTION & MAINTENANCE EQUIP	47,301	47,301
118	FIRE FIGHTING EQUIPMENT	10,352	10,352
119	TACTICAL VEHICLES	31,475	31,475
121	POLLUTION CONTROL EQUIPMENT	2,630	2,630
122	ITEMS LESS THAN $5 MILLION	47,972	47,972
123	PHYSICAL SECURITY VEHICLES	1,171	1,171
	SUPPLY SUPPORT EQUIPMENT		
124	SUPPLY EQUIPMENT	19,693	19,693
125	FIRST DESTINATION TRANSPORTATION	4,956	4,956
126	SPECIAL PURPOSE SUPPLY SYSTEMS	668,639	668,639
	TRAINING DEVICES		
127	TRAINING SUPPORT EQUIPMENT	4,026	4,026
128	TRAINING AND EDUCATION EQUIPMENT	73,454	73,454
	COMMAND SUPPORT EQUIPMENT		
129	COMMAND SUPPORT EQUIPMENT	32,390	32,390
130	MEDICAL SUPPORT EQUIPMENT	974	974
132	NAVAL MIP SUPPORT EQUIPMENT	5,606	5,606
133	OPERATING FORCES SUPPORT EQUIPMENT	16,024	16,024
134	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		
9999	CLASSIFIED PROGRAMS	18,446	18,446
	SPARES AND REPAIR PARTS		
142	SPARES AND REPAIR PARTS	374,195	374,195
	TOTAL OTHER PROCUREMENT, NAVY	**10,948,518**	**10,576,218**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
1	AAV7A1 PIP	87,476	87,476
2	AMPHIBIOUS COMBAT VEHICLE FAMILY OF VEHICLES	478,874	478,874
3	LAV PIP	41,988	41,988
	ARTILLERY AND OTHER WEAPONS		
4	155MM LIGHTWEIGHT TOWED HOWITZER	59	59
5	ARTILLERY WEAPONS SYSTEM	174,687	234,287
	Ground-Based Anti-Ship Missile NSM		[59,600]
6	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	24,867	24,867
	OTHER SUPPORT		
7	MODIFICATION KITS	3,067	3,067
	GUIDED MISSILES		
8	GROUND BASED AIR DEFENSE	18,920	18,920
9	ANTI-ARMOR MISSILE-JAVELIN	19,888	19,888
10	FAMILY ANTI-ARMOR WEAPON SYSTEMS (FOAAWS)	21,891	21,891
11	ANTI-ARMOR MISSILE-TOW	34,985	34,985
12	GUIDED MLRS ROCKET (GMLRS)	133,689	133,689

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	COMMAND AND CONTROL SYSTEMS		
13	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	35,057	35,057
	REPAIR AND TEST EQUIPMENT		
14	REPAIR AND TEST EQUIPMENT	24,405	24,405
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	1,006	1,006
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
16	ITEMS UNDER $5 MILLION (COMM & ELEC)	69,725	69,725
17	AIR OPERATIONS C2 SYSTEMS	15,611	15,611
	RADAR + EQUIPMENT (NON-TEL)		
19	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	284,283	284,283
	INTELL/COMM EQUIPMENT (NON-TEL)		
20	GCSS-MC	1,587	1,587
21	FIRE SUPPORT SYSTEM	24,934	24,934
22	INTELLIGENCE SUPPORT EQUIPMENT	50,728	50,728
24	UNMANNED AIR SYSTEMS (INTEL)	24,853	24,853
25	DCGS-MC	38,260	38,260
26	UAS PAYLOADS	5,489	5,489
	OTHER SUPPORT (NON-TEL)		
29	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	78,922	78,922
30	COMMON COMPUTER RESOURCES	35,349	35,349
31	COMMAND POST SYSTEMS	33,713	33,713
32	RADIO SYSTEMS	343,250	343,250
33	COMM SWITCHING & CONTROL SYSTEMS	40,627	40,627
34	COMM & ELEC INFRASTRUCTURE SUPPORT	43,782	43,782
35	CYBERSPACE ACTIVITIES	53,896	53,896
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	3,797	3,797
	ADMINISTRATIVE VEHICLES		
37	COMMERCIAL CARGO VEHICLES	22,460	22,460
	TACTICAL VEHICLES		
38	MOTOR TRANSPORT MODIFICATIONS	10,739	10,739
39	JOINT LIGHT TACTICAL VEHICLE	381,675	381,675
40	FAMILY OF TACTICAL TRAILERS	2,963	2,963
	ENGINEER AND OTHER EQUIPMENT		
42	ENVIRONMENTAL CONTROL EQUIP ASSORT	385	385
43	TACTICAL FUEL SYSTEMS	501	501
44	POWER EQUIPMENT ASSORTED	23,430	23,430
45	AMPHIBIOUS SUPPORT EQUIPMENT	5,752	5,752
46	EOD SYSTEMS	20,939	20,939
	MATERIALS HANDLING EQUIPMENT		
47	PHYSICAL SECURITY EQUIPMENT	23,063	23,063
	GENERAL PROPERTY		
48	FIELD MEDICAL EQUIPMENT	4,187	4,187
49	TRAINING DEVICES	101,765	101,765
50	FAMILY OF CONSTRUCTION EQUIPMENT	19,305	19,305
51	ULTRA-LIGHT TACTICAL VEHICLE (ULTV)	678	678
	OTHER SUPPORT		
52	ITEMS LESS THAN $5 MILLION	9,174	9,174
	SPARES AND REPAIR PARTS		
53	SPARES AND REPAIR PARTS	27,295	27,295
	TOTAL PROCUREMENT, MARINE CORPS	**2,903,976**	**2,963,576**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
1	F–35	4,567,018	5,543,685
	Additional 12 F–35As		[976,667]
2	F–35	610,800	610,800
4	F–15EX	1,269,847	1,269,847
5	F–15EX	133,500	133,500
	TACTICAL AIRLIFT		
7	KC–46A MDAP	2,850,151	2,850,151
	OTHER AIRLIFT		
8	C–130J	37,131	37,131
10	MC–130J	362,807	362,807
11	MC–130J	39,987	39,987
	HELICOPTERS		
12	UH–1N REPLACEMENT	194,016	194,016
13	COMBAT RESCUE HELICOPTER	973,473	973,473
	MISSION SUPPORT AIRCRAFT		
15	CIVIL AIR PATROL A/C	2,811	2,811
	OTHER AIRCRAFT		
16	TARGET DRONES	133,273	133,273
18	COMPASS CALL	161,117	161,117
20	MQ–9	29,409	79,409
	Program increase		[50,000]
	STRATEGIC AIRCRAFT		
22	B–1	3,853	0
	USAF-requested transfer to RDAF Line 174		[–3,853]
23	B–2A	31,476	31,476
24	B–1B	21,808	21,315
	USAF-requested transfer to RDAF Line 174		[–493]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
25	B–52	53,949	53,949
26	LARGE AIRCRAFT INFRARED COUNTERMEASURES	9,999	9,999
	TACTICAL AIRCRAFT		
27	A–10	135,793	135,793
28	E–11 BACN/HAG	33,645	33,645
29	F–15	349,304	349,304
30	F–16	615,760	640,760
	Additional radars		[25,000]
32	F–22A	387,905	387,905
33	F–35 MODIFICATIONS	322,185	322,185
34	F–15 EPAW	31,995	31,995
35	INCREMENT 3.2B	5,889	5,889
36	KC–46A MDAP	24,085	24,085
	AIRLIFT AIRCRAFT		
37	C–5	62,108	62,108
38	C–17A	66,798	66,798
40	C–32A	2,947	2,947
41	C–37A	12,985	12,985
	TRAINER AIRCRAFT		
42	GLIDER MODS	977	977
43	T–6	26,829	26,829
44	T–1	4,465	4,465
45	T–38	36,806	44,506
	T–38 ejection seats		[7,700]
	OTHER AIRCRAFT		
46	U–2 MODS	110,618	110,618
47	KC–10A (ATCA)	117	117
49	VC–25A MOD	1,983	1,983
50	C–40	9,252	9,252
51	C–130	5,871	5,871
52	C–130J MODS	140,032	140,032
53	C–135	88,250	88,250
55	COMPASS CALL	193,389	193,389
57	RC–135	191,332	191,332
58	E–3	172,141	172,141
59	E–4	58,803	44,103
	Funds rephased to future fiscal years		[–14,700]
60	E–8	11,037	21,037
	Secure information transmission capability		[10,000]
61	AIRBORNE WARNING AND CNTRL SYS (AWACS) 40/45	53,343	53,343
62	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	1,573	1,573
63	H–1	4,410	4,410
64	H–60	44,538	44,538
65	RQ–4 MODS	40,468	40,468
66	HC/MC–130 MODIFICATIONS	20,780	20,780
67	OTHER AIRCRAFT	100,774	100,774
68	MQ–9 MODS	188,387	188,387
70	CV–22 MODS	122,306	127,306
	CV–22 ABSS		[5,000]
	AIRCRAFT SPARES AND REPAIR PARTS		
71	INITIAL SPARES/REPAIR PARTS	926,683	956,683
	F–35A initial spares increase		[30,000]
	COMMON SUPPORT EQUIPMENT		
73	AIRCRAFT REPLACEMENT SUPPORT EQUIP	132,719	132,719
	POST PRODUCTION SUPPORT		
74	B–2A	1,683	1,683
75	B–2B	46,734	46,734
76	B–52	1,034	1,034
79	E–11 BACN/HAG	63,419	63,419
80	F–15	2,632	2,632
81	F–16	14,163	14,163
83	OTHER AIRCRAFT	4,595	4,595
84	RQ–4 POST PRODUCTION CHARGES	32,585	32,585
	INDUSTRIAL PREPAREDNESS		
85	INDUSTRIAL RESPONSIVENESS	18,215	18,215
	WAR CONSUMABLES		
86	WAR CONSUMABLES	36,046	36,046
	OTHER PRODUCTION CHARGES		
87	OTHER PRODUCTION CHARGES	1,439,640	1,514,640
	Classified increase		[75,000]
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	21,692	21,692
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**17,908,145**	**19,068,466**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
1	MISSILE REPLACEMENT EQ-BALLISTIC	75,012	75,012
	TACTICAL		
2	REPLAC EQUIP & WAR CONSUMABLES	4,495	4,495
4	JOINT AIR-SURFACE STANDOFF MISSILE	475,949	400,949
	Realignment to support NDS requirements in Pacific		[–75,000]
5	LRASM0	19,800	94,800

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	Additional Air Force LRASM missiles		[75,000]
6	SIDEWINDER (AIM–9X)	164,769	164,769
7	AMRAAM	453,223	453,223
8	PREDATOR HELLFIRE MISSILE	40,129	40,129
9	SMALL DIAMETER BOMB	45,475	45,475
10	SMALL DIAMETER BOMB II	273,272	273,272
	INDUSTRIAL FACILITIES		
11	INDUSTR'L PREPAREDNS/POL PREVENTION	814	814
	CLASS IV		
13	ICBM FUZE MOD	3,458	3,458
14	ICBM FUZE MOD AP	43,450	43,450
15	MM III MODIFICATIONS	85,310	85,310
16	AGM–65D MAVERICK	298	298
17	AIR LAUNCH CRUISE MISSILE (ALCM)	52,924	52,924
	MISSILE SPARES AND REPAIR PARTS		
18	MSL SPRS/REPAIR PARTS (INITIAL)	9,402	9,402
19	MSL SPRS/REPAIR PARTS (REPLEN)	84,671	84,671
	SPECIAL PROGRAMS		
25	SPECIAL UPDATE PROGRAMS	23,501	23,501
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	540,465	540,465
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,396,417**	**2,396,417**
	PROCUREMENT, SPACE FORCE		
	SPACE PROCUREMENT, SF		
1	ADVANCED EHF	14,823	14,823
2	AF SATELLITE COMM SYSTEM	48,326	48,326
3	COUNTERSPACE SYSTEMS	65,540	65,540
4	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	66,190	66,190
5	GENERAL INFORMATION TECH—SPACE	3,299	3,299
6	GPSIII FOLLOW ON	627,796	627,796
7	GPS III SPACE SEGMENT	20,122	20,122
8	GLOBAL POSTIONING (SPACE)	2,256	2,256
9	SPACEBORNE EQUIP (COMSEC)	35,495	35,495
10	MILSATCOM	15,795	15,795
11	SBIR HIGH (SPACE)	160,891	160,891
12	SPECIAL SPACE ACTIVITIES	78,387	78,387
13	NATIONAL SECURITY SPACE LAUNCH	1,043,171	1,043,171
14	NUDET DETECTION SYSTEM	6,638	6,638
15	ROCKET SYSTEMS LAUNCH PROGRAM	47,741	47,741
16	SPACE FENCE	11,279	11,279
17	SPACE MODS	96,551	109,051
	Cobra Dane service life extension		[12,500]
18	SPACELIFT RANGE SYSTEM SPACE	100,492	100,492
	SPARES		
19	SPARES AND REPAIR PARTS	1,272	1,272
	TOTAL PROCUREMENT, SPACE FORCE	**2,446,064**	**2,458,564**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	14,962	14,962
	CARTRIDGES		
2	CARTRIDGES	123,365	123,365
	BOMBS		
3	PRACTICE BOMBS	59,725	59,725
6	JOINT DIRECT ATTACK MUNITION	206,989	206,989
7	B61	35,634	35,634
	OTHER ITEMS		
9	CAD/PAD	47,830	47,830
10	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	6,232	6,232
11	SPARES AND REPAIR PARTS	542	542
12	MODIFICATIONS	1,310	1,310
13	ITEMS LESS THAN $5,000,000	4,753	4,753
	FLARES		
15	FLARES	40,088	40,088
	FUZES		
16	FUZES	40,983	40,983
	SMALL ARMS		
17	SMALL ARMS	13,925	13,925
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**596,338**	**596,338**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	9,016	9,016
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	15,058	15,058
3	CAP VEHICLES	1,059	1,059
4	CARGO AND UTILITY VEHICLES	38,920	38,920
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	30,544	30,544
6	SECURITY AND TACTICAL VEHICLES	319	319
7	SPECIAL PURPOSE VEHICLES	43,157	43,157

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	8,621	8,621
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	12,897	12,897
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	3,577	3,577
11	BASE MAINTENANCE SUPPORT VEHICLES	43,095	43,095
	COMM SECURITY EQUIPMENT(COMSEC)		
13	COMSEC EQUIPMENT	54,864	54,864
	INTELLIGENCE PROGRAMS		
14	INTERNATIONAL INTEL TECH & ARCHITECTURES	9,283	10,783
	PDI: Mission Partner Environment BICES-X local upgrades		[1,500]
15	INTELLIGENCE TRAINING EQUIPMENT	6,849	6,849
16	INTELLIGENCE COMM EQUIPMENT	33,471	33,471
	ELECTRONICS PROGRAMS		
17	AIR TRAFFIC CONTROL & LANDING SYS	29,409	29,409
18	BATTLE CONTROL SYSTEM—FIXED	7,909	7,909
19	THEATER AIR CONTROL SYS IMPROVEMEN	32,632	32,632
20	WEATHER OBSERVATION FORECAST	33,021	33,021
21	STRATEGIC COMMAND AND CONTROL	31,353	31,353
22	CHEYENNE MOUNTAIN COMPLEX	10,314	10,314
23	MISSION PLANNING SYSTEMS	15,132	15,132
25	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,806	9,806
	SPCL COMM-ELECTRONICS PROJECTS		
26	GENERAL INFORMATION TECHNOLOGY	39,887	39,887
27	AF GLOBAL COMMAND & CONTROL SYS	2,602	2,602
29	MOBILITY COMMAND AND CONTROL	10,541	10,541
30	AIR FORCE PHYSICAL SECURITY SYSTEM	96,277	96,277
31	COMBAT TRAINING RANGES	195,185	195,185
32	MINIMUM ESSENTIAL EMERGENCY COMM N	29,664	29,664
33	WIDE AREA SURVEILLANCE (WAS)	59,633	59,633
34	C3 COUNTERMEASURES	105,584	105,584
36	DEFENSE ENTERPRISE ACCOUNTING & MGT SYS	899	899
38	THEATER BATTLE MGT C2 SYSTEM	3,392	3,392
39	AIR & SPACE OPERATIONS CENTER (AOC)	24,983	24,983
	AIR FORCE COMMUNICATIONS		
41	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	19,147	19,147
42	AFNET	84,515	84,515
43	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	6,185	6,185
44	USCENTCOM	19,649	19,649
45	USSTRATCOM	4,337	4,337
	ORGANIZATION AND BASE		
46	TACTICAL C-E EQUIPMENT	137,033	137,033
47	RADIO EQUIPMENT	15,264	15,264
49	BASE COMM INFRASTRUCTURE	132,281	146,281
	PDI: Mission Partner Environment PACNET		[14,000]
	MODIFICATIONS		
50	COMM ELECT MODS	21,471	21,471
	PERSONAL SAFETY & RESCUE EQUIP		
51	PERSONAL SAFETY AND RESCUE EQUIPMENT	49,578	49,578
	DEPOT PLANT+MTRLS HANDLING EQ		
52	POWER CONDITIONING EQUIPMENT	11,454	11,454
53	MECHANIZED MATERIAL HANDLING EQUIP	12,110	12,110
	BASE SUPPORT EQUIPMENT		
54	BASE PROCURED EQUIPMENT	21,142	21,142
55	ENGINEERING AND EOD EQUIPMENT	7,700	7,700
56	MOBILITY EQUIPMENT	18,266	22,966
	Insulation system for Air Force shelters		[4,700]
57	FUELS SUPPORT EQUIPMENT (FSE)	9,601	9,601
58	BASE MAINTENANCE AND SUPPORT EQUIPMENT	42,078	42,078
	SPECIAL SUPPORT PROJECTS		
60	DARP RC135	27,164	27,164
61	DCGS-AF	121,528	121,528
63	SPECIAL UPDATE PROGRAM	782,641	782,641
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	21,086,112	21,086,112
	SPARES AND REPAIR PARTS		
64	SPARES AND REPAIR PARTS (CYBER)	1,664	1,664
65	SPARES AND REPAIR PARTS	15,847	15,847
	TOTAL OTHER PROCUREMENT, AIR FORCE	**23,695,720**	**23,715,920**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DCMA		
2	MAJOR EQUIPMENT	1,398	1,398
	MAJOR EQUIPMENT, DCSA		
3	MAJOR EQUIPMENT	2,212	2,212
	MAJOR EQUIPMENT, DHRA		
5	PERSONNEL ADMINISTRATION	4,213	4,213
	MAJOR EQUIPMENT, DISA		
11	INFORMATION SYSTEMS SECURITY	17,211	17,211
12	TELEPORT PROGRAM	29,841	29,841
13	JOINT FORCES HEADQUARTERS—DODIN	3,091	3,091

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
14	ITEMS LESS THAN $5 MILLION	41,569	41,569
16	DEFENSE INFORMATION SYSTEM NETWORK	26,978	26,978
17	WHITE HOUSE COMMUNICATION AGENCY	44,161	44,161
18	SENIOR LEADERSHIP ENTERPRISE	35,935	35,935
19	JOINT REGIONAL SECURITY STACKS (JRSS)	88,741	77,641
	JRSS SIPR funding		[–11,100]
20	JOINT SERVICE PROVIDER	157,538	157,538
21	FOURTH ESTATE NETWORK OPTIMIZATION (4ENO)	42,084	42,084
	MAJOR EQUIPMENT, DLA		
23	MAJOR EQUIPMENT	417,459	417,459
	MAJOR EQUIPMENT, DMACT		
24	MAJOR EQUIPMENT	7,993	7,993
	MAJOR EQUIPMENT, DODEA		
25	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,319	1,319
	MAJOR EQUIPMENT, DPAA		
26	MAJOR EQUIPMENT, DPAA	500	500
	MAJOR EQUIPMENT, DEFENSE SECURITY COOPERATION AGENCY		
27	REGIONAL CENTER PROCUREMENT	1,598	1,598
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
28	VEHICLES	215	215
29	OTHER MAJOR EQUIPMENT	9,994	9,994
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
31	THAAD	495,396	601,796
	8th THAAD battery components		[76,300]
	HEMTT life-of-type buy		[30,100]
34	AEGIS BMD	356,195	356,195
35	AEGIS BMD AP	44,901	44,901
36	BMDS AN/TPY–2 RADARS	0	243,300
	8th THAAD battery radar equipment		[243,300]
37	SM–3 IIAS	218,322	346,322
	Additional SM–3 Block IIA interceptors		[128,000]
38	ARROW 3 UPPER TIER SYSTEMS	77,000	77,000
39	SHORT RANGE BALLISTIC MISSILE DEFENSE (SRBMD)	50,000	50,000
40	AEGIS ASHORE PHASE III	39,114	39,114
41	IRON DOME	73,000	73,000
42	AEGIS BMD HARDWARE AND SOFTWARE	104,241	104,241
	MAJOR EQUIPMENT, NSA		
48	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	101	101
	MAJOR EQUIPMENT, OSD		
49	MAJOR EQUIPMENT, OSD	3,099	3,099
	MAJOR EQUIPMENT, TJS		
50	MAJOR EQUIPMENT, TJS	8,329	8,329
51	MAJOR EQUIPMENT—TJS CYBER	1,247	1,247
	MAJOR EQUIPMENT, WHS		
53	MAJOR EQUIPMENT, WHS	515	515
	CLASSIFIED PROGRAMS		
9999	CLASSIFIED PROGRAMS	554,264	554,264
	AVIATION PROGRAMS		
55	ARMED OVERWATCH/TARGETING	101,000	0
	Lack of validated requirement and analysis		[–101,000]
56	MANNED ISR	0	40,100
	SOCOM DHC–8 combat loss replacement		[40,100]
59	ROTARY WING UPGRADES AND SUSTAINMENT	211,041	211,041
60	UNMANNED ISR	25,488	25,488
61	NON-STANDARD AVIATION	61,874	61,874
62	U–28	3,825	28,525
	SOCOM aircraft maintenance support combat loss replacement		[24,700]
63	MH–47 CHINOOK	135,482	135,482
64	CV–22 MODIFICATION	14,829	14,829
65	MQ–9 UNMANNED AERIAL VEHICLE	6,746	6,746
66	PRECISION STRIKE PACKAGE	243,111	243,111
67	AC/MC–130J	163,914	163,914
68	C–130 MODIFICATIONS	20,414	20,414
	SHIPBUILDING		
69	UNDERWATER SYSTEMS	20,556	20,556
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <$5M	186,197	186,197
	OTHER PROCUREMENT PROGRAMS		
71	INTELLIGENCE SYSTEMS	94,982	108,382
	Transfer from MMP-Light to man-pack		[13,400]
72	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	11,645	11,645
73	OTHER ITEMS <$5M	96,333	96,333
74	COMBATANT CRAFT SYSTEMS	17,278	17,278
75	SPECIAL PROGRAMS	78,865	78,865
76	TACTICAL VEHICLES	30,158	30,158
77	WARRIOR SYSTEMS <$5M	260,733	248,533
	MMP-Light unexecutable, transfer to man-pack		[–12,200]
78	COMBAT MISSION REQUIREMENTS	19,848	19,848
79	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	2,401	2,401
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	13,861	13,861
81	OPERATIONAL ENHANCEMENTS	247,038	259,538
	SOCOM Syria exfiltration reconsitution		[12,500]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	CBDP		
82	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	147,150	147,150
83	CB PROTECTION & HAZARD MITIGATION	149,944	149,944
	TOTAL PROCUREMENT, DEFENSE-WIDE	**5,324,487**	**5,768,587**
	TOTAL PROCUREMENT	**130,684,160**	**134,014,838**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	ROTARY		
9	AH–64 APACHE BLOCK IIIB NEW BUILD	69,154	69,154
14	CH–47 HELICOPTER	50,472	50,472
	MODIFICATION OF AIRCRAFT		
17	MQ–1 PAYLOAD (MIP)	5,968	5,968
20	MULTI SENSOR ABN RECON (MIP)	122,520	122,520
25	EMARSS SEMA MODS (MIP)	26,460	26,460
30	DEGRADED VISUAL ENVIRONMENT	1,916	1,916
	GROUND SUPPORT AVIONICS		
37	CMWS	149,162	149,162
38	COMMON INFRARED COUNTERMEASURES (CIRCM)	32,400	32,400
	OTHER SUPPORT		
41	AIRCREW INTEGRATED SYSTEMS	3,028	3,028
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**461,080**	**461,080**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
2	M-SHORAD—PROCUREMENT	158,300	158,300
3	MSE MISSILE	176,585	0
	Inappropriate for EDI, transfer to base		[–176,585]
	AIR-TO-SURFACE MISSILE SYSTEM		
6	HELLFIRE SYS SUMMARY	236,265	236,265
	ANTI-TANK/ASSAULT MISSILE SYS		
11	GUIDED MLRS ROCKET (GMLRS)	127,015	127,015
15	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	84,993	84,993
	MODIFICATIONS		
17	ATACMS MODS	78,434	78,434
22	MLRS MODS	20,000	20,000
	TOTAL MISSILE PROCUREMENT, ARMY	**881,592**	**705,007**
	PROCUREMENT OF W&TCV, ARMY		
	WEAPONS & OTHER COMBAT VEHICLES		
16	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	4,765	4,765
18	MORTAR SYSTEMS	10,460	10,460
	TOTAL PROCUREMENT OF W&TCV, ARMY	**15,225**	**15,225**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
1	CTG, 5.56MM, ALL TYPES	567	567
2	CTG, 7.62MM, ALL TYPES	40	40
4	CTG, HANDGUN, ALL TYPES	17	17
5	CTG, .50 CAL, ALL TYPES	189	189
8	CTG, 30MM, ALL TYPES	24,900	24,900
	ARTILLERY AMMUNITION		
16	PROJ 155MM EXTENDED RANGE M982	29,213	29,213
17	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	21,675	21,675
	ROCKETS		
20	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	176	176
21	ROCKET, HYDRA 70, ALL TYPES	33,880	33,880
	MISCELLANEOUS		
29	ITEMS LESS THAN $5 MILLION (AMMO)	11	11
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**110,668**	**110,668**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
13	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	6,500	6,500
14	PLS ESP	15,163	15,163
17	TACTICAL WHEELED VEHICLE PROTECTION KITS	27,066	27,066
	COMM—SATELLITE COMMUNICATIONS		
30	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	2,700	2,700
32	ASSURED POSITIONING, NAVIGATION AND TIMING	12,566	12,566
33	SMART-T (SPACE)	289	289
34	GLOBAL BRDCST SVC—GBS	319	319
	COMM—COMBAT COMMUNICATIONS		
45	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	1,257	1,257

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	COMM—INTELLIGENCE COMM		
48	CI AUTOMATION ARCHITECTURE (MIP)	1,230	1,230
	INFORMATION SECURITY		
52	COMMUNICATIONS SECURITY (COMSEC)	128	128
	COMM—BASE COMMUNICATIONS		
58	INFORMATION SYSTEMS	15,277	15,277
62	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	74,004	80,004
	EDI: NATO Response Force (NRF) networks		[6,000]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
68	DCGS-A (MIP)	47,709	47,709
70	TROJAN (MIP)	1,766	1,766
71	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	61,450	61,450
73	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	12,337	12,337
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
80	FAMILY OF PERSISTENT SURVEILLANCE CAP. (MIP)	44,293	44,293
81	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	49,100	49,100
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
83	SENTINEL MODS	33,496	33,496
84	NIGHT VISION DEVICES	643	643
87	RADIATION MONITORING SYSTEMS	11	11
88	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	37,000	37,000
94	COMPUTER BALLISTICS: LHMBC XM32	280	280
95	MORTAR FIRE CONTROL SYSTEM	13,672	13,672
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
100	AIR & MSL DEFENSE PLANNING & CONTROL SYS	15,143	15,143
	ELECT EQUIP—AUTOMATION		
109	ARMY TRAINING MODERNIZATION	4,688	4,688
110	AUTOMATED DATA PROCESSING EQUIP	16,552	16,552
	CHEMICAL DEFENSIVE EQUIPMENT		
121	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	25,480	25,480
122	BASE DEFENSE SYSTEMS (BDS)	98,960	98,960
123	CBRN DEFENSE	18,887	18,887
	BRIDGING EQUIPMENT		
125	TACTICAL BRIDGING	50,400	50,400
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
137	RENDER SAFE SETS KITS OUTFITS	84,000	84,000
	COMBAT SERVICE SUPPORT EQUIPMENT		
140	HEATERS AND ECU'S	370	370
142	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	3,721	3,721
145	FORCE PROVIDER	56,400	129,800
	EDI: Improvements to living quarters for rotational forces in Europe		[73,400]
146	FIELD FEEDING EQUIPMENT	2,279	2,279
147	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	2,040	2,040
	PETROLEUM EQUIPMENT		
150	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	4,374	4,374
	MEDICAL EQUIPMENT		
151	COMBAT SUPPORT MEDICAL	6,390	6,390
	MAINTENANCE EQUIPMENT		
152	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	7,769	7,769
153	ITEMS LESS THAN $5.0M (MAINT EQ)	184	184
	CONSTRUCTION EQUIPMENT		
156	LOADERS	3,190	3,190
157	HYDRAULIC EXCAVATOR	7,600	7,600
158	TRACTOR, FULL TRACKED	7,450	7,450
160	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	3,703	3,703
162	CONST EQUIP ESP	657	657
	GENERATORS		
167	GENERATORS AND ASSOCIATED EQUIP	106	106
	MATERIAL HANDLING EQUIPMENT		
169	FAMILY OF FORKLIFTS	1,885	1,885
	OTHER SUPPORT EQUIPMENT		
180	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	8,500
181	PHYSICAL SECURITY SYSTEMS (OPA3)	3,248	3,248
185	BUILDING, PRE-FAB, RELOCATABLE	31,845	31,845
	TOTAL OTHER PROCUREMENT, ARMY	**924,077**	**1,003,477**
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
24	STUASL0 UAV	7,921	7,921
	MODIFICATION OF AIRCRAFT		
53	COMMON ECM EQUIPMENT	3,474	3,474
55	COMMON DEFENSIVE WEAPON SYSTEM	3,339	3,339
64	QRC	18,507	18,507
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**33,241**	**33,241**
	WEAPONS PROCUREMENT, NAVY		
	TACTICAL MISSILES		
12	HELLFIRE	5,572	5,572
	TOTAL WEAPONS PROCUREMENT, NAVY	**5,572**	**5,572**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
1	GENERAL PURPOSE BOMBS	8,068	8,068
2	JDAM	15,529	15,529
3	AIRBORNE ROCKETS, ALL TYPES	23,000	23,000
4	MACHINE GUN AMMUNITION	22,600	22,600
6	CARTRIDGES & CART ACTUATED DEVICES	3,927	3,927
7	AIR EXPENDABLE COUNTERMEASURES	15,978	15,978
8	JATOS	2,100	2,100
11	OTHER SHIP GUN AMMUNITION	2,611	2,611
12	SMALL ARMS & LANDING PARTY AMMO	1,624	1,624
13	PYROTECHNIC AND DEMOLITION	505	505
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**95,942**	**95,942**
	OTHER PROCUREMENT, NAVY		
	SMALL BOATS		
28	STANDARD BOATS	19,104	19,104
	OTHER SHIP SUPPORT		
35	SMALL & MEDIUM UUV	2,946	2,946
	ASW ELECTRONIC EQUIPMENT		
43	FIXED SURVEILLANCE SYSTEM	213,000	213,000
	SONOBUOYS		
92	SONOBUOYS—ALL TYPES	26,196	26,196
	AIRCRAFT SUPPORT EQUIPMENT		
95	AIRCRAFT SUPPORT EQUIPMENT	60,217	60,217
	OTHER ORDNANCE SUPPORT EQUIPMENT		
110	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	2,124	2,124
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
115	PASSENGER CARRYING VEHICLES	177	177
116	GENERAL PURPOSE TRUCKS	416	416
118	FIRE FIGHTING EQUIPMENT	801	801
	SUPPLY SUPPORT EQUIPMENT		
125	FIRST DESTINATION TRANSPORTATION	520	520
	TRAINING DEVICES		
128	TRAINING AND EDUCATION EQUIPMENT	11,500	11,500
	COMMAND SUPPORT EQUIPMENT		
130	MEDICAL SUPPORT EQUIPMENT	3,525	3,525
136	PHYSICAL SECURITY EQUIPMENT	3,000	3,000
	TOTAL OTHER PROCUREMENT, NAVY	**343,526**	**343,526**
	PROCUREMENT, MARINE CORPS		
	GUIDED MISSILES		
12	GUIDED MLRS ROCKET (GMLRS)	17,456	17,456
	OTHER SUPPORT (TEL)		
15	MODIFICATION KITS	4,200	4,200
	INTELL/COMM EQUIPMENT (NON-TEL)		
22	INTELLIGENCE SUPPORT EQUIPMENT	10,124	10,124
	TACTICAL VEHICLES		
38	MOTOR TRANSPORT MODIFICATIONS	16,183	16,183
	TOTAL PROCUREMENT, MARINE CORPS	**47,963**	**47,963**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	HELICOPTERS		
13	COMBAT RESCUE HELICOPTER	174,000	174,000
	OTHER AIRCRAFT		
20	MQ–9	142,490	142,490
21	RQ–20B PUMA	13,770	13,770
	STRATEGIC AIRCRAFT		
26	LARGE AIRCRAFT INFRARED COUNTERMEASURES	57,521	57,521
	OTHER AIRCRAFT		
46	U–2 MODS	9,600	9,600
55	COMPASS CALL	12,800	12,800
66	HC/MC–130 MODIFICATIONS	58,020	58,020
69	MQ–9 UAS PAYLOADS	46,100	46,100
70	CV–22 MODS	6,290	6,290
	AIRCRAFT SPARES AND REPAIR PARTS		
71	INITIAL SPARES/REPAIR PARTS	10,700	10,700
72	MQ–9	12,250	12,250
	COMMON SUPPORT EQUIPMENT		
73	AIRCRAFT REPLACEMENT SUPPORT EQUIP	25,614	25,614
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**569,155**	**569,155**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
4	JOINT AIR-SURFACE STANDOFF MISSILE	30,000	30,000
8	PREDATOR HELLFIRE MISSILE	143,420	143,420
9	SMALL DIAMETER BOMB	50,352	50,352
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**223,772**	**223,772**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
1	ROCKETS	19,489	19,489
	CARTRIDGES		
2	CARTRIDGES	40,434	40,434

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	BOMBS		
4	GENERAL PURPOSE BOMBS	369,566	369,566
6	JOINT DIRECT ATTACK MUNITION	237,723	237,723
	FLARES		
15	FLARES	21,171	21,171
	FUZES		
16	FUZES	107,855	107,855
	SMALL ARMS		
17	SMALL ARMS	6,217	6,217
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**802,455**	**802,455**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
1	PASSENGER CARRYING VEHICLES	1,302	1,302
	CARGO AND UTILITY VEHICLES		
2	MEDIUM TACTICAL VEHICLE	3,400	3,400
4	CARGO AND UTILITY VEHICLES	12,475	12,475
	SPECIAL PURPOSE VEHICLES		
5	JOINT LIGHT TACTICAL VEHICLE	26,150	26,150
7	SPECIAL PURPOSE VEHICLES	51,254	51,254
	FIRE FIGHTING EQUIPMENT		
8	FIRE FIGHTING/CRASH RESCUE VEHICLES	24,903	24,903
	MATERIALS HANDLING EQUIPMENT		
9	MATERIALS HANDLING VEHICLES	14,167	14,167
	BASE MAINTENANCE SUPPORT		
10	RUNWAY SNOW REMOV AND CLEANING EQU	5,759	5,759
11	BASE MAINTENANCE SUPPORT VEHICLES	20,653	20,653
	SPCL COMM-ELECTRONICS PROJECTS		
26	GENERAL INFORMATION TECHNOLOGY	5,100	5,100
30	AIR FORCE PHYSICAL SECURITY SYSTEM	56,496	56,496
	ORGANIZATION AND BASE		
49	BASE COMM INFRASTRUCTURE	30,717	30,717
	BASE SUPPORT EQUIPMENT		
55	ENGINEERING AND EOD EQUIPMENT	13,172	13,172
56	MOBILITY EQUIPMENT	33,694	33,694
57	FUELS SUPPORT EQUIPMENT (FSE)	1,777	1,777
58	BASE MAINTENANCE AND SUPPORT EQUIPMENT	31,620	31,620
	SPECIAL SUPPORT PROJECTS		
61	DCGS-AF	18,700	18,700
	SPARES AND REPAIR PARTS		
65	SPARES AND REPAIR PARTS	4,000	4,000
	TOTAL OTHER PROCUREMENT, AIR FORCE	**355,339**	**355,339**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
16	DEFENSE INFORMATION SYSTEM NETWORK	6,120	6,120
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
30	COUNTER IMPROVISED THREAT TECHNOLOGIES	2,540	2,540
	CLASSIFIED PROGRAMS	3,500	3,500
	CLASSIFIED PROGRAMS		
	AVIATION PROGRAMS		
56	MANNED ISR	5,000	5,000
57	MC–12	5,000	5,000
60	UNMANNED ISR	8,207	8,207
	AMMUNITION PROGRAMS		
70	ORDNANCE ITEMS <$5M	105,355	105,355
	OTHER PROCUREMENT PROGRAMS		
71	INTELLIGENCE SYSTEMS	16,234	16,234
73	OTHER ITEMS <$5M	984	984
76	TACTICAL VEHICLES	2,990	2,990
77	WARRIOR SYSTEMS <$5M	32,573	32,573
78	COMBAT MISSION REQUIREMENTS	10,000	10,000
80	OPERATIONAL ENHANCEMENTS INTELLIGENCE	6,724	6,724
81	OPERATIONAL ENHANCEMENTS	53,264	53,264
	TOTAL PROCUREMENT, DEFENSE-WIDE	**258,491**	**258,491**
	TOTAL PROCUREMENT	**5,128,098**	**5,030,913**

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	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		BASIC RESEARCH		
2	0601102A	DEFENSE RESEARCH SCIENCES	303,257	315,257
		AI human performance optimization		[2,000]
		Increase in basic research		[10,000]
3	0601103A	UNIVERSITY RESEARCH INITIATIVES	67,148	67,148
4	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	87,877	87,877
5	0601121A	CYBER COLLABORATIVE RESEARCH ALLIANCE	5,077	5,077
		SUBTOTAL BASIC RESEARCH	**463,359**	**475,359**
		APPLIED RESEARCH		
7	0602115A	BIOMEDICAL TECHNOLOGY	11,835	15,835
		Pandemic vaccine response		[4,000]
11	0602134A	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	2,000	2,000
12	0602141A	LETHALITY TECHNOLOGY	42,425	45,425
		Hybrid additive manufacturing		[3,000]
13	0602142A	ARMY APPLIED RESEARCH	30,757	33,757
		Pathfinder Air Assault		[3,000]
14	0602143A	SOLDIER LETHALITY TECHNOLOGY	125,435	135,935
		Harnessing Emerging Research Opportunities to Empower Soldiers Program		[2,500]
		Metal-based display technologies		[3,000]
		Pathfinder Airborne		[5,000]
15	0602144A	GROUND TECHNOLOGY	28,047	30,047
		Ground technology advanced manufacturing, materials and process initiative		[2,000]
16	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	217,565	227,565
		Ground combat vehicle platform electrification		[2,000]
		Immersive virtual modeling and simulation techniques		[5,000]
		Next Generation Combat Vehicle modeling and simulation		[3,000]
17	0602146A	NETWORK C3I TECHNOLOGY	114,404	126,404
		Backpackable Communications Intelligence System		[5,000]
		Defense resiliency platform against extreme cold weather		[3,000]
		Multi-drone multi-sensor ISR capability		[2,000]
		Quantum computing base materials optimization		[2,000]
18	0602147A	LONG RANGE PRECISION FIRES TECHNOLOGY	60,553	67,553
		Composite artillery tube and propulsion prototyping		[7,000]
19	0602148A	FUTURE VERTICLE LIFT TECHNOLOGY	96,484	96,484
20	0602150A	AIR AND MISSILE DEFENSE TECHNOLOGY	56,298	66,298
		Counter unmanned aerial systems threat R&D		[5,000]
		Counter unmanned aircraft systems research		[5,000]
22	0602213A	C3I APPLIED CYBER	18,816	18,816
40	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,766	20,766
42	0602787A	MEDICAL TECHNOLOGY	95,496	97,496
		Research for coronavirus vaccine		[2,000]
		SUBTOTAL APPLIED RESEARCH	**920,881**	**984,381**
		ADVANCED TECHNOLOGY DEVELOPMENT		
44	0603002A	MEDICAL ADVANCED TECHNOLOGY	38,896	38,896
49	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	11,659	11,659
52	0603115A	MEDICAL DEVELOPMENT	27,723	27,723
53	0603117A	ARMY ADVANCED TECHNOLOGY DEVELOPMENT	62,663	62,663
54	0603118A	SOLDIER LETHALITY ADVANCED TECHNOLOGY	109,608	111,608
		3D advanced manufacturing		[2,000]
55	0603119A	GROUND ADVANCED TECHNOLOGY	14,795	20,795
		Cybersecurity for industrial control systems and building automation		[3,000]
		Graphene applications for military engineering		[3,000]
59	0603134A	COUNTER IMPROVISED-THREAT SIMULATION	25,000	25,000
63	0603457A	C3I CYBER ADVANCED DEVELOPMENT	23,357	23,357
64	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	188,024	193,024
		High performance computing modernization		[5,000]
65	0603462A	NEXT GENERATION COMBAT VEHICLE ADVANCED TECHNOLOGY	199,358	226,858
		Carbon fiber and graphitic composites		[10,000]
		Cyber and connected vehicle innovation research		[5,000]
		Small unit ground robotic capabilities		[7,500]
		Virtual experimentations enhancement		[5,000]
66	0603463A	NETWORK C3I ADVANCED TECHNOLOGY	158,608	158,608
67	0603464A	LONG RANGE PRECISION FIRES ADVANCED TECHNOLOGY	121,060	124,060
		Hyper velocity projectile—extended range technologies		[3,000]
68	0603465A	FUTURE VERTICAL LIFT ADVANCED TECHNOLOGY	156,194	156,194
69	0603466A	AIR AND MISSILE DEFENSE ADVANCED TECHNOLOGY	58,130	73,630
		Electromagnetic effects research to support fires and AMD CFTs		[5,000]
		High-energy laser system characterization lab		[10,500]
77	0603920A	HUMANITARIAN DEMINING	8,515	8,515
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**1,203,590**	**1,262,590**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
78	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	11,062	14,062
		Hypersonic hot air tunnel test environment		[3,000]
79	0603308A	ARMY SPACE SYSTEMS INTEGRATION	26,230	26,230
80	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	26,482	26,482
81	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	64,092	64,092
83	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	92,753	92,753
84	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	151,478	151,478
85	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	5,841	5,841

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
86	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	194,775	194,775
87	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	24,316	24,316
88	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	13,387	13,387
89	0603790A	NATO RESEARCH AND DEVELOPMENT	4,762	4,762
90	0603801A	AVIATION—ADV DEV	647,937	652,937
		Future Long Range Assault Aircraft (FLRAA)		[5,000]
91	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	4,761	4,761
92	0603807A	MEDICAL SYSTEMS—ADV DEV	28,520	28,520
93	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	26,138	26,138
94	0604017A	ROBOTICS DEVELOPMENT	121,207	121,207
96	0604021A	ELECTRONIC WARFARE TECHNOLOGY MATURATION (MIP)	22,840	22,840
97	0604035A	LOW EARTH ORBIT (LEO) SATELLITE CAPABILITY	22,678	22,678
98	0604100A	ANALYSIS OF ALTERNATIVES	10,082	10,082
99	0604101A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.4)	1,378	1,378
100	0604113A	FUTURE TACTICAL UNMANNED AIRCRAFT SYSTEM (FTUAS)	40,083	40,083
101	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	376,373	376,373
102	0604115A	TECHNOLOGY MATURATION INITIATIVES	156,834	146,834
		OpFires lack of transition pathway		[–10,000]
103	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	4,995	4,995
105	0604119A	ARMY ADVANCED COMPONENT DEVELOPMENT & PROTOTYPING	170,490	170,490
106	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	128,125	128,125
107	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	129,547	129,547
108	0604134A	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	13,831	13,831
109	0604182A	HYPERSONICS	801,417	796,417
		Lack of hypersonic prototyping coordination		[–5,000]
111	0604403A	FUTURE INTERCEPTOR	7,992	7,992
112	0604541A	UNIFIED NETWORK TRANSPORT	40,677	40,677
115	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	50,525	50,525
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**3,421,608**	**3,414,608**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
118	0604201A	AIRCRAFT AVIONICS	2,764	2,764
119	0604270A	ELECTRONIC WARFARE DEVELOPMENT	62,426	62,426
121	0604601A	INFANTRY SUPPORT WEAPONS	91,574	91,574
122	0604604A	MEDIUM TACTICAL VEHICLES	8,523	8,523
123	0604611A	JAVELIN	7,493	7,493
124	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	24,792	24,792
125	0604633A	AIR TRAFFIC CONTROL	3,511	3,511
126	0604642A	LIGHT TACTICAL WHEELED VEHICLES	1,976	1,976
127	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	135,488	135,488
128	0604710A	NIGHT VISION SYSTEMS—ENG DEV	61,445	61,445
129	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,814	2,814
130	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	28,036	28,036
131	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	43,651	83,651
		Joint Counter-UAS Office acceleration		[17,500]
		Joint Counter-UAS Office SOCOM advanced capabilities		[7,500]
		Joint Counter-UAS Office SOCOM demonstrations		[15,000]
132	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	10,150	10,150
133	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	5,578	5,578
134	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	7,892	7,892
135	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	24,975	24,975
136	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	3,568	3,568
137	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	19,268	19,268
138	0604802A	WEAPONS AND MUNITIONS—ENG DEV	265,811	266,611
		Increase NGSW soldier touchpoints		[800]
139	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	49,694	49,694
140	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	11,079	11,079
141	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	49,870	49,870
142	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	9,589	9,589
143	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	162,513	162,513
144	0604820A	RADAR DEVELOPMENT	109,259	109,259
145	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	21,201	21,201
146	0604823A	FIREFINDER	20,008	20,008
147	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	6,534	6,534
148	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	82,459	129,459
		Bradley and Stryker APS		[47,000]
149	0604854A	ARTILLERY SYSTEMS—EMD	11,611	11,611
150	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	142,678	147,678
		Integrated data software pilot program		[5,000]
151	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	115,286	115,286
152	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	96,594	96,594
154	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	16,264	16,264
155	0605031A	JOINT TACTICAL NETWORK (JTN)	31,696	31,696
157	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E).	5,976	5,976
159	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	23,321	23,321
161	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE.	4,846	4,846
162	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	28,544	16,544
		Army Cyber SU program		[–12,000]
163	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	28,178	28,178

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
164	0605047A	CONTRACT WRITING SYSTEM	22,860	22,860
166	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	35,893	35,893
167	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	235,770	187,970
		Army-identified funding early to need		[–47,800]
168	0605053A	GROUND ROBOTICS	13,710	13,710
169	0605054A	EMERGING TECHNOLOGY INITIATIVES	294,739	294,739
170	0605145A	MEDICAL PRODUCTS AND SUPPORT SYSTEMS DEVELOPMENT	954	954
171	0605203A	ARMY SYSTEM DEVELOPMENT & DEMONSTRATION	150,201	150,201
172	0605205A	SMALL UNMANNED AERIAL VEHICLE (SUAV) (6.5)	5,999	5,999
174	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	8,891	8,891
175	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	193,929	193,929
176	0605625A	MANNED GROUND VEHICLE	327,732	247,732
		OMFV program reset		[–80,000]
177	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	7,670	7,670
178	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH.	1,742	1,742
179	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	1,467	1,467
180	0303032A	TROJAN—RH12	3,451	3,451
183	0304270A	ELECTRONIC WARFARE DEVELOPMENT	55,855	55,855
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,199,798**	**3,152,798**
		MANAGEMENT SUPPORT		
185	0604256A	THREAT SIMULATOR DEVELOPMENT	14,515	14,515
186	0604258A	TARGET SYSTEMS DEVELOPMENT	10,668	10,668
187	0604759A	MAJOR T&E INVESTMENT	106,270	106,270
188	0605103A	RAND ARROYO CENTER	13,481	13,481
189	0605301A	ARMY KWAJALEIN ATOLL	231,824	231,824
190	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	54,898	54,898
192	0605601A	ARMY TEST RANGES AND FACILITIES	350,359	365,359
		Program increase—Army directed energy T&E		[15,000]
193	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	48,475	48,475
194	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	36,001	36,001
195	0605606A	AIRCRAFT CERTIFICATION	2,736	2,736
196	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	6,488	6,488
197	0605706A	MATERIEL SYSTEMS ANALYSIS	21,859	21,859
198	0605709A	EXPLOITATION OF FOREIGN ITEMS	7,936	7,936
199	0605712A	SUPPORT OF OPERATIONAL TESTING	54,470	54,470
200	0605716A	ARMY EVALUATION CENTER	63,141	63,141
201	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	2,572	2,572
202	0605801A	PROGRAMWIDE ACTIVITIES	87,472	87,472
203	0605803A	TECHNICAL INFORMATION ACTIVITIES	26,244	26,244
204	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	40,133	40,133
205	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	1,780	1,780
206	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	55,045	55,045
208	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	71,306	71,306
209	0606003A	COUNTERINTEL AND HUMAN INTEL MODERNIZATION	1,063	1,063
210	0606105A	MEDICAL PROGRAM-WIDE ACTIVITIES	19,891	19,891
211	0606942A	ASSESSMENTS AND EVALUATIONS CYBER VULNERABILITIES	4,496	4,496
		SUBTOTAL MANAGEMENT SUPPORT	**1,333,123**	**1,348,123**
		OPERATIONAL SYSTEMS DEVELOPMENT		
214	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	10,157	10,157
216	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	8,682	8,682
217	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	20,409	20,409
219	0607134A	LONG RANGE PRECISION FIRES (LRPF)	122,733	115,233
		Excess funds due to second vendor dropped		[–7,500]
221	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	11,236	11,236
222	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	46,091	46,091
224	0607139A	IMPROVED TURBINE ENGINE PROGRAM	249,257	249,257
225	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT	17,155	17,155
226	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	7,743	7,743
227	0607145A	APACHE FUTURE DEVELOPMENT	77,177	77,177
228	0607150A	INTEL CYBER DEVELOPMENT	14,652	14,652
229	0607312A	ARMY OPERATIONAL SYSTEMS DEVELOPMENT	35,851	35,851
230	0607665A	FAMILY OF BIOMETRICS	1,324	1,324
231	0607865A	PATRIOT PRODUCT IMPROVEMENT	187,840	187,840
232	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	44,691	44,691
233	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	268,919	268,919
234	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	427,254	427,254
235	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	11,688	11,688
236	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	80	80
237	0203758A	DIGITIZATION	4,516	4,516
238	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	1,288	1,288
239	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	79,424	79,424
243	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV	259	259
244	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	166	166
245	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	75,575	93,075
		Qualification of second SRM source		[17,500]
246	0208053A	JOINT TACTICAL GROUND SYSTEM	9,510	9,510
249	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	29,270	29,270
250	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	86,908	86,908
251	0303142A	SATCOM GROUND ENVIRONMENT (SPACE)	18,684	18,684

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
256	0305179A	INTEGRATED BROADCAST SERVICE (IBS)	467	467
257	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	4,051	4,051
258	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	13,283	13,283
259	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	47,204	47,204
264	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,012	78,512
		Functional fabrics manufacturing		[7,500]
		Nanoscale materials manufacturing		[5,000]
		Tungsten manufacturing for armanents		[5,000]
999	9999999999	CLASSIFIED PROGRAMS	3,983	3,983
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,998,539**	**2,026,039**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
267	0608041A	DEFENSIVE CYBER—SOFTWARE PROTOTYPE DEVELOPMENT	46,445	46,445
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**46,445**	**46,445**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**12,587,343**	**12,710,343**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
1	0601103N	UNIVERSITY RESEARCH INITIATIVES	116,816	118,816
		Defense University Research and Instrumentation Program		[2,000]
2	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,113	19,113
3	0601153N	DEFENSE RESEARCH SCIENCES	467,158	480,158
		Increase in basic research		[10,000]
		Predictive modeling for undersea vehicles		[3,000]
		SUBTOTAL BASIC RESEARCH	**603,087**	**618,087**
		APPLIED RESEARCH		
4	0602114N	POWER PROJECTION APPLIED RESEARCH	17,792	17,792
5	0602123N	FORCE PROTECTION APPLIED RESEARCH	122,281	140,281
		Direct air capture and blue carbon removal technology program		[8,000]
		Electric propulsion for military craft and advanced planning hulls		[2,000]
		Expeditionary unmanned systems launch and recovery		[5,000]
		Testbed for autonomous ship systems		[3,000]
6	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	50,623	53,623
		Interdisciplinary cybersecurity research		[3,000]
7	0602235N	COMMON PICTURE APPLIED RESEARCH	48,001	48,001
8	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	67,765	74,765
		Humanoid robotics research		[4,000]
		Social networks and computational social science		[3,000]
9	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	84,994	84,994
10	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	63,392	63,392
11	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,343	6,343
12	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	56,397	63,897
		Navy and academia submarine partnerships		[7,500]
13	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	167,590	167,590
14	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	30,715	30,715
15	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	160,537	167,837
		Thermoplastic materials		[7,300]
16	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES	76,745	76,745
		SUBTOTAL APPLIED RESEARCH	**953,175**	**995,975**
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	24,410	24,410
18	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	8,008	8,008
19	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	219,045	222,045
		Mission planning advanced technology demonstration		[3,000]
20	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,301	13,301
21	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	246,054	246,054
22	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	60,122	60,122
23	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,851	4,851
24	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	40,709	40,709
25	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	1,948	1,948
26	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT.	141,948	141,948
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**760,396**	**763,396**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
27	0603178N	MEDIUM AND LARGE UNMANNED SURFACE VEHICLES (USVS)	464,042	0
		Excess procurement ahead of satisfactory testing		[–464,042]
28	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	35,386	35,386
29	0603216N	AVIATION SURVIVABILITY	13,428	13,428
30	0603239N	ISO NAVAL CONSTRUCTION FORCES	2,350	2,350
31	0603251N	AIRCRAFT SYSTEMS	418	418
32	0603254N	ASW SYSTEMS DEVELOPMENT	15,719	15,719
33	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,411	3,411
34	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	70,218	56,118
		Project 3416: HIJENKS insufficient schedule justification		[–7,000]
		Project 3422: SHARC excess platforms ahead of satisfactory testing		[–7,100]
35	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	52,358	24,158
		Project 2989: Barracuda program delay		[–28,200]
36	0603506N	SURFACE SHIP TORPEDO DEFENSE	12,816	12,816

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
37	0603512N	CARRIER SYSTEMS DEVELOPMENT	7,559	7,559
38	0603525N	PILOT FISH	358,757	358,757
39	0603527N	RETRACT LARCH	12,562	12,562
40	0603536N	RETRACT JUNIPER	148,000	148,000
41	0603542N	RADIOLOGICAL CONTROL	778	778
42	0603553N	SURFACE ASW	1,161	1,161
43	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	185,356	195,356
		Out-of-autoclave submarine technology development		[20,000]
		Project 9710: EDMs early to need		[–10,000]
44	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	10,528	10,528
45	0603563N	SHIP CONCEPT ADVANCED DESIGN	126,396	63,296
		Project 2196: Future surface combatant early to need		[–19,100]
		Project 3161: Program increase for CBM+ initiative		[16,000]
		Project 4044: Medium amphibious ship early to need		[–30,000]
		Project 4045: Medium logistics ship early to need		[–30,000]
46	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	70,270	28,970
		Project 0411: LSC preliminary design and CDD early to need		[–41,300]
47	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	149,188	149,188
48	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	38,449	238,449
		Accelerate ITF to achieve full test capability in FY23		[75,000]
		Accelerate qualification of silicon carbide power modules		[10,000]
		USV autonomy development		[45,000]
		USV engine and generator qualification testing		[70,000]
49	0603576N	CHALK EAGLE	71,181	71,181
50	0603581N	LITTORAL COMBAT SHIP (LCS)	32,178	27,178
		Project 3096: Available prior year funds		[–5,000]
51	0603582N	COMBAT SYSTEM INTEGRATION	17,843	17,843
52	0603595N	OHIO REPLACEMENT	317,196	317,196
53	0603596N	LCS MISSION MODULES	67,875	32,875
		Project 2550: LCS MCM MP outdated IMS and TEMP		[–20,000]
		Project 2551: LCS ASW MP available prior year funds due to testing delays		[–15,000]
54	0603597N	AUTOMATED TEST AND ANALYSIS	4,797	4,797
55	0603599N	FRIGATE DEVELOPMENT	82,309	82,309
56	0603609N	CONVENTIONAL MUNITIONS	9,922	2,122
		Project 0363: Insufficient justification		[–7,800]
57	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	189,603	189,603
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	43,084	43,084
59	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	6,346	6,346
60	0603721N	ENVIRONMENTAL PROTECTION	20,601	20,601
61	0603724N	NAVY ENERGY PROGRAM	23,422	23,422
62	0603725N	FACILITIES IMPROVEMENT	4,664	4,664
63	0603734N	CHALK CORAL	545,763	545,763
64	0603739N	NAVY LOGISTIC PRODUCTIVITY	3,884	3,884
65	0603746N	RETRACT MAPLE	353,226	353,226
66	0603748N	LINK PLUMERIA	544,388	544,388
67	0603751N	RETRACT ELM	86,730	86,730
68	0603764M	LINK EVERGREEN	236,234	236,234
70	0603790N	NATO RESEARCH AND DEVELOPMENT	6,880	6,880
71	0603795N	LAND ATTACK TECHNOLOGY	10,578	10,578
72	0603851M	JOINT NON-LETHAL WEAPONS TESTING	28,435	28,435
73	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	33,612	33,612
74	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	128,845	113,845
		Project 3402: Excess engineering and sustainment support		[–15,000]
75	0604014N	F/A –18 INFRARED SEARCH AND TRACK (IRST)	84,190	84,190
76	0604027N	DIGITAL WARFARE OFFICE	54,699	54,699
77	0604028N	SMALL AND MEDIUM UNMANNED UNDERSEA VEHICLES	53,942	53,942
78	0604029N	UNMANNED UNDERSEA VEHICLE CORE TECHNOLOGIES	40,060	40,060
79	0604030N	RAPID PROTOTYPING, EXPERIMENTATION AND DEMONSTRATION.	12,100	12,100
80	0604031N	LARGE UNMANNED UNDERSEA VEHICLES	78,122	42,122
		Project 2094: Excess procurement ahead of phase 1 testing		[–36,000]
81	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	107,895	107,895
82	0604126N	LITTORAL AIRBORNE MCM	17,366	17,366
83	0604127N	SURFACE MINE COUNTERMEASURES	18,754	18,754
84	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	59,776	59,776
86	0604292N	FUTURE VERTICAL LIFT (MARITIME STRIKE)	5,097	5,097
87	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	3,664	3,664
88	0604454N	LX (R)	10,203	10,203
89	0604536N	ADVANCED UNDERSEA PROTOTYPING	115,858	95,858
		Orca UUV testing delay and uncertified test strategy		[–10,000]
		Snakehead UUV uncertified test strategy		[–10,000]
90	0604636N	COUNTER UNMANNED AIRCRAFT SYSTEMS (C-UAS)	14,259	14,259
91	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	1,102,387	1,045,387
		Lack of hypersonic prototyping coordination		[–5,000]
		Project 3334: Excess Virginia-class CPS modification and installation costs		[–52,000]
92	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT.	7,657	7,657
93	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	35,750	35,750
94	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	9,151	9,151
95	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	22,589	22,589
97	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	809	809
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**6,503,074**	**5,926,532**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION		
98	0603208N	TRAINING SYSTEM AIRCRAFT	4,332	4,332
99	0604212N	OTHER HELO DEVELOPMENT	18,133	23,133
		Program increase for Attack and Utility Replacement Aircraft		[5,000]
100	0604214M	AV–8B AIRCRAFT—ENG DEV	20,054	20,054
101	0604215N	STANDARDS DEVELOPMENT	4,237	4,237
102	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	27,340	27,340
104	0604221N	P–3 MODERNIZATION PROGRAM	606	606
105	0604230N	WARFARE SUPPORT SYSTEM	9,065	9,065
106	0604231N	TACTICAL COMMAND SYSTEM	97,968	97,968
107	0604234N	ADVANCED HAWKEYE	309,373	309,373
108	0604245M	H–1 UPGRADES	62,310	62,310
109	0604261N	ACOUSTIC SEARCH SENSORS	47,182	47,182
110	0604262N	V–22A	132,624	132,624
111	0604264N	AIR CREW SYSTEMS DEVELOPMENT	21,445	21,445
112	0604269N	EA–18	106,134	106,134
113	0604270N	ELECTRONIC WARFARE DEVELOPMENT	134,194	134,194
114	0604273M	EXECUTIVE HELO DEVELOPMENT	99,321	99,321
115	0604274N	NEXT GENERATION JAMMER (NGJ)	477,680	477,680
116	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	232,818	232,818
117	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	170,039	170,039
118	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	403,712	403,712
119	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	945	945
120	0604329N	SMALL DIAMETER BOMB (SDB)	62,488	62,488
121	0604366N	STANDARD MISSILE IMPROVEMENTS	386,225	386,225
122	0604373N	AIRBORNE MCM	10,909	10,909
123	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	44,548	44,548
124	0604419N	ADVANCED SENSORS APPLICATION PROGRAM (ASAP)	13,673	13,673
125	0604501N	ADVANCED ABOVE WATER SENSORS	87,809	87,809
126	0604503N	SSN–688 AND TRIDENT MODERNIZATION	93,097	93,097
127	0604504N	AIR CONTROL	38,863	38,863
128	0604512N	SHIPBOARD AVIATION SYSTEMS	9,593	9,593
129	0604518N	COMBAT INFORMATION CENTER CONVERSION	12,718	12,718
130	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	78,319	78,319
131	0604530N	ADVANCED ARRESTING GEAR (AAG)	65,834	65,834
132	0604558N	NEW DESIGN SSN	259,443	259,443
133	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	63,878	58,878
		AN/BYG–1 APB17 and APB19 testing delays		[–5,000]
134	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	51,853	66,753
		Advanced degaussing DDG–51 retrofit and demonstration		[14,900]
135	0604574N	NAVY TACTICAL COMPUTER RESOURCES	3,853	3,853
136	0604601N	MINE DEVELOPMENT	92,607	92,607
137	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	146,012	116,012
		Project 1412: HAAWC operational testing delays		[–10,000]
		Project 3418: Mk 54 Mod 2 contract delays		[–20,000]
138	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	8,383	8,383
139	0604657M	USMC GROUND COMBAT/SUPPORTING ARMS SYSTEMS—ENG DEV	33,784	33,784
140	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	8,599	8,599
141	0604727N	JOINT STANDOFF WEAPON SYSTEMS	73,744	73,744
142	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	157,490	157,490
143	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	121,761	121,761
144	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	89,373	89,373
145	0604761N	INTELLIGENCE ENGINEERING	15,716	15,716
146	0604771N	MEDICAL DEVELOPMENT	2,120	2,120
147	0604777N	NAVIGATION/ID SYSTEM	50,180	50,180
148	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	561	561
149	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	250	250
150	0604850N	SSN(X)	1,000	1,000
151	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	974	974
152	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	356,173	356,173
153	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	7,810	7,810
154	0605212M	CH–53K RDTE	406,406	406,406
155	0605215N	MISSION PLANNING	86,134	86,134
156	0605217N	COMMON AVIONICS	54,540	54,540
157	0605220N	SHIP TO SHORE CONNECTOR (SSC)	5,155	5,155
158	0605327N	T-AO 205 CLASS	5,148	5,148
159	0605414N	UNMANNED CARRIER AVIATION (UCA)	266,970	266,970
160	0605450M	JOINT AIR-TO-GROUND MISSILE (JAGM)	12,713	12,713
161	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	24,424	24,424
162	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	182,870	182,870
163	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION.	41,775	41,775
164	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION.	2,541	2,541
165	0204202N	DDG–1000	208,448	208,448
169	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	111,434	111,434
170	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	26,173	26,173
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,263,883**	**6,248,783**
		MANAGEMENT SUPPORT		
171	0604256N	THREAT SIMULATOR DEVELOPMENT	22,075	22,075
172	0604258N	TARGET SYSTEMS DEVELOPMENT	10,224	10,224

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
173	0604759N	MAJOR T&E INVESTMENT	85,195	85,195
175	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,089	3,089
176	0605154N	CENTER FOR NAVAL ANALYSES	43,517	43,517
179	0605804N	TECHNICAL INFORMATION SERVICES	932	932
180	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	94,297	94,297
181	0605856N	STRATEGIC TECHNICAL SUPPORT	3,813	3,813
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	104,822	104,822
184	0605864N	TEST AND EVALUATION SUPPORT	446,960	446,960
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	27,241	27,241
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	15,787	15,787
187	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	8,559	8,559
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	42,749	42,749
189	0605898N	MANAGEMENT HQ—R&D	41,094	41,094
190	0606355N	WARFARE INNOVATION MANAGEMENT	37,022	37,022
193	0305327N	INSIDER THREAT	2,310	2,310
194	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)	1,536	1,536
		SUBTOTAL MANAGEMENT SUPPORT	**991,222**	**991,222**
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604227N	HARPOON MODIFICATIONS	697	697
200	0604840M	F–35 C2D2	379,549	379,549
201	0604840N	F–35 C2D2	413,875	413,875
202	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	143,667	143,667
204	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	173,056	173,056
205	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	45,970	45,970
206	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	69,190	61,190
		CRAW EDM (TI–2) early to need		[–8,000]
207	0101402N	NAVY STRATEGIC COMMUNICATIONS	42,277	42,277
208	0204136N	F/A–18 SQUADRONS	171,030	171,030
210	0204228N	SURFACE SUPPORT	33,482	33,482
211	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	200,308	200,308
212	0204311N	INTEGRATED SURVEILLANCE SYSTEM	102,975	152,975
		Accelerate sensor and signal processing development		[25,000]
		Program increase for spiral 1 TRAPS units		[25,000]
213	0204313N	SHIP-TOWED ARRAY SURVEILLANCE SYSTEMS	10,873	10,873
214	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	1,713	6,713
		Program increase for LCAC composite component manufacturing		[5,000]
215	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	22,205	105,805
		Program increase for G/ATOR and SM–6 stand-alone engagement analysis		[10,000]
		Program increase for USMC G/ATOR and SM–6 demonstration		[73,600]
216	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	83,956	83,956
218	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	56,791	56,791
219	0205601N	HARM IMPROVEMENT	146,166	146,166
221	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,348	29,348
222	0205632N	MK–48 ADCAP	110,349	110,349
223	0205633N	AVIATION IMPROVEMENTS	133,953	133,953
224	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	110,313	110,313
225	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	207,662	207,662
226	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	4,406	4,406
227	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	61,381	61,381
228	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	10,421	10,421
229	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	29,977	29,977
230	0206629M	AMPHIBIOUS ASSAULT VEHICLE	6,469	6,469
231	0207161N	TACTICAL AIM MISSILES	5,859	5,859
232	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	44,323	44,323
236	0303109N	SATELLITE COMMUNICATIONS (SPACE)	41,978	41,978
237	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	29,684	29,684
238	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	39,094	39,094
239	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,154	6,154
240	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	7,108	7,108
241	0305205N	UAS INTEGRATION AND INTEROPERABILITY	62,098	62,098
242	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	21,500	21,500
244	0305220N	MQ–4C TRITON	11,120	11,120
245	0305231N	MQ–8 UAV	28,968	28,968
246	0305232M	RQ–11 UAV	537	537
247	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	8,773	8,773
248	0305239M	RQ–21A	10,853	10,853
249	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	60,413	60,413
250	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	5,000	5,000
251	0305251N	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	34,967	44,967
		Cyber tool development		[10,000]
252	0305421N	RQ–4 MODERNIZATION	178,799	178,799
253	0307577N	INTELLIGENCE MISSION DATA (IMD)	2,120	2,120
254	0308601N	MODELING AND SIMULATION SUPPORT	8,683	8,683
255	0702207N	DEPOT MAINTENANCE (NON-IF)	45,168	45,168
256	0708730N	MARITIME TECHNOLOGY (MARITECH)	6,697	6,697
257	1203109N	SATELLITE COMMUNICATIONS (SPACE)	70,056	70,056
999	9999999999	CLASSIFIED PROGRAMS	1,795,032	1,795,032
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**5,327,043**	**5,467,643**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
258	0608013N	RISK MANAGEMENT INFORMATION—SOFTWARE PILOT PROGRAM	14,300	14,300

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
259	0608231N	MARITIME TACTICAL COMMAND AND CONTROL (MTC2)—SOFTWARE PILOT PROGRAM.	10,868	10,868
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**25,168**	**25,168**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**21,427,048**	**21,036,806**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
1	0601102F	DEFENSE RESEARCH SCIENCES	315,348	325,348
		Increase in basic research		[10,000]
2	0601103F	UNIVERSITY RESEARCH INITIATIVES	161,861	161,861
3	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	15,085	15,085
		SUBTOTAL BASIC RESEARCH	**492,294**	**502,294**
		APPLIED RESEARCH		
4	0602020F	FUTURE AF CAPABILITIES APPLIED RESEARCH	100,000	100,000
5	0602102F	MATERIALS	140,781	160,281
		High-energy synchotron x-ray program		[5,000]
		Materials maturation for high mach systems		[5,000]
		Metals Affordability Initiative		[5,000]
		Qualification of additive manufacturing processes		[2,000]
		Techniques to repair fasteners		[2,500]
6	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	349,225	359,225
		Hypersonic materials		[10,000]
7	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	115,222	115,222
9	0602204F	AEROSPACE SENSORS	211,301	211,301
11	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES.	8,926	8,926
12	0602602F	CONVENTIONAL MUNITIONS	132,425	132,425
13	0602605F	DIRECTED ENERGY TECHNOLOGY	128,113	128,113
14	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	178,668	178,668
15	0602890F	HIGH ENERGY LASER RESEARCH	45,088	45,088
		SUBTOTAL APPLIED RESEARCH	**1,409,749**	**1,439,249**
		ADVANCED TECHNOLOGY DEVELOPMENT		
17	0603030F	AF FOUNDATIONAL DEVELOPMENT/DEMOS	103,280	103,280
18	0603032F	FUTURE AF INTEGRATED TECHNOLOGY DEMOS	157,619	107,619
		Golden Horde too mature for science and technology prototype		[–50,000]
19	0603033F	NEXT GEN PLATFORM DEV/DEMO	199,556	208,556
		B–52 pylon fairings		[3,000]
		C–130 finlets		[3,000]
		KC–135 aft body drag		[3,000]
20	0603034F	PERSISTENT KNOWLEDGE, AWARENESS, & C2 TECH	102,276	102,276
21	0603035F	NEXT GEN EFFECTS DEV/DEMOS	215,817	215,817
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**778,548**	**737,548**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
38	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	4,320	4,320
39	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	26,396	26,396
40	0603790F	NATO RESEARCH AND DEVELOPMENT	3,647	3,647
41	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	32,959	32,959
43	0604002F	AIR FORCE WEATHER SERVICES RESEARCH	869	869
44	0604003F	ADVANCED BATTLE MANAGEMENT SYSTEM (ABMS)	302,323	302,323
45	0604004F	ADVANCED ENGINE DEVELOPMENT	636,495	686,495
		AETP program acceleration		[50,000]
46	0604015F	LONG RANGE STRIKE—BOMBER	2,848,410	2,848,410
47	0604032F	DIRECTED ENERGY PROTOTYPING	20,964	25,964
		Directed energy counter-Unmanned Aerial Systems (CUAS)		[5,000]
48	0604033F	HYPERSONICS PROTOTYPING	381,862	446,862
		HAWC program increase		[65,000]
50	0604257F	ADVANCED TECHNOLOGY AND SENSORS	24,747	24,747
51	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	76,417	76,417
52	0604317F	TECHNOLOGY TRANSFER	3,011	3,011
53	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	52,921	52,921
54	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	69,783	69,783
55	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	25,835	25,835
56	0604858F	TECH TRANSITION PROGRAM	219,252	455,252
		Agile software development and operations		[4,500]
		Initial polar MILSATCOM capability		[46,000]
		KC–135 vertical wipers		[2,000]
		KC–135 winglets		[10,000]
		LCAAT program acceleration		[128,000]
		Long-endurance UAS		[33,500]
		Rapid repair of high performance materials		[6,000]
		Small satellite acceleration		[6,000]
57	0605230F	GROUND BASED STRATEGIC DETERRENT	1,524,759	1,524,759
59	0207110F	NEXT GENERATION AIR DOMINANCE	1,044,089	1,044,089
60	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	19,356	19,356
61	0207522F	AIRBASE AIR DEFENSE SYSTEMS (ABADS)	8,737	8,737
62	0208099F	UNIFIED PLATFORM (UP)	5,990	5,990
63	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	39,293	39,293
65	0305601F	MISSION PARTNER ENVIRONMENTS	11,430	11,430

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
66	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	259,823	259,823
67	0306415F	ENABLED CYBER ACTIVITIES	10,560	10,560
68	0401310F	C–32 EXECUTIVE TRANSPORT RECAPITALIZATION	9,908	9,908
69	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	8,662	8,662
74	1206427F	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	8,787	8,787
77	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	56,311	56,311
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**7,737,916**	**8,093,916**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
82	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	25,161	25,161
83	0604201F	PNT RESILIENCY, MODS, AND IMPROVEMENTS	38,564	38,564
84	0604222F	NUCLEAR WEAPONS SUPPORT	35,033	35,033
85	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,098	2,098
86	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	131,909	131,909
87	0604287F	PHYSICAL SECURITY EQUIPMENT	6,752	6,752
88	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	17,280	17,280
89	0604429F	AIRBORNE ELECTRONIC ATTACK	0	30,000
		STiTCHES integration		[30,000]
90	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	23,076	23,076
91	0604604F	SUBMUNITIONS	3,091	3,091
92	0604617F	AGILE COMBAT SUPPORT	20,609	20,609
93	0604618F	JOINT DIRECT ATTACK MUNITION	7,926	7,926
94	0604706F	LIFE SUPPORT SYSTEMS	23,660	23,660
95	0604735F	COMBAT TRAINING RANGES	8,898	8,898
96	0604800F	F–35—EMD	5,423	5,423
97	0604932F	LONG RANGE STANDOFF WEAPON	474,430	474,430
98	0604933F	ICBM FUZE MODERNIZATION	167,099	167,099
100	0605056F	OPEN ARCHITECTURE MANAGEMENT	30,547	30,547
102	0605223F	ADVANCED PILOT TRAINING	248,669	254,669
		SLATE/VR training		[6,000]
103	0605229F	COMBAT RESCUE HELICOPTER	63,169	63,169
105	0101125F	NUCLEAR WEAPONS MODERNIZATION	9,683	9,683
106	0207171F	F–15 EPAWSS	170,679	170,679
107	0207328F	STAND IN ATTACK WEAPON	160,438	160,438
108	0207701F	FULL COMBAT MISSION TRAINING	9,422	9,422
110	0305176F	COMBAT SURVIVOR EVADER LOCATOR	973	973
111	0401221F	KC–46A TANKER SQUADRONS	106,262	106,262
113	0401319F	VC–25B	800,889	800,889
114	0701212F	AUTOMATED TEST SYSTEMS	10,673	10,673
115	0804772F	TRAINING DEVELOPMENTS	4,479	4,479
116	0901299F	AF A1 SYSTEMS	8,467	8,467
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**2,615,359**	**2,651,359**
		MANAGEMENT SUPPORT		
131	0604256F	THREAT SIMULATOR DEVELOPMENT	57,725	57,725
132	0604759F	MAJOR T&E INVESTMENT	208,680	223,680
		Gulf Range telemetric modernization		[15,000]
133	0605101F	RAND PROJECT AIR FORCE	35,803	35,803
135	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	13,557	13,557
136	0605807F	TEST AND EVALUATION SUPPORT	764,606	764,606
142	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	1,362,038	1,362,038
143	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	40,768	40,768
144	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	179,646	179,646
145	0605898F	MANAGEMENT HQ—R&D	5,734	5,734
146	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	70,985	70,985
147	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	29,880	29,880
148	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	63,381	63,381
149	0606398F	MANAGEMENT HQ—T&E	5,785	5,785
150	0303255F	COMMAND, CONTROL, COMMUNICATION, AND COMPUTERS (C4)—STRATCOM	24,564	24,564
151	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	9,883	2,383
		Acq strat incompatible with AF digital mod strategy		[–7,500]
152	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	13,384	13,384
153	0804731F	GENERAL SKILL TRAINING	1,262	1,262
155	1001004F	INTERNATIONAL ACTIVITIES	3,599	3,599
		SUBTOTAL MANAGEMENT SUPPORT	**2,891,280**	**2,898,780**
		OPERATIONAL SYSTEMS DEVELOPMENT		
163	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,777	8,777
164	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	499	499
165	0604840F	F–35 C2D2	785,336	785,336
166	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	27,035	7,035
		Poor agile development strategy		[–20,000]
167	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	50,508	50,508
168	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	71,229	71,229
169	0605278F	HC/MC–130 RECAP RDT&E	24,705	24,705
170	0606018F	NC3 INTEGRATION	26,356	26,356
172	0101113F	B–52 SQUADRONS	520,023	520,023
173	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	1,433	1,433
174	0101126F	B–1B SQUADRONS	15,766	26,566
		USAF-requested transfer from APAF Lines 22, 24		[10,800]
175	0101127F	B–2 SQUADRONS	187,399	187,399

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
176	0101213F	MINUTEMAN SQUADRONS	116,569	116,569
177	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	27,235	27,235
178	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK	24,227	24,227
179	0101328F	ICBM REENTRY VEHICLES	112,753	112,753
181	0102110F	UH–1N REPLACEMENT PROGRAM	44,464	44,464
182	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	5,929	5,929
183	0102412F	NORTH WARNING SYSTEM (NWS)	100	100
184	0205219F	MQ–9 UAV	162,080	162,080
186	0207131F	A–10 SQUADRONS	24,535	24,535
187	0207133F	F–16 SQUADRONS	223,437	223,437
188	0207134F	F–15E SQUADRONS	298,908	298,908
189	0207136F	MANNED DESTRUCTIVE SUPPRESSION	14,960	14,960
190	0207138F	F–22A SQUADRONS	665,038	665,038
191	0207142F	F–35 SQUADRONS	132,229	132,229
192	0207146F	F–15EX	159,761	159,761
193	0207161F	TACTICAL AIM MISSILES	19,417	19,417
194	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	51,799	51,799
195	0207227F	COMBAT RESCUE—PARARESCUE	669	669
196	0207247F	AF TENCAP	21,644	21,644
197	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	9,261	9,261
198	0207253F	COMPASS CALL	15,854	15,854
199	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	95,896	95,896
200	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	70,792	70,792
201	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	51,187	51,187
202	0207412F	CONTROL AND REPORTING CENTER (CRC)	16,041	16,041
203	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	138,303	138,303
204	0207418F	AFSPECWAR—TACP	4,223	4,223
206	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	16,564	16,564
207	0207438F	THEATER BATTLE MANAGEMENT (TBM) C4I	7,858	7,858
208	0207444F	TACTICAL AIR CONTROL PARTY-MOD	12,906	12,906
210	0207452F	DCAPES	14,816	14,816
211	0207521F	AIR FORCE CALIBRATION PROGRAMS	1,970	1,970
212	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	396	396
213	0207590F	SEEK EAGLE	29,680	29,680
214	0207601F	USAF MODELING AND SIMULATION	17,666	17,666
215	0207605F	WARGAMING AND SIMULATION CENTERS	6,353	6,353
216	0207610F	BATTLEFIELD ABN COMM NODE (BACN)	6,827	6,827
217	0207697F	DISTRIBUTED TRAINING AND EXERCISES	3,390	3,390
218	0208006F	MISSION PLANNING SYSTEMS	91,768	91,768
219	0208007F	TACTICAL DECEPTION	2,370	2,370
220	0208064F	OPERATIONAL HQ—CYBER	5,527	5,527
221	0208087F	DISTRIBUTED CYBER WARFARE OPERATIONS	68,279	68,279
222	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	15,165	15,165
223	0208097F	JOINT CYBER COMMAND AND CONTROL (JCC2)	38,480	38,480
224	0208099F	UNIFIED PLATFORM (UP)	84,645	84,645
230	0301025F	GEOBASE	2,767	2,767
231	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	32,759	32,759
238	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS.	2,904	2,904
239	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	3,468	3,468
240	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	61,887	61,887
242	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	10,351	10,351
243	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	1,346	1,346
246	0304260F	AIRBORNE SIGINT ENTERPRISE	128,110	128,110
247	0304310F	COMMERCIAL ECONOMIC ANALYSIS	4,042	4,042
251	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,649	1,649
252	0305022F	ISR MODERNIZATION & AUTOMATION DVMT (IMAD)	19,265	19,265
253	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,645	4,645
254	0305103F	CYBER SECURITY INITIATIVE	384	384
255	0305111F	WEATHER SERVICE	23,640	23,640
256	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (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	121,512
268	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,711	14,711
269	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	14,152	14,152
270	0305220F	RQ–4 UAV	134,589	134,589
271	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	15,049	15,049
272	0305238F	NATO AGS	36,731	36,731
273	0305240F	SUPPORT TO DCGS ENTERPRISE	33,547	33,547
274	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	13,635	17,315
		PDI: Mission Partner Environment BICES-X Project 675898		[3,680]
275	0305881F	RAPID CYBER ACQUISITION	4,262	4,262
276	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,207	2,207
277	0307577F	INTELLIGENCE MISSION DATA (IMD)	6,277	6,277
278	0401115F	C–130 AIRLIFT SQUADRON	41,973	41,973
279	0401119F	C–5 AIRLIFT SQUADRONS (IF)	32,560	32,560
280	0401130F	C–17 AIRCRAFT (IF)	9,991	12,991
		C–17 microvanes		[3,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
281	0401132F	C–130J PROGRAM	10,674	10,674
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,507	5,507
283	0401218F	KC–135S	4,591	4,591
286	0401318F	CV–22	18,419	18,419
288	0408011F	SPECIAL TACTICS / COMBAT CONTROL	7,673	7,673
290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	24,513	24,513
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	35,225	15,225
		Poor agile development strategy		[–20,000]
292	0708611F	SUPPORT SYSTEMS DEVELOPMENT	11,838	11,838
293	0804743F	OTHER FLIGHT TRAINING	1,332	1,332
295	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,092	2,092
296	0901218F	CIVILIAN COMPENSATION PROGRAM	3,869	3,869
297	0901220F	PERSONNEL ADMINISTRATION	1,584	1,584
298	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,197	1,197
299	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	7,006	7,006
300	0901554F	DEFENSE ENTERPRISE ACNTNG AND MGT SYS (DEAMS)	45,638	45,638
301	1201017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	1,889	1,889
302	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	993	993
303	1202140F	SERVICE SUPPORT TO SPACECOM ACTIVITIES	8,999	8,999
314	1203400F	SPACE SUPERIORITY INTELLIGENCE	16,810	16,810
316	1203620F	NATIONAL SPACE DEFENSE CENTER	2,687	2,687
318	1203906F	NCMC—TW/AA SYSTEM	6,990	6,990
999	9999999999	CLASSIFIED PROGRAMS	15,777,856	15,839,856
		Air-to-air weapons development increase		[62,000]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**21,466,680**	**21,506,160**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**37,391,826**	**37,829,306**
		RDTE, SPACE FORCE		
		APPLIED RESEARCH		
1	1206601SF	SPACE TECHNOLOGY	130,874	133,874
		Small satellite mission operations facility		[3,000]
		SUBTOTAL APPLIED RESEARCH	**130,874**	**133,874**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
2	1203164SF	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	390,704	370,704
		MGUE program slip		[–20,000]
3	1203710SF	EO/IR WEATHER SYSTEMS	131,000	131,000
4	1206422SF	WEATHER SYSTEM FOLLOW-ON	83,384	83,384
5	1206425SF	SPACE SITUATION AWARENESS SYSTEMS	33,359	33,359
6	1206427SF	SPACE SYSTEMS PROTOTYPE TRANSITIONS (SSPT)	142,808	142,808
7	1206438SF	SPACE CONTROL TECHNOLOGY	35,575	35,575
8	1206760SF	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	114,390	114,390
9	1206761SF	PROTECTED TACTICAL SERVICE (PTS)	205,178	205,178
10	1206855SF	EVOLVED STRATEGIC SATCOM (ESS)	71,395	71,395
11	1206857SF	SPACE RAPID CAPABILITIES OFFICE	103,518	103,518
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**1,311,311**	**1,291,311**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
12	1203269SF	GPS III FOLLOW-ON (GPS IIIF)	263,496	263,496
13	1203940SF	SPACE SITUATION AWARENESS OPERATIONS	41,897	41,897
14	1206421SF	COUNTERSPACE SYSTEMS	54,689	54,689
15	1206422SFZ	WEATHER SYSTEM FOLLOW-ON	2,526	2,526
16	1206425SFZ	SPACE SITUATION AWARENESS SYSTEMS	173,074	173,074
17	1206431SF	ADVANCED EHF MILSATCOM (SPACE)	138,257	138,257
18	1206432SF	POLAR MILSATCOM (SPACE)	190,235	190,235
19	1206442SF	NEXT GENERATION OPIR	2,318,864	2,318,864
20	1206853SF	NATIONAL SECURITY SPACE LAUNCH PROGRAM (SPACE)—EMD	560,978	590,978
		NSSL Phase 3 integration activities program		[30,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,744,016**	**3,774,016**
		MANAGEMENT SUPPORT		
21	1206116SF	SPACE TEST AND TRAINING RANGE DEVELOPMENT	20,281	20,281
22	1206392SF	ACQ WORKFORCE—SPACE & MISSILE SYSTEMS	183,930	183,930
23	1206398SF	SPACE & MISSILE SYSTEMS CENTER—MHA	9,765	9,765
24	1206860SF	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	17,993	17,993
25	1206864SF	SPACE TEST PROGRAM (STP)	26,541	26,541
		SUBTOTAL MANAGEMENT SUPPORT	**258,510**	**258,510**
		OPERATIONAL SYSTEM DEVELOPMENT		
26	1201017SF	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,708	3,708
27	1203001SF	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	247,229	247,229
28	1203110SF	SATELLITE CONTROL NETWORK (SPACE)	75,480	75,480
29	1203165SF	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	1,984	1,984
30	1203173SF	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,397	4,397
31	1203174SF	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	44,746	44,746
32	1203182SF	SPACELIFT RANGE SYSTEM (SPACE)	11,020	11,020
33	1203265SF	GPS III SPACE SEGMENT	10,777	10,777
34	1203873SF	BALLISTIC MISSILE DEFENSE RADARS	28,179	46,679
		Cobra Dane service life extension		[18,500]
35	1203913SF	NUDET DETECTION SYSTEM (SPACE)	29,157	29,157
36	1203940SFZ	SPACE SITUATION AWARENESS OPERATIONS	44,809	51,809

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		Commercial SSA		[7,000]
37	1206423SF	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	481,999	416,999
		Funds available prioritized to other space missions		[–65,000]
41	1206770SF	ENTERPRISE GROUND SERVICES	116,791	116,791
999	9999999999	CLASSIFIED PROGRAMS	3,632,866	3,632,866
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**4,733,142**	**4,693,642**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
42	1203614SF	JSPOC MISSION SYSTEM	149,742	149,742
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**149,742**	**149,742**
		TOTAL RDTE, SPACE FORCE	**10,327,595**	**10,301,095**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
1	0601000BR	DTRA BASIC RESEARCH	14,617	14,617
2	0601101E	DEFENSE RESEARCH SCIENCES	479,958	479,958
3	0601110D8Z	BASIC RESEARCH INITIATIVES	35,565	72,565
		DEPSCoR		[20,000]
		Minerva Research initiative restore DWR cut		[17,000]
4	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	53,730	58,730
		Traumatic brain injury medical research		[5,000]
5	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	100,241	100,241
6	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	30,975	37,975
		Aerospace education, research, and innovation activities		[2,000]
		HBCU/Minority Institutions		[5,000]
7	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	45,300	45,300
		SUBTOTAL BASIC RESEARCH	**760,386**	**809,386**
		APPLIED RESEARCH		
8	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,409	19,409
9	0602115E	BIOMEDICAL TECHNOLOGY	107,568	107,568
11	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION	35,000	35,000
12	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	41,080	41,080
13	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	60,722	60,722
14	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	435,920	435,920
15	0602383E	BIOLOGICAL WARFARE DEFENSE	26,950	26,950
16	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	201,807	201,807
17	0602668D8Z	CYBER SECURITY RESEARCH	15,255	15,255
18	0602702E	TACTICAL TECHNOLOGY	233,271	233,271
19	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	250,107	290,107
		Increase in emerging biotech research		[40,000]
20	0602716E	ELECTRONICS TECHNOLOGY	322,693	322,693
21	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	174,571	174,571
22	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	9,573	9,573
23	1160401BB	SOF TECHNOLOGY DEVELOPMENT	42,464	42,464
		SUBTOTAL APPLIED RESEARCH	**1,976,390**	**2,016,390**
		ADVANCED TECHNOLOGY DEVELOPMENT		
24	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	22,920	22,920
25	0603121D8Z	SO/LIC ADVANCED DEVELOPMENT	4,914	4,914
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	51,089	51,089
27	0603133D8Z	FOREIGN COMPARATIVE TESTING	25,183	25,183
29	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT.	366,659	366,659
30	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	14,910	14,910
32	0603180C	ADVANCED RESEARCH	18,687	18,687
33	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,873	18,873
34	0603286E	ADVANCED AEROSPACE SYSTEMS	230,978	210,978
		OpFires lack of transition pathway		[–20,000]
35	0603287E	SPACE PROGRAMS AND TECHNOLOGY	158,439	158,439
36	0603288D8Z	ANALYTIC ASSESSMENTS	23,775	23,775
37	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	36,524	36,524
38	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA	14,703	14,703
39	0603294C	COMMON KILL VEHICLE TECHNOLOGY	11,058	11,058
40	0603338D8Z	DEFENSE MODERNIZATION AND PROTOTYPING	133,375	126,375
		Lack of hypersonic prototype coordination efforts		[–20,000]
		Stratospheric balloon research		[13,000]
42	0603342D8Z	DEFENSE INNOVATION UNIT (DIU)	26,141	26,141
43	0603375D8Z	TECHNOLOGY INNOVATION	27,709	27,709
44	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	188,001	188,001
45	0603527D8Z	RETRACT LARCH	130,283	130,283
46	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	15,164	15,164
47	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	85,452	85,452
48	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	5,882	5,882
49	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	93,817	98,817
		Rapid prototyping using digital manufacturing		[5,000]
50	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	40,025	55,025
		Defense supply chain technologies		[5,000]
		Steel performance initiative		[10,000]
52	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,235	10,235
53	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	53,862	53,862

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
54	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	124,049	124,049
55	0603727D8Z	JOINT WARFIGHTING PROGRAM	3,871	3,871
56	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	95,864	95,864
57	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	221,724	221,724
58	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	661,158	651,158
		Lack of coordination		[–10,000]
59	0603767E	SENSOR TECHNOLOGY	200,220	200,220
60	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	6,765	6,765
61	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	12,598	12,598
64	0603924D8Z	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	105,410	105,410
65	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	187,065	187,065
67	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	0	65,000
		Restoration of funds		[65,000]
70	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	89,072	89,072
71	1206310SDA	SPACE SCIENCE AND TECHNOLOGY RESEARCH AND DEVELOPMENT	72,422	72,422
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**3,588,876**	**3,636,876**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
72	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	32,636	32,636
73	0603600D8Z	WALKOFF	106,529	106,529
75	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	61,345	76,345
		Joint Storage Program		[15,000]
76	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	412,627	412,627
77	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,004,305	1,004,305
78	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	76,167	76,167
79	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	281,957	281,957
80	0603890C	BMD ENABLING PROGRAMS	599,380	599,380
81	0603891C	SPECIAL PROGRAMS—MDA	420,216	420,216
82	0603892C	AEGIS BMD	814,936	814,936
83	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	593,353	593,353
84	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	49,560	49,560
85	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	55,356	55,356
86	0603906C	REGARDING TRENCH	11,863	11,863
87	0603907C	SEA BASED X-BAND RADAR (SBX)	118,318	118,318
88	0603913C	ISRAELI COOPERATIVE PROGRAMS	300,000	300,000
89	0603914C	BALLISTIC MISSILE DEFENSE TEST	378,302	378,302
90	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	536,133	536,133
92	0603923D8Z	COALITION WARFARE	10,129	10,129
93	0604011D8Z	NEXT GENERATION INFORMATION COMMUNICATIONS TECHNOLOGY (5G)	449,000	449,000
94	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,325	3,325
95	0604115C	TECHNOLOGY MATURATION INITIATIVES	67,389	67,389
98	0604181C	HYPERSONIC DEFENSE	206,832	206,832
99	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	730,508	630,508
		Program decrease		[–100,000]
100	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	489,076	489,076
101	0604331D8Z	RAPID PROTOTYPING PROGRAM	102,023	82,023
		Lack of hypersonic prototype coordination efforts		[–20,000]
102	0604341D8Z	DEFENSE INNOVATION UNIT (DIU) PROTOTYPING	13,255	13,255
103	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	2,787	2,787
105	0604672C	HOMELAND DEFENSE RADAR—HAWAII (HDR-H)	0	162,000
		Continue radar development		[162,000]
107	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,469	3,469
109	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	19,190	19,190
110	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	137,256	137,256
111	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	664,138	354,138
		Contract award delay		[–310,000]
112	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	7,768	7,768
113	0604878C	AEGIS BMD TEST	170,880	170,880
114	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	76,456	76,456
115	0604880C	LAND-BASED SM–3 (LBSM3)	56,628	133,428
		PDI: Guam Defense System—systems engineering		[76,800]
116	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	67,071	67,071
118	0300206R	ENTERPRISE INFORMATION TECHNOLOGY SYSTEMS	2,198	2,198
119	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	997	997
120	0305103C	CYBER SECURITY INITIATIVE	1,148	1,148
121	1206410SDA	SPACE TECHNOLOGY DEVELOPMENT AND PROTOTYPING	215,994	325,994
		Execution of HBTSS by MDA		[–20,000]
		Space-based target custody layer		[130,000]
122	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	34,144	34,144
123	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	32,068	152,068
		Hypersonic and Ballistic Tracking Space Sensor (HBTSS)		[120,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**9,416,712**	**9,470,512**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
124	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	7,173	7,173
126	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	319,976	322,976
		Stryker NBCRV sensor suite upgrade		[3,000]
127	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	54,985	54,985
128	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT	15,650	15,650
129	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	1,441	1,441

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
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**	**606,808**
		MANAGEMENT SUPPORT		
145	0603829J	JOINT CAPABILITY EXPERIMENTATION	11,239	11,239
146	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	9,793	9,793
147	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,497	8,497
148	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	422,451	452,451
		Joint Counter-UAS Office assessment infrastructure		[15,000]
		Telemetry range extension wave glider relay		[15,000]
149	0604942D8Z	ASSESSMENTS AND EVALUATIONS	18,379	18,379
150	0605001E	MISSION SUPPORT	74,334	74,334
151	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (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	7,777
		National Academies of Science study on comparison of talent programs		[2,000]
157	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	16,552	16,552
158	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	9,582	9,582
159	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	1,940	1,940
160	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	122,951	122,951
167	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	3,582	3,582
168	0605797D8Z	MAINTAINING TECHNOLOGY ADVANTAGE	29,566	29,566
169	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	29,059	29,059
170	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	59,369	9,369
		Insufficient progress on data sharing and open repositories		[–50,000]
171	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	29,420	29,420
172	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	27,198	27,198
173	0605898E	MANAGEMENT HQ—R&D	13,434	13,434
174	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	2,837	2,837
175	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	13,173	13,173
176	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	3,200	3,200
177	0606589D8W	DEFENSE DIGITAL SERVICE (DDS) DEVELOPMENT SUPPORT	999	999
180	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	3,099	3,099
181	0204571J	JOINT STAFF ANALYTICAL SUPPORT	3,058	3,058
182	0208045K	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
196	0901598C	MANAGEMENT HQ—MDA	26,902	26,902
197	0903235K	JOINT SERVICE PROVIDER (JSP)	3,138	3,138
999	9999999999	CLASSIFIED PROGRAMS	41,583	41,583
		SUBTOTAL MANAGEMENT SUPPORT	**1,297,392**	**1,279,392**
		OPERATIONAL SYSTEMS DEVELOPMENT		
199	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	14,378	14,378
200	0604532K	JOINT ARTIFICIAL INTELLIGENCE	132,058	132,058
201	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND 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	70,151
		Advanced machine tool research		[20,000]
		Cold spray manufacturing technologies		[5,000]
		Domestic organic LED manufacturing		[5,000]
		Implementation of radar supplier resiliency plan		[5,000]
		Manufacturing for reuse of NdFeB magnets		[6,000]
		Submarine industrial base workforce training pipeline		[20,000]
204	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	19,082	19,082
205	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS).	3,992	3,992
206	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	39,530	39,530
207	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,039	3,039
212	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,324	16,324

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
213	0303126K	LONG-HAUL COMMUNICATIONS—DCS	11,884	11,884
214	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	5,560	5,560
215	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	73,356	73,356
216	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	46,577	66,577
		Workforce transformation cyber initiative pilot program		[20,000]
217	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	356,713	356,713
218	0303140K	INFORMATION SYSTEMS SECURITY PROGRAM	8,922	18,922
		Execution of orchestration pilot		[10,000]
219	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	3,695	3,695
220	0303153K	DEFENSE SPECTRUM ORGANIZATION	20,113	20,113
223	0303228K	JOINT REGIONAL SECURITY STACKS (JRSS)	9,728	9,242
		JRSS SIPR funding		[–486]
231	0305128V	SECURITY AND INVESTIGATIVE ACTIVITIES	5,700	5,700
235	0305186D8Z	POLICY R&D PROGRAMS	7,144	7,144
236	0305199D8Z	NET CENTRICITY	21,793	21,793
238	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	6,066	6,066
245	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,190	2,190
252	0708012K	LOGISTICS SUPPORT ACTIVITIES	1,654	1,654
253	0708012S	PACIFIC DISASTER CENTERS	1,785	1,785
254	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	7,301	7,301
256	1105219BB	MQ–9 UAV	21,265	21,265
258	1160403BB	AVIATION SYSTEMS	230,812	230,812
259	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	19,558	19,558
260	1160408BB	OPERATIONAL ENHANCEMENTS	136,041	136,041
261	1160431BB	WARRIOR SYSTEMS	59,511	58,311
		MMP-Light unexecutable, transfer to man-pack		[–1,200]
262	1160432BB	SPECIAL PROGRAMS	10,500	10,500
263	1160434BB	UNMANNED ISR	19,154	19,154
264	1160480BB	SOF TACTICAL VEHICLES	9,263	9,263
265	1160483BB	MARITIME SYSTEMS	59,882	59,882
266	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,606	4,606
267	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	11,612	11,612
268	1203610K	TELEPORT PROGRAM	3,239	3,239
999	9999999999	CLASSIFIED PROGRAMS	4,746,466	4,746,466
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**6,161,946**	**6,251,260**
		SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS		
269	0608197V	NATIONAL BACKGROUND INVESTIGATION SERVICES—SOFTWARE PILOT PROGRAM.	121,676	121,676
270	0608648D8Z	ACQUISITION VISIBILITY—SOFTWARE PILOT PROGRAM	16,848	16,848
271	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	86,750	86,750
272	0308588D8Z	ALGORITHMIC WARFARE CROSS FUNCTIONAL TEAMS—SOFTWARE PILOT PROGRAM.	250,107	250,107
		SUBTOTAL SOFTWARE AND DIGITAL TECHNOLOGY PILOT PROGRAMS	**475,381**	**475,381**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**24,280,891**	**24,546,005**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
1	0605118OTE	OPERATIONAL TEST AND EVALUATION	100,021	100,021
2	0605131OTE	LIVE FIRE TEST AND EVALUATION	70,933	70,933
3	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	39,136	66,136
		Advanced satellite navigation receiver		[5,000]
		Joint Test and Evaluation DWR funding restoration		[22,000]
		SUBTOTAL MANAGEMENT SUPPORT	**210,090**	**237,090**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**210,090**	**237,090**
		TOTAL RDT&E	**106,224,793**	**106,660,645**

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	Senate Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		APPLIED RESEARCH		
16	0602145A	NEXT GENERATION COMBAT VEHICLE TECHNOLOGY	2,000	2,000
		SUBTOTAL APPLIED RESEARCH	**2,000**	**2,000**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
80	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	500	500
114	0604785A	INTEGRATED BASE DEFENSE (BUDGET ACTIVITY 4)	2,020	2,020
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**2,520**	**2,520**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2021 Request	Senate Authorized
		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**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
39	0603527N	RETRACT LARCH	36,500	36,500
58	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	14,461	14,461
63	0603734N	CHALK CORAL	3,000	3,000
71	0603795N	LAND ATTACK TECHNOLOGY	1,457	1,457
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & 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		
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
65	0305601F	MISSION PARTNER ENVIRONMENTS		6,500
		EDI: Mission Partner Environment (MPE)		[6,500]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		**6,500**
		OPERATIONAL SYSTEMS DEVELOPMENT		
185	0205671F	JOINT COUNTER RCIED ELECTRONIC WARFARE	4,080	4,080
228	0208288F	INTEL DATA APPLICATIONS	1,224	1,224
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**5,304**	**5,304**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**5,304**	**11,804**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		APPLIED RESEARCH		
10	0602134BR	COUNTER IMPROVISED-THREAT ADVANCED STUDIES	3,699	3,699
		SUBTOTAL APPLIED RESEARCH	**3,699**	**3,699**
		ADVANCED TECHNOLOGY DEVELOPMENT		
26	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	19,288	19,288
28	0603134BR	COUNTER IMPROVISED-THREAT SIMULATION	3,861	3,861
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**23,149**	**23,149**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
97	0604134BR	COUNTER IMPROVISED-THREAT DEMONSTRATION, PROTOTYPE DEVELOPMENT, AND TESTING.	19,931	19,931
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**19,931**	**19,931**
	9999999999	CLASSIFIED PROGRAMS	24,057	24,057
		OPERATIONAL SYSTEMS DEVELOPMENT		
260	1160408BB	OPERATIONAL ENHANCEMENTS	1,186	1,186
261	1160431BB	WARRIOR SYSTEMS	5,796	5,796
263	1160434BB	UNMANNED ISR	5,000	5,000
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**36,039**	**36,039**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**82,818**	**82,818**
		TOTAL RDT&E	**330,508**	**337,008**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
020	MODULAR SUPPORT BRIGADES	159,834	159,834
030	ECHELONS ABOVE BRIGADE	663,751	663,751
040	THEATER LEVEL ASSETS	956,477	956,477
050	LAND FORCES OPERATIONS SUPPORT	1,157,635	1,167,935
	Joint Counter-UAS IOC acceleration		[10,300]
060	AVIATION ASSETS	1,453,024	1,453,024
070	FORCE READINESS OPERATIONS SUPPORT	4,713,660	4,713,660
080	LAND FORCES SYSTEMS READINESS	404,161	404,161
090	LAND FORCES DEPOT MAINTENANCE	1,413,359	1,413,359
100	BASE OPERATIONS SUPPORT	8,220,093	8,346,093
	Child Development Center playground equipment and furniture increases		[79,000]
	Child Youth Service improvements		[47,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,581,071	3,815,531
	FSRM increase		[62,360]
	MDTF EUCOM and INDOPACOM FSRM		[126,800]
	Revitalization of Army deployment infrastructure		[45,300]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	411,844	411,844
160	US AFRICA COMMAND	239,387	341,887
	AFRICOM force protection upgrades		[2,500]
	AFRICOM ISR improvements		[64,000]
	AFRICOM UFR CASEVAC improvements		[36,000]
170	US EUROPEAN COMMAND	160,761	160,761
180	US SOUTHERN COMMAND	197,826	197,826
190	US FORCES KOREA	65,152	65,152
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	430,109	435,109
	Additional access and operations support		[5,000]
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	464,117	464,117
	SUBTOTAL OPERATING FORCES	**24,692,261**	**25,170,521**
	MOBILIZATION		
220	STRATEGIC MOBILITY	402,236	402,236
230	ARMY PREPOSITIONED STOCKS	324,306	324,306
240	INDUSTRIAL PREPAREDNESS	3,653	3,653
	SUBTOTAL MOBILIZATION	**730,195**	**730,195**
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	165,142	165,142
260	RECRUIT TRAINING	76,509	76,509
270	ONE STATION UNIT TRAINING	88,523	88,523
280	SENIOR RESERVE OFFICERS TRAINING CORPS	535,578	535,578
290	SPECIALIZED SKILL TRAINING	981,436	981,436
300	FLIGHT TRAINING	1,204,768	1,204,768
310	PROFESSIONAL DEVELOPMENT EDUCATION	215,195	215,195
320	TRAINING SUPPORT	575,232	575,232
330	RECRUITING AND ADVERTISING	722,612	722,612
340	EXAMINING	185,522	185,522
350	OFF-DUTY AND VOLUNTARY EDUCATION	221,503	221,503
360	CIVILIAN EDUCATION AND TRAINING	154,651	154,651
370	JUNIOR RESERVE OFFICER TRAINING CORPS	173,286	173,286
	SUBTOTAL TRAINING AND RECRUITING	**5,299,957**	**5,299,957**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	491,926	466,926
	Historical underexecution		[–25,000]
400	CENTRAL SUPPLY ACTIVITIES	812,613	812,613
410	LOGISTIC SUPPORT ACTIVITIES	676,178	676,178
420	AMMUNITION MANAGEMENT	437,774	437,774
430	ADMINISTRATION	438,048	438,048
440	SERVICEWIDE COMMUNICATIONS	1,638,872	1,638,872
450	MANPOWER MANAGEMENT	300,046	300,046
460	OTHER PERSONNEL SUPPORT	701,103	700,103
	Historical underexecution		[–4,000]
	Servicewomen's commemorative partnerships		[3,000]
470	OTHER SERVICE SUPPORT	1,887,133	1,887,133
480	ARMY CLAIMS ACTIVITIES	195,291	195,291
490	REAL ESTATE MANAGEMENT	229,537	229,537
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	306,370	306,370
510	INTERNATIONAL MILITARY HEADQUARTERS	373,030	373,030
520	MISC. SUPPORT OF OTHER NATIONS	32,719	32,719
9999	CLASSIFIED PROGRAMS	1,069,915	1,069,915
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**9,590,555**	**9,564,555**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–458,901
	COVID-related ops/training slowdown		[–185,801]
	Excessive standard price for fuel		[–135,400]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	Foreign currency adjustments		[–137,700]
	SUBTOTAL UNDISTRIBUTED	**0**	**–458,901**
	TOTAL OPERATION & MAINTENANCE, ARMY	**40,312,968**	**40,306,327**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	10,784	10,784
020	ECHELONS ABOVE BRIGADE	530,425	530,425
030	THEATER LEVEL ASSETS	123,737	123,737
040	LAND FORCES OPERATIONS SUPPORT	589,582	589,582
050	AVIATION ASSETS	89,332	89,332
060	FORCE READINESS OPERATIONS SUPPORT	387,545	387,545
070	LAND FORCES SYSTEMS READINESS	97,569	97,569
080	LAND FORCES DEPOT MAINTENANCE	43,148	43,148
090	BASE OPERATIONS SUPPORT	587,098	587,098
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	327,180	332,440
	FSRM increase		[5,260]
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	28,783	28,783
120	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	2,745	2,745
130	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,438	7,438
	SUBTOTAL OPERATING FORCES	**2,825,366**	**2,830,626**
	ADMIN & SRVWD ACTIVITIES		
140	SERVICEWIDE TRANSPORTATION	15,530	15,530
150	ADMINISTRATION	17,761	17,761
160	SERVICEWIDE COMMUNICATIONS	14,256	14,256
170	MANPOWER MANAGEMENT	6,564	6,564
180	RECRUITING AND ADVERTISING	55,240	55,240
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**109,351**	**109,351**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–16,699
	COVID-related ops/training slowdown		[–11,999]
	Excessive standard price for fuel		[–4,700]
	SUBTOTAL UNDISTRIBUTED	**0**	**–16,699**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,934,717**	**2,923,278**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	769,449	769,449
020	MODULAR SUPPORT BRIGADES	204,604	204,604
030	ECHELONS ABOVE BRIGADE	812,072	812,072
040	THEATER LEVEL ASSETS	103,650	103,650
050	LAND FORCES OPERATIONS SUPPORT	32,485	32,485
060	AVIATION ASSETS	1,011,142	1,011,142
070	FORCE READINESS OPERATIONS SUPPORT	712,881	712,881
080	LAND FORCES SYSTEMS READINESS	47,732	47,732
090	LAND FORCES DEPOT MAINTENANCE	265,408	265,408
100	BASE OPERATIONS SUPPORT	1,106,704	1,106,704
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	876,032	887,252
	FSRM increase		[11,220]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	1,050,257	1,050,257
130	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	7,998	10,998
	Pilot program for National Guard cybersecurity		[3,000]
140	CYBERSPACE ACTIVITIES—CYBERSECURITY	7,756	7,756
	SUBTOTAL OPERATING FORCES	**7,008,170**	**7,022,390**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE TRANSPORTATION	8,018	8,018
160	ADMINISTRATION	74,309	74,309
170	SERVICEWIDE COMMUNICATIONS	66,140	66,140
180	MANPOWER MANAGEMENT	9,087	9,087
190	OTHER PERSONNEL SUPPORT	251,714	251,714
200	REAL ESTATE MANAGEMENT	2,576	2,576
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**411,844**	**411,844**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–74,172
	COVID-related ops/training slowdown		[–36,372]
	Excessive standard price for fuel		[–37,800]
	SUBTOTAL UNDISTRIBUTED	**0**	**–74,172**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,420,014**	**7,360,062**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,738,746	5,738,746
020	FLEET AIR TRAINING	2,213,673	2,213,673
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	57,144	57,144
040	AIR OPERATIONS AND SAFETY SUPPORT	171,949	171,949

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
050	AIR SYSTEMS SUPPORT	838,767	838,767
060	AIRCRAFT DEPOT MAINTENANCE	1,459,447	1,459,447
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	57,789	57,789
080	AVIATION LOGISTICS	1,264,665	1,264,665
100	SHIP OPERATIONS SUPPORT & TRAINING	1,117,067	1,117,067
110	SHIP DEPOT MAINTENANCE	7,859,104	7,859,104
120	SHIP DEPOT OPERATIONS SUPPORT	2,262,196	2,262,196
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,521,360	1,521,360
140	SPACE SYSTEMS AND SURVEILLANCE	274,087	274,087
150	WARFARE TACTICS	741,609	741,609
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	401,382	401,382
170	COMBAT SUPPORT FORCES	1,546,273	1,546,273
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	177,951	177,951
190	COMBATANT COMMANDERS CORE OPERATIONS	61,484	66,484
	PDI: Asia-Pacific Regional Initiative		[5,000]
200	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	102,330	110,630
	PDI: Joint Task Force Indo-Pacific (SOCPAC)		[6,300]
	PDI: Singapore CTIF fusion center		[2,000]
210	MILITARY INFORMATION SUPPORT OPERATIONS	8,810	26,510
	PDI: Countering Chinese malign influence in Indo-Pacific		[17,700]
220	CYBERSPACE ACTIVITIES	567,496	567,496
230	FLEET BALLISTIC MISSILE	1,428,102	1,428,102
240	WEAPONS MAINTENANCE	995,762	995,762
250	OTHER WEAPON SYSTEMS SUPPORT	524,008	524,008
260	ENTERPRISE INFORMATION	1,229,056	1,229,056
270	SUSTAINMENT, RESTORATION AND MODERNIZATION	3,453,099	3,453,099
280	BASE OPERATING SUPPORT	4,627,966	4,627,966
	SUBTOTAL OPERATING FORCES	**40,701,322**	**40,732,322**
	MOBILIZATION		
290	SHIP PREPOSITIONING AND SURGE	849,993	849,993
300	READY RESERVE FORCE	436,029	436,029
310	SHIP ACTIVATIONS/INACTIVATIONS	286,416	286,416
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	99,402	111,002
	USNS Mercy SLEP		[11,600]
330	COAST GUARD SUPPORT	25,235	25,235
	SUBTOTAL MOBILIZATION	**1,697,075**	**1,708,675**
	TRAINING AND RECRUITING		
340	OFFICER ACQUISITION	186,117	186,117
350	RECRUIT TRAINING	13,206	13,206
360	RESERVE OFFICERS TRAINING CORPS	163,683	163,683
370	SPECIALIZED SKILL TRAINING	947,841	947,841
380	PROFESSIONAL DEVELOPMENT EDUCATION	367,647	367,647
390	TRAINING SUPPORT	254,928	254,928
400	RECRUITING AND ADVERTISING	206,305	206,305
410	OFF-DUTY AND VOLUNTARY EDUCATION	103,799	103,799
420	CIVILIAN EDUCATION AND TRAINING	66,060	66,060
430	JUNIOR ROTC	56,276	56,276
	SUBTOTAL TRAINING AND RECRUITING	**2,365,862**	**2,365,862**
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	1,249,410	1,249,410
450	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	189,625	189,625
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	499,904	499,904
470	MEDICAL ACTIVITIES	196,747	196,747
480	SERVICEWIDE TRANSPORTATION	165,708	165,708
500	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	519,716	524,716
	Energy Security Programs Office		[5,000]
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	751,184	751,184
520	INVESTIGATIVE AND SECURITY SERVICES	747,519	747,519
9999	CLASSIFIED PROGRAMS	608,670	608,670
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,928,483**	**4,933,483**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–629,787
	COVID-related ops/training slowdown		[–54,987]
	Excessive standard price for fuel		[–526,100]
	Foreign currency adjustments		[–48,700]
	SUBTOTAL UNDISTRIBUTED	**0**	**–629,787**
	TOTAL OPERATION & MAINTENANCE, NAVY	**49,692,742**	**49,110,555**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	941,143	941,143
020	FIELD LOGISTICS	1,277,798	1,277,798
030	DEPOT MAINTENANCE	206,907	206,907
040	MARITIME PREPOSITIONING	103,614	103,614
050	CYBERSPACE ACTIVITIES	215,974	215,974
060	SUSTAINMENT, RESTORATION & MODERNIZATION	938,063	938,063
070	BASE OPERATING SUPPORT	2,264,680	2,264,680

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	SUBTOTAL OPERATING FORCES	**5,948,179**	**5,948,179**
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	20,751	20,751
090	OFFICER ACQUISITION	1,193	1,193
100	SPECIALIZED SKILL TRAINING	110,149	110,149
110	PROFESSIONAL DEVELOPMENT EDUCATION	69,509	69,509
120	TRAINING SUPPORT	412,613	412,613
130	RECRUITING AND ADVERTISING	215,464	215,464
140	OFF-DUTY AND VOLUNTARY EDUCATION	33,719	33,719
150	JUNIOR ROTC	25,784	25,784
	SUBTOTAL TRAINING AND RECRUITING	**889,182**	**889,182**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	32,005	32,005
170	ADMINISTRATION	399,363	399,363
9999	CLASSIFIED PROGRAMS	59,878	59,878
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**491,246**	**491,246**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–28,257
	COVID-related ops/training slowdown		[–7,457]
	Excessive standard price for fuel		[–7,300]
	Foreign currency adjustments		[–13,500]
	SUBTOTAL UNDISTRIBUTED	**0**	**–28,257**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**7,328,607**	**7,300,350**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	635,070	635,070
020	INTERMEDIATE MAINTENANCE	8,713	8,713
030	AIRCRAFT DEPOT MAINTENANCE	105,088	105,088
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	398	398
050	AVIATION LOGISTICS	27,284	27,284
070	COMBAT COMMUNICATIONS	17,894	17,894
080	COMBAT SUPPORT FORCES	132,862	132,862
090	CYBERSPACE ACTIVITIES	453	453
100	ENTERPRISE INFORMATION	26,073	26,073
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	48,762	48,762
120	BASE OPERATING SUPPORT	103,580	103,580
	SUBTOTAL OPERATING FORCES	**1,106,177**	**1,106,177**
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,927	1,927
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	15,895	15,895
150	ACQUISITION AND PROGRAM MANAGEMENT	3,047	3,047
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**20,869**	**20,869**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–30,938
	COVID-related ops/training slowdown		[–6,438]
	Excessive standard price for fuel		[–24,500]
	SUBTOTAL UNDISTRIBUTED	**0**	**–30,938**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,127,046**	**1,096,108**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	104,616	104,616
020	DEPOT MAINTENANCE	17,053	17,053
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	41,412	41,412
040	BASE OPERATING SUPPORT	107,773	107,773
	SUBTOTAL OPERATING FORCES	**270,854**	**270,854**
	ADMIN & SRVWD ACTIVITIES		
050	ADMINISTRATION	13,802	13,802
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**13,802**	**13,802**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–1,246
	COVID-related ops/training slowdown		[–1,046]
	Excessive standard price for fuel		[–200]
	SUBTOTAL UNDISTRIBUTED	**0**	**–1,246**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**284,656**	**283,410**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	731,511	733,211
	Premature reduction of A–10 squadrons		[1,700]
020	COMBAT ENHANCEMENT FORCES	1,275,485	1,275,485

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,437,095	1,449,495
	Premature reduction of A–10 squadrons		[12,400]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,241,216	3,343,016
	FSRM increase		[101,800]
060	CYBERSPACE SUSTAINMENT	235,816	235,816
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,508,342	1,477,897
	Transfer to OCO		[–30,445]
080	FLYING HOUR PROGRAM	4,458,457	4,564,157
	KC–10 tanker divestment reversal		[16,200]
	KC–135 tanker divestment reversal		[36,600]
	Premature reduction of A–10 squadrons		[52,900]
090	BASE SUPPORT	7,497,288	7,497,288
100	GLOBAL C3I AND EARLY WARNING	849,842	880,642
	PDI: Mission Partner Environment implementation		[30,800]
110	OTHER COMBAT OPS SPT PROGRAMS	1,067,055	1,067,055
120	CYBERSPACE ACTIVITIES	698,579	698,579
150	SPACE CONTROL SYSTEMS	34,194	34,194
160	US NORTHCOM/NORAD	204,268	204,268
170	US STRATCOM	526,809	526,809
180	US CYBERCOM	314,524	356,224
	Additional access and operations support		[25,000]
	Hunt Forward missions		[13,800]
	Secure the DODIN		[2,900]
190	US CENTCOM	186,116	186,116
200	US SOCOM	9,881	9,881
210	US TRANSCOM	1,046	1,046
230	USSPACECOM	249,022	249,022
9999	CLASSIFIED PROGRAMS	1,289,339	1,289,339
	SUBTOTAL OPERATING FORCES	**25,815,885**	**26,079,540**
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,350,031	1,350,031
250	MOBILIZATION PREPAREDNESS	647,168	647,168
	SUBTOTAL MOBILIZATION	**1,997,199**	**1,997,199**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	142,548	142,548
270	RECRUIT TRAINING	25,720	25,720
280	RESERVE OFFICERS TRAINING CORPS (ROTC)	128,295	128,295
290	SPECIALIZED SKILL TRAINING	417,335	417,335
300	FLIGHT TRAINING	615,033	615,033
310	PROFESSIONAL DEVELOPMENT EDUCATION	298,795	298,795
320	TRAINING SUPPORT	85,844	85,844
330	RECRUITING AND ADVERTISING	155,065	135,065
	Ahead of need		[–20,000]
340	EXAMINING	4,474	4,474
350	OFF-DUTY AND VOLUNTARY EDUCATION	219,349	219,349
360	CIVILIAN EDUCATION AND TRAINING	361,570	361,570
370	JUNIOR ROTC	72,126	72,126
	SUBTOTAL TRAINING AND RECRUITING	**2,526,154**	**2,506,154**
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	672,426	672,426
390	TECHNICAL SUPPORT ACTIVITIES	145,130	145,130
400	ADMINISTRATION	851,251	851,251
410	SERVICEWIDE COMMUNICATIONS	28,554	28,554
420	OTHER SERVICEWIDE ACTIVITIES	1,188,414	1,188,414
430	CIVIL AIR PATROL	28,772	28,772
450	INTERNATIONAL SUPPORT	158,803	158,803
9999	CLASSIFIED PROGRAMS	1,338,009	1,338,009
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,411,359**	**4,411,359**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–765,956
	COVID-related ops/training slowdown		[–89,856]
	COVID-related throughput carryover adjustment		[–75,800]
	Excessive standard price for fuel		[–560,200]
	Foreign currency adjustments		[–40,100]
	SUBTOTAL UNDISTRIBUTED	**0**	**–765,956**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**34,750,597**	**34,228,296**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	276,109	276,109
030	SPACE LAUNCH OPERATIONS	177,056	177,056
040	SPACE OPERATIONS	475,338	475,338
050	EDUCATION & TRAINING	18,660	18,660
060	SPECIAL PROGRAMS	137,315	137,315
070	DEPOT MAINTENANCE	250,324	250,324
080	CONTRACTOR LOGISTICS & SYSTEM SUPPORT	1,063,969	1,063,969
	SUBTOTAL OPERATING FORCES	**2,398,771**	**2,398,771**

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	ADMINISTRATION AND SERVICE WIDE ACTIVITIES		
090	ADMINISTRATION	132,523	132,523
	SUBTOTAL ADMINISTRATION AND SERVICE WIDE ACTIVITIES	**132,523**	**132,523**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–400
	Excessive standard price for fuel		[–400]
	SUBTOTAL UNDISTRIBUTED	**0**	**–400**
	TOTAL OPERATION & MAINTENANCE, SPACE FORCE	**2,531,294**	**2,530,894**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,782,016	1,782,016
020	MISSION SUPPORT OPERATIONS	215,209	215,209
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	453,896	509,096
	KC–10 tanker divestment reversal		[48,400]
	KC–135 tanker divestment reversal		[3,400]
	Premature reduction of A–10 squadrons		[3,400]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	103,414	107,614
	FSRM increase		[4,200]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	224,977	224,977
060	BASE SUPPORT	452,468	452,468
070	CYBERSPACE ACTIVITIES	2,259	2,259
	SUBTOTAL OPERATING FORCES	**3,234,239**	**3,293,639**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
080	ADMINISTRATION	74,258	74,258
090	RECRUITING AND ADVERTISING	23,121	18,121
	Ahead of need		[–5,000]
100	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,006	12,006
110	OTHER PERS SUPPORT (DISABILITY COMP)	6,165	6,165
120	AUDIOVISUAL	495	495
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**116,045**	**111,045**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–73,163
	COVID-related ops/training slowdown		[–10,863]
	Excessive standard price for fuel		[–62,300]
	SUBTOTAL UNDISTRIBUTED	**0**	**–73,163**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,350,284**	**3,331,521**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	2,476,205	2,476,205
020	MISSION SUPPORT OPERATIONS	611,325	611,325
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	1,138,919	1,138,919
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	323,605	332,505
	FSRM increase		[8,900]
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,100,828	1,100,828
060	BASE SUPPORT	962,438	962,438
070	CYBERSPACE SUSTAINMENT	27,028	27,028
080	CYBERSPACE ACTIVITIES	16,380	19,380
	Pilot program for National Guard cybersecurity		[3,000]
	SUBTOTAL OPERATING FORCES	**6,656,728**	**6,668,628**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
090	ADMINISTRATION	48,218	48,218
100	RECRUITING AND ADVERTISING	48,696	33,696
	Ahead of need		[–15,000]
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**96,914**	**81,914**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–122,052
	COVID-related ops/training slowdown		[–15,852]
	Excessive standard price for fuel		[–106,200]
	SUBTOTAL UNDISTRIBUTED	**0**	**–122,052**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,753,642**	**6,628,490**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	439,111	439,111
020	JOINT CHIEFS OF STAFF—CE2T2	535,728	535,728
030	JOINT CHIEFS OF STAFF—CYBER	24,728	24,728
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	1,069,971	1,072,971
	SOCOM Syria exfiltration reconsitution		[3,000]
050	SPECIAL OPERATIONS COMMAND CYBERSPACE ACTIVITIES	9,800	9,800
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	561,907	561,907
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	685,097	707,097

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	Airborne ISR restoration		[22,000]
080	SPECIAL OPERATIONS COMMAND MANAGEMENT/OPERATIONAL HEADQUARTERS	158,971	158,971
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	1,062,748	1,062,748
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	2,598,385	2,599,685
	Airborne ISR restoration		[1,300]
	SUBTOTAL OPERATING FORCES	**7,146,446**	**7,172,746**
	TRAINING AND RECRUITING		
120	DEFENSE ACQUISITION UNIVERSITY	162,963	162,963
130	JOINT CHIEFS OF STAFF	95,684	95,684
140	PROFESSIONAL DEVELOPMENT EDUCATION	33,301	33,301
	SUBTOTAL TRAINING AND RECRUITING	**291,948**	**291,948**
	ADMIN & SRVWIDE ACTIVITIES		
160	CIVIL MILITARY PROGRAMS	147,993	179,893
	Innovative Readiness Training		[16,900]
	STARBASE		[15,000]
180	DEFENSE CONTRACT AUDIT AGENCY	604,835	604,835
190	DEFENSE CONTRACT AUDIT AGENCY—CYBER	3,282	3,282
210	DEFENSE CONTRACT MANAGEMENT AGENCY	1,370,681	1,427,081
	DWR restore activities		[56,400]
220	DEFENSE CONTRACT MANAGEMENT AGENCY—CYBER	22,532	22,532
230	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY	949,008	952,008
	DWR restore: Congressional oversight		[3,000]
250	DEFENSE COUNTERINTELLIGENCE AND SECURITY AGENCY—CYBER	9,577	9,577
260	DEFENSE HUMAN RESOURCES ACTIVITY	799,952	799,952
270	DEFENSE HUMAN RESOURCES ACTIVITY—CYBER	20,806	20,806
280	DEFENSE INFORMATION SYSTEMS AGENCY	1,883,190	1,923,190
	Secure the DODIN		[40,000]
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	582,639	577,939
	JRSS SIPR funding		[–4,700]
330	DEFENSE LEGAL SERVICES AGENCY	37,637	37,637
340	DEFENSE LOGISTICS AGENCY	382,084	385,684
	DWR restore: blankets for homeless		[3,600]
350	DEFENSE MEDIA ACTIVITY	196,997	196,997
360	DEFENSE PERSONNEL ACCOUNTING AGENCY	129,225	129,225
370	DEFENSE SECURITY COOPERATION AGENCY	598,559	598,559
	Defense Institute for International Legal Studies		[2,000]
	Institute for Security Governance		[–2,000]
	PDI: Maritime Security Initiative INDOPACOM UFR		[163,000]
	PDI: Transfer from Sec. 333 to Maritime Security Initiative		[–163,000]
400	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	38,432	38,432
410	DEFENSE THREAT REDUCTION AGENCY	591,780	591,780
430	DEFENSE THREAT REDUCTION AGENCY—CYBER	24,635	24,635
440	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,941,429	3,012,929
	DWR restore: maintain student-teacher ratios in DODEA schools		[1,500]
	Impact Aid for children with severe disabilities		[20,000]
	Impact Aid for schools with military dependent students		[50,000]
450	MISSILE DEFENSE AGENCY	505,858	505,858
480	OFFICE OF ECONOMIC ADJUSTMENT	40,272	90,272
	Defense Community Infrastruture Program infusion		[50,000]
490	OFFICE OF THE SECRETARY OF DEFENSE	1,540,446	1,613,946
	AI National Security Commission		[2,500]
	Bien Hoa dioxin cleanup		[15,000]
	Black Start ERREs		[2,000]
	CDC PFAS health assessment		[10,000]
	Commission on Confederate symbols and displays		[2,000]
	Cooperative program for Vietnam personnel MIA		[2,000]
	DWR restore: Congressional background investigations		[–3,000]
	Energy performance contracts		[10,000]
	ESOH personnel in ASD(S)		[2,000]
	FY20 NDAA Sec. 575 interstate spousal licensing		[4,000]
	National Cyber Director independent study		[2,000]
	REPI		[25,000]
500	OFFICE OF THE SECRETARY OF DEFENSE—CYBER	51,630	51,630
510	SPACE DEVELOPMENT AGENCY	48,166	48,166
530	WASHINGTON HEADQUARTERS SERVICES	340,291	343,291
	DWR restore: support to commissions		[3,000]
9999	CLASSIFIED PROGRAMS	17,348,749	17,348,749
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**31,210,685**	**31,538,885**
	UNDISTRIBUTED		
999	UNDISTRIBUTED	0	–172,839
	COVID-related ops/training slowdown		[–129,339]
	Excessive standard price for fuel		[–14,800]
	Foreign currency adjustments		[–28,700]
	SUBTOTAL UNDISTRIBUTED	**0**	**–172,839**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**38,649,079**	**38,830,740**
	MISCELLANEOUS APPROPRIATIONS		
	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	15,211	15,211
	SUBTOTAL US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	**15,211**	**15,211**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**15,211**	**15,211**
	MISCELLANEOUS APPROPRIATIONS		
	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID		
010	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	109,900	109,900
	SUBTOTAL OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	**109,900**	**109,900**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**109,900**	**109,900**
	MISCELLANEOUS APPROPRIATIONS		
	COOPERATIVE THREAT REDUCTION		
010	COOPERATIVE THREAT REDUCTION	238,490	288,490
	DWR restore: Biological Threat Reduction Program		[50,000]
	SUBTOTAL COOPERATIVE THREAT REDUCTION	**238,490**	**288,490**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**238,490**	**288,490**
	MISCELLANEOUS APPROPRIATIONS		
	ACQUISITION WORKFORCE DEVELOPMENT		
010	ACQ WORKFORCE DEV FD	58,181	156,680
	DWR restore OSD-level acquisition workforce activities		[98,499]
	SUBTOTAL ACQUISITION WORKFORCE DEVELOPMENT	**58,181**	**156,680**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**58,181**	**156,680**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, ARMY		
050	ENVIRONMENTAL RESTORATION, ARMY	207,518	207,518
	SUBTOTAL ENVIRONMENTAL RESTORATION, ARMY	**207,518**	**207,518**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**207,518**	**207,518**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, NAVY		
060	ENVIRONMENTAL RESTORATION, NAVY	335,932	335,932
	SUBTOTAL ENVIRONMENTAL RESTORATION, NAVY	**335,932**	**335,932**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**335,932**	**335,932**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, AIR FORCE		
070	ENVIRONMENTAL RESTORATION, AIR FORCE	303,926	303,926
	SUBTOTAL ENVIRONMENTAL RESTORATION, AIR FORCE	**303,926**	**303,926**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**303,926**	**303,926**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION, DEFENSE		
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,105	9,105
	SUBTOTAL ENVIRONMENTAL RESTORATION, DEFENSE	**9,105**	**9,105**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**9,105**	**9,105**
	MISCELLANEOUS APPROPRIATIONS		
	ENVIRONMENTAL RESTORATION FORMERLY USED SITES		
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	216,587	216,587
	SUBTOTAL ENVIRONMENTAL RESTORATION FORMERLY USED SITES	**216,587**	**216,587**
	TOTAL MISCELLANEOUS APPROPRIATIONS	**216,587**	**216,587**
	TOTAL OPERATION & MAINTENANCE	**196,630,496**	**195,573,380**

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	Senate Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	4,114,001	4,114,001
030	ECHELONS ABOVE BRIGADE	32,811	32,811
040	THEATER LEVEL ASSETS	2,542,760	2,545,410
	EDI: Support to deterrent activities		[2,650]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
050	LAND FORCES OPERATIONS SUPPORT	162,557	162,557
060	AVIATION ASSETS	204,396	204,396
070	FORCE READINESS OPERATIONS SUPPORT	5,716,734	5,721,224
	EDI: Support to deterrent activities PE 0202218A		[1,490]
	EDI: Support to deterrent activities PE 1001010A		[3,000]
080	LAND FORCES SYSTEMS READINESS	180,048	180,048
090	LAND FORCES DEPOT MAINTENANCE	81,125	81,125
100	BASE OPERATIONS SUPPORT	219,029	219,029
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	301,017	301,017
130	ADDITIONAL ACTIVITIES	966,649	966,649
140	COMMANDER'S EMERGENCY RESPONSE PROGRAM	2,500	2,000
	Hero payments funded by ASFF		[–500]
150	RESET	403,796	403,796
160	US AFRICA COMMAND	100,422	100,422
170	US EUROPEAN COMMAND	120,043	144,143
	EDI: Continuity of operations support		[2,100]
	EDI: Modernizing Mission Partner Environment (MPE)		[22,000]
200	CYBERSPACE ACTIVITIES—CYBERSPACE OPERATIONS	98,461	98,461
210	CYBERSPACE ACTIVITIES—CYBERSECURITY	21,256	21,256
	SUBTOTAL OPERATING FORCES	**15,267,605**	**15,298,345**
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	103,052	103,052
	SUBTOTAL MOBILIZATION	**103,052**	**103,052**
	TRAINING AND RECRUITING		
290	SPECIALIZED SKILL TRAINING	89,943	89,943
320	TRAINING SUPPORT	2,550	2,550
	SUBTOTAL TRAINING AND RECRUITING	**92,493**	**92,493**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	521,090	521,090
400	CENTRAL SUPPLY ACTIVITIES	43,897	43,897
410	LOGISTIC SUPPORT ACTIVITIES	68,423	68,423
420	AMMUNITION MANAGEMENT	29,162	29,162
440	SERVICEWIDE COMMUNICATIONS	11,447	11,447
470	OTHER SERVICE SUPPORT	5,839	5,839
490	REAL ESTATE MANAGEMENT	48,782	48,782
510	INTERNATIONAL MILITARY HEADQUARTERS	50,000	50,000
9999	CLASSIFIED PROGRAMS	895,964	895,964
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**1,674,604**	**1,674,604**
	TOTAL OPERATION & MAINTENANCE, ARMY	**17,137,754**	**17,168,494**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
020	ECHELONS ABOVE BRIGADE	17,193	17,193
060	FORCE READINESS OPERATIONS SUPPORT	440	440
090	BASE OPERATIONS SUPPORT	15,766	15,766
	SUBTOTAL OPERATING FORCES	**33,399**	**33,399**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**33,399**	**33,399**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	25,746	25,746
020	MODULAR SUPPORT BRIGADES	40	40
030	ECHELONS ABOVE BRIGADE	983	983
040	THEATER LEVEL ASSETS	22	22
060	AVIATION ASSETS	20,624	20,624
070	FORCE READINESS OPERATIONS SUPPORT	7,914	7,914
100	BASE OPERATIONS SUPPORT	24,417	24,417
	SUBTOTAL OPERATING FORCES	**79,746**	**79,746**
	ADMIN & SRVWD ACTIVITIES		
170	SERVICEWIDE COMMUNICATIONS	46	46
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**46**	**46**
	TOTAL OPERATION & MAINTENANCE, ARNG	**79,792**	**79,792**
	AFGHANISTAN SECURITY FORCES FUND		
	AFGHAN NATIONAL ARMY		
010	SUSTAINMENT	1,065,932	1,065,932
020	INFRASTRUCTURE	64,501	64,501
030	EQUIPMENT AND TRANSPORTATION	47,854	47,854
040	TRAINING AND OPERATIONS	56,780	56,780
	SUBTOTAL AFGHAN NATIONAL ARMY	**1,235,067**	**1,235,067**
	AFGHAN NATIONAL POLICE		
050	SUSTAINMENT	434,500	434,500
060	INFRASTRUCTURE	448	448
070	EQUIPMENT AND TRANSPORTATION	108,231	108,231

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
080	TRAINING AND OPERATIONS	58,993	58,993
	SUBTOTAL AFGHAN NATIONAL POLICE	**602,172**	**602,172**
	AFGHAN AIR FORCE		
090	SUSTAINMENT	534,102	534,102
100	INFRASTRUCTURE	9,532	9,532
110	EQUIPMENT AND TRANSPORTATION	58,487	58,487
120	TRAINING AND OPERATIONS	233,803	233,803
	SUBTOTAL AFGHAN AIR FORCE	**835,924**	**835,924**
	AFGHAN SPECIAL SECURITY FORCES		
130	SUSTAINMENT	680,024	680,024
140	INFRASTRUCTURE	2,532	2,532
150	EQUIPMENT AND TRANSPORTATION	486,808	486,808
160	TRAINING AND OPERATIONS	173,085	173,085
	SUBTOTAL AFGHAN SPECIAL SECURITY FORCES	**1,342,449**	**1,342,449**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**4,015,612**	**4,015,612**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	382,062	382,062
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	832	832
040	AIR OPERATIONS AND SAFETY SUPPORT	17,840	17,840
050	AIR SYSTEMS SUPPORT	210,692	210,692
060	AIRCRAFT DEPOT MAINTENANCE	170,580	170,580
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	5,854	5,854
080	AVIATION LOGISTICS	33,707	33,707
090	MISSION AND OTHER SHIP OPERATIONS	5,817,696	5,817,696
100	SHIP OPERATIONS SUPPORT & TRAINING	20,741	20,741
110	SHIP DEPOT MAINTENANCE	2,072,470	2,072,470
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	59,254	59,254
140	SPACE SYSTEMS AND SURVEILLANCE	18,000	18,000
150	WARFARE TACTICS	17,324	17,324
160	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	22,581	22,581
170	COMBAT SUPPORT FORCES	772,441	772,441
180	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS 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**	**10,521,682**
	MOBILIZATION		
320	EXPEDITIONARY HEALTH SERVICES SYSTEMS	22,589	22,589
	SUBTOTAL MOBILIZATION	**22,589**	**22,589**
	TRAINING AND RECRUITING		
370	SPECIALIZED SKILL TRAINING	53,204	53,204
	SUBTOTAL TRAINING AND RECRUITING	**53,204**	**53,204**
	ADMIN & SRVWD ACTIVITIES		
440	ADMINISTRATION	9,983	9,983
460	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,805	7,805
480	SERVICEWIDE TRANSPORTATION	72,097	72,097
510	ACQUISITION, LOGISTICS, AND OVERSIGHT	11,354	11,354
520	INVESTIGATIVE AND SECURITY SERVICES	1,591	1,591
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**102,830**	**102,830**
	TOTAL OPERATION & MAINTENANCE, NAVY	**10,700,305**	**10,700,305**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	727,989	745,489
	EDI: Globally Integrated Exercise 20–4/Austere Challenge 21.3		[10,000]
	EDI: Marine European training program		[7,500]
020	FIELD LOGISTICS	195,001	195,001
030	DEPOT MAINTENANCE	55,183	55,183
050	CYBERSPACE ACTIVITIES	10,000	10,000
070	BASE OPERATING SUPPORT	24,569	24,569
	SUBTOTAL OPERATING FORCES	**1,012,742**	**1,030,242**
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	28,458	28,458
	SUBTOTAL TRAINING AND RECRUITING	**28,458**	**28,458**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	61,400	61,400
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**61,400**	**61,400**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**1,102,600**	**1,120,100**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
020	INTERMEDIATE MAINTENANCE	522	522
030	AIRCRAFT DEPOT MAINTENANCE	11,861	11,861
080	COMBAT SUPPORT FORCES	9,109	9,109
	SUBTOTAL OPERATING FORCES	**21,492**	**21,492**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**21,492**	**21,492**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	7,627	7,627
040	BASE OPERATING SUPPORT	1,080	1,080
	SUBTOTAL OPERATING FORCES	**8,707**	**8,707**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**8,707**	**8,707**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	125,551	125,551
020	COMBAT ENHANCEMENT FORCES	916,538	916,538
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	93,970	93,970
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	3,528,059	3,528,059
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	147,264	147,264
060	CYBERSPACE SUSTAINMENT	10,842	10,842
070	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	7,187,100	7,217,545
	Transfer from base		[30,445]
080	FLYING HOUR PROGRAM	2,031,548	2,031,548
090	BASE SUPPORT	1,540,444	1,540,444
100	GLOBAL C3I AND EARLY WARNING	13,709	13,709
110	OTHER COMBAT OPS SPT PROGRAMS	345,800	345,800
120	CYBERSPACE ACTIVITIES	17,936	17,936
130	TACTICAL INTEL AND OTHER SPECIAL ACTIVITIES	36,820	36,820
140	LAUNCH FACILITIES	70	70
150	SPACE CONTROL SYSTEMS	1,450	1,450
160	US NORTHCOM/NORAD	725	725
170	US STRATCOM	856	856
180	US CYBERCOM	35,189	35,189
190	US CENTCOM	126,934	126,934
	SUBTOTAL OPERATING FORCES	**16,160,805**	**16,191,250**
	MOBILIZATION		
240	AIRLIFT OPERATIONS	1,271,439	1,271,439
250	MOBILIZATION PREPAREDNESS	120,866	120,866
	SUBTOTAL MOBILIZATION	**1,392,305**	**1,392,305**
	TRAINING AND RECRUITING		
260	OFFICER ACQUISITION	200	200
270	RECRUIT TRAINING	352	352
290	SPECIALIZED SKILL TRAINING	27,010	27,010
300	FLIGHT TRAINING	844	844
310	PROFESSIONAL DEVELOPMENT EDUCATION	1,199	1,199
320	TRAINING SUPPORT	1,320	1,320
	SUBTOTAL TRAINING AND RECRUITING	**30,925**	**30,925**
	ADMIN & SRVWD ACTIVITIES		
380	LOGISTICS OPERATIONS	164,701	164,701
390	TECHNICAL SUPPORT ACTIVITIES	11,782	11,782
400	ADMINISTRATION	3,886	3,886
410	SERVICEWIDE COMMUNICATIONS	355	355
420	OTHER SERVICEWIDE ACTIVITIES	100,831	85,831
	OSC-I transition to normalized security cooperation		[–15,000]
450	INTERNATIONAL SUPPORT	29,928	29,928
9999	CLASSIFIED PROGRAMS	34,502	34,502
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**345,985**	**330,985**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**17,930,020**	**17,945,465**
	OPERATION & MAINTENANCE, SPACE FORCE		
	OPERATING FORCES		
020	GLOBAL C3I & EARLY WARNING	227	227
030	SPACE LAUNCH OPERATIONS	321	321
040	SPACE OPERATIONS	15,135	15,135
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		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	24,408	24,408
060	BASE SUPPORT	5,682	5,682
	SUBTOTAL OPERATING FORCES	**30,090**	**30,090**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**30,090**	**30,090**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,739	3,739
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	61,862	61,862
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	97,108	97,108
060	BASE SUPPORT	12,933	12,933
	SUBTOTAL OPERATING FORCES	**175,642**	**175,642**
	TOTAL OPERATION & MAINTENANCE, ANG	**175,642**	**175,642**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	3,799	3,799
020	JOINT CHIEFS OF STAFF—CE2T2	6,634	6,634
040	SPECIAL OPERATIONS COMMAND COMBAT DEVELOPMENT ACTIVITIES	898,024	898,024
060	SPECIAL OPERATIONS COMMAND INTELLIGENCE	1,244,553	1,244,553
070	SPECIAL OPERATIONS COMMAND MAINTENANCE	354,951	381,951
	Airborne ISR restoration		[27,000]
090	SPECIAL OPERATIONS COMMAND OPERATIONAL SUPPORT	104,535	104,535
100	SPECIAL OPERATIONS COMMAND THEATER FORCES	757,744	757,744
	SUBTOTAL OPERATING FORCES	**3,370,240**	**3,397,240**
	ADMIN & SRVWIDE ACTIVITIES		
180	DEFENSE CONTRACT AUDIT AGENCY	1,247	1,247
210	DEFENSE CONTRACT MANAGEMENT AGENCY	21,723	21,723
280	DEFENSE INFORMATION SYSTEMS AGENCY	56,256	56,256
290	DEFENSE INFORMATION SYSTEMS AGENCY—CYBER	3,524	3,524
330	DEFENSE LEGAL SERVICES AGENCY	156,373	156,373
350	DEFENSE MEDIA ACTIVITY	3,555	3,555
370	DEFENSE SECURITY COOPERATION AGENCY	1,557,763	1,880,263
	Transfer from CTEF for Iraq train and equip requirements		[322,500]
410	DEFENSE THREAT REDUCTION AGENCY	297,486	297,486
490	OFFICE OF THE SECRETARY OF DEFENSE	16,984	16,984
530	WASHINGTON HEADQUARTERS SERVICES	1,997	1,997
9999	CLASSIFIED PROGRAMS	535,106	535,106
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**2,652,014**	**2,974,514**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**6,022,254**	**6,371,754**
	TOTAL OPERATION & MAINTENANCE	**57,334,782**	**57,747,967**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2021 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	150,524,104	147,976,014
COVID related endstrength decreases		[–755,000]
Foreign currency adjustments, Air Force		[–81,800]
Foreign currency adjustments, Army		[–44,400]
Foreign currency adjustments, Marine Corps		[–13,900]
Foreign currency adjustments, Navy		[–41,300]
Military personnel historical underexecution		[–1,611,690]
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	**150,524,104**	**147,976,014**
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS		
MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	8,372,741	8,372,741
SUBTOTAL MEDICARE-ELIGIBLE RETIREE HEALTH FUND CONTRIBUTIONS	**8,372,741**	**8,372,741**
TOTAL MILITARY PERSONNEL	**158,896,845**	**156,348,755**

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2021 Request	Senate Authorized
MILITARY PERSONNEL		
MILITARY PERSONNEL APPROPRIATIONS		
MILITARY PERSONNEL APPROPRIATIONS	4,602,593	4,602,593
SUBTOTAL MILITARY PERSONNEL APPROPRIATIONS	**4,602,593**	**4,602,593**
TOTAL MILITARY PERSONNEL	**4,602,593**	**4,602,593**

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
010	INDUSTRIAL OPERATIONS	32,551	5,551
	One-time COVID-related carryover decrease		[–27,000]
020	SUPPLY MANAGEMENT—ARMY	24,166	1,166
	One-time COVID-related carryover decrease		[–23,000]
	SUBTOTAL WORKING CAPITAL FUND, ARMY	**56,717**	**6,717**
	WORKING CAPITAL FUND, AIR FORCE		
020	SUPPLIES AND MATERIALS	95,712	5,712
	Air Force cash corpus for energy optimization		[10,000]
	One-time COVID-related carryover decrease		[–100,000]
	SUBTOTAL WORKING CAPITAL FUND, AIR FORCE	**191,424**	**101,424**
	WORKING CAPITAL FUND, DEFENSE-WIDE		
020	SUPPLY CHAIN MANAGEMENT—DEF	49,821	49,821
	SUBTOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**49,821**	**49,821**
	WORKING CAPITAL FUND, DECA		
010	WORKING CAPITAL FUND, DECA	1,146,660	1,146,660
	SUBTOTAL WORKING CAPITAL FUND, DECA	**1,146,660**	**1,146,660**
	TOTAL WORKING CAPITAL FUND	**1,444,622**	**1,304,622**
	CHEM AGENTS & MUNITIONS DESTRUCTION		
	OPERATION & MAINTENANCE		
1	CHEM DEMILITARIZATION—O&M	106,691	106,691
	SUBTOTAL OPERATION & MAINTENANCE	**106,691**	**106,691**
	RESEARCH, DEVELOPMENT, TEST, AND EVALUATION		
2	CHEM DEMILITARIZATION—RDT&E	782,193	782,193
	SUBTOTAL RESEARCH, DEVELOPMENT, TEST, AND EVALUATION	**782,193**	**782,193**
	PROCUREMENT		
3	CHEM DEMILITARIZATION—PROC	616	616
	SUBTOTAL PROCUREMENT	**616**	**616**
	TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**889,500**	**889,500**
	DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
	DRUG INTRDCTN		
010	COUNTER-NARCOTICS SUPPORT	546,203	562,003
	PDI: Joint Interagency Task Force—West Project 3309		[13,000]
	PDI: Joint Interagency Task Force—West Project 9202		[2,800]
	SUBTOTAL DRUG INTRDCTN	**546,203**	**562,003**
	DRUG DEMAND REDUCTION PROGRAM		
020	DRUG DEMAND REDUCTION PROGRAM	123,704	123,704
	SUBTOTAL DRUG DEMAND REDUCTION PROGRAM	**123,704**	**123,704**
	NATIONAL GUARD COUNTER-DRUG PROGRAM		
030	NATIONAL GUARD COUNTER-DRUG PROGRAM	94,211	94,211
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG PROGRAM	**94,211**	**94,211**
	NATIONAL GUARD COUNTER-DRUG SCHOOLS		
040	NATIONAL GUARD COUNTER-DRUG SCHOOLS	5,511	5,511
	SUBTOTAL NATIONAL GUARD COUNTER-DRUG SCHOOLS	**5,511**	**5,511**
	TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**769,629**	**785,429**
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL	368,279	368,279
030	OFFICE OF THE INSPECTOR GENERAL—CYBER	1,204	1,204
040	OFFICE OF THE INSPECTOR GENERAL	1,098	1,098

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
050	OFFICE OF THE INSPECTOR GENERAL	858	858
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**371,439**	**371,439**
	TOTAL OFFICE OF THE INSPECTOR GENERAL	**371,439**	**371,439**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	9,560,564	9,560,564
020	PRIVATE SECTOR CARE	15,841,887	15,841,887
030	CONSOLIDATED HEALTH SUPPORT	1,338,269	1,338,269
040	INFORMATION MANAGEMENT	2,039,910	2,039,910
050	MANAGEMENT ACTIVITIES	330,627	330,627
060	EDUCATION AND TRAINING	315,691	315,691
070	BASE OPERATIONS/COMMUNICATIONS	1,922,605	1,927,605
	National Disaster Medical System pilot program		[5,000]
	SUBTOTAL OPERATION & MAINTENANCE	**31,349,553**	**31,354,553**
	RDT&E		
080	R&D RESEARCH	8,913	8,913
090	R&D EXPLORATRY DEVELOPMENT	73,984	73,984
100	R&D ADVANCED DEVELOPMENT	225,602	225,602
110	R&D DEMONSTRATION/VALIDATION	132,331	132,331
120	R&D ENGINEERING DEVELOPMENT	55,748	55,748
130	R&D MANAGEMENT AND SUPPORT	48,672	48,672
140	R&D CAPABILITIES ENHANCEMENT	17,215	17,215
	SUBTOTAL RDT&E	**562,465**	**562,465**
	PROCUREMENT		
150	PROC INITIAL OUTFITTING	22,932	22,932
160	PROC REPLACEMENT & MODERNIZATION	215,618	215,618
170	PROC MILITARY HEALTH SYSTEM—DESKTOP TO DATACENTER	70,872	70,872
180	PROC DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	308,504	308,504
	SUBTOTAL PROCUREMENT	**617,926**	**617,926**
	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS		
190	SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	160,428	160,428
	SUBTOTAL SOFTWARE & DIGITAL TECHNOLOGY PILOT PROGRAMS	**160,428**	**160,428**
	TOTAL DEFENSE HEALTH PROGRAM	**32,690,372**	**32,695,372**
	TOTAL OTHER AUTHORIZATIONS	**36,711,765**	**36,592,565**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	WORKING CAPITAL FUND		
	WORKING CAPITAL FUND, ARMY		
020	SUPPLY MANAGEMENT—ARMY	20,090	20,090
	SUBTOTAL WORKING CAPITAL FUND, ARMY	**20,090**	**20,090**
	TOTAL WORKING CAPITAL FUND	**20,090**	**20,090**
	OFFICE OF THE INSPECTOR GENERAL		
	OFFICE OF THE INSPECTOR GENERAL		
010	OFFICE OF THE INSPECTOR GENERAL	24,069	24,069
	SUBTOTAL OFFICE OF THE INSPECTOR GENERAL	**24,069**	**24,069**
	TOTAL OFFICE OF THE INSPECTOR GENERAL	**24,069**	**24,069**
	DEFENSE HEALTH PROGRAM		
	OPERATION & MAINTENANCE		
010	IN-HOUSE CARE	65,072	65,072
020	PRIVATE SECTOR CARE	296,828	296,828
030	CONSOLIDATED HEALTH SUPPORT	3,198	3,198
	SUBTOTAL OPERATION & MAINTENANCE	**365,098**	**365,098**
	TOTAL DEFENSE HEALTH PROGRAM	**365,098**	**365,098**
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
	COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	645,000	322,500
	Transfer traditional BPC activities to DSCA		[–322,500]
020	SYRIA	200,000	200,000
	SUBTOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**845,000**	**522,500**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2021 Request	Senate Authorized
	TOTAL COUNTER ISIS TRAIN AND EQUIP FUND (CTEF)	**845,000**	**522,500**
	TOTAL OTHER AUTHORIZATIONS	**1,254,257**	**931,757**

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	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				
	Alaska			
Army	Fort Wainwright	Child Development Center	0	55,000
Army	Fort Wainwright	Unaccompanied Enlisted Personnel Housing	0	59,000
	Arizona			
Army	Yuma Proving Ground	Ready Building	14,000	14,000
	California			
Army	Military Ocean Terminal Concord	Ammunition Holding Facility	0	46,000
	Colorado			
Army	Fort Carson	Physical Fitness Facility	28,000	28,000
	Florida			
Army	JIATF-S Operations Center	Planning & Design	0	8,000
	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	Aliamanu Military Reservation	Child Development Center—School Age	0	71,000
Army	Schofield Barracks	Child Development Center	0	39,000
Army	Wheeler Army Air Field	Aircraft Maintenance Hangar	89,000	89,000
	Italy			
Army	Casmera Renato Dal Din	Access Control Point	0	10,200
	Louisiana			
Army	Fort Polk	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 (Inc 2)	38,000	8,000
	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	Planning and Design	129,436	59,436
Army	Unspecified Worldwide Locations	Host Nation Support	39,000	39,000
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	50,900	74,900
SUBTOTAL ARMY			**650,336**	**869,536**
NAVY				
	Bahrain Island			
Navy	SW Asia	Ship to Shore Utility Services	68,340	68,340
	California			
Navy	Camp Pendleton	Combat Water Survival Training Facility	0	25,200
Navy	Camp Pendleton	Warehouse Consolidation and Modernization	0	21,800
Navy	Camp Pendleton	I MEF Consolidated Information Center (INC)	37,000	37,000
Navy	Camp Pendleton	1st MARDIV Operations Complex	68,530	68,530
Navy	Lemoore	F–35C Simulator Facility & Electrical Upgrade	59,150	59,150
Navy	Lemoore	F–35C Hangar 6 Phase 2 (Mod 3/4)	128,070	53,000
Navy	Point Mugu	Directed Energy Test Facility	0	26,700
Navy	Port Hueneme	Combat Vehicle Maintenance Facilities	0	43,500
Navy	San Diego	Pier 6 Replacement	128,500	63,500
Navy	Seal Beach	Magazines	0	46,800
Navy	Twentynine Palms	Wastewater Treatment Plant	76,500	76,500
	Greece			
Navy	Souda Bay	Communication Center	50,180	50,180
	Guam			
Navy	Andersen Air Force Base	Ordnance Operations Admin	21,280	21,280
Navy	Joint Region Marianas	DAR Road Strengthening	70,760	70,760
Navy	Joint Region Marianas	DAR Bridge Improvements	40,180	40,180
Navy	Joint Region Marianas	Central Fuel Station	35,950	17,950

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Navy	Joint Region Marianas	Distribution Warehouse	77,930	77,930
Navy	Joint Region Marianas	Combined EOD Facility	37,600	37,600
Navy	Joint Region Marianas	Bachelor Enlisted Quarters (Inc)	80,000	10,000
Navy	Joint Region Marianas	Joint Communication Upgrade	166,000	26,000
Navy	Joint Region Marianas	Base Warehouse	55,410	55,410
Navy	Joint Region Marianas	Individual Combat Skills Training	17,430	17,430
Navy	Joint Region Marianas	Central Issue Facility	45,290	45,290
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improvements Wharves S8–S10	65,910	65,910
Navy	Joint Base Pearl Harbor-Hickam	Waterfront Improve, Wharves S1,S11–13,S20–21	48,990	48,990
	Honduras			
Navy	Comalapa	Long Range Maritime Patrol Aircraft Hangar and Ramp.	0	28,000
	Japan			
Navy	Yokosuka	Pier 5 (Berths 2 and 3) (Inc)	74,692	44,692
	Maine			
Navy	Kittery	Multi-Mission Drydock #1 Exten., Ph 1 (Inc)	160,000	160,000
Navy	NCTAMS LANT Detachment Cutler	Perimeter Security	0	26,100
	Nevada			
Navy	Fallon	Range Training Complex, Phase 1	29,040	29,040
	North Carolina			
Navy	Camp Lejeune	II MEF Operations Center Replacement (Inc)	20,000	20,000
Navy	Cherry Point	Fitness Center Replacement and Training Pool	0	51,900
	Spain			
Navy	Rota	MH–60R Squadron Support Facilities	60,110	60,110
	Virginia			
Navy	Norfolk	Sub Logistics Support	0	9,400
Navy	Norfolk	MH60 & CMV–22B Corrosion Control & Paint Facility.	17,671	17,671
Navy	Norfolk	E–2D Training Facility	30,400	30,400
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	38,983	38,983
Navy	Unspecified Worldwide Locations	Planning & Design	165,710	165,710
SUBTOTAL NAVY			**1,975,606**	**1,856,936**
AIR FORCE				
	Colorado			
Air Force	Schriever Air Force Base	Consolidated Space Operations Facility, (Inc 2)	88,000	88,000
Air Force	United States Air Force Academy	Cadet Preparatory School Dormitory	0	49,000
	Guam			
Air Force	Joint Region Marianas	Stand Off Weapons Complex, MSA 2	56,000	56,000
	Mariana Islands			
Air Force	Tinian	Fuel Tanks With Pipeline & Hydrant Sys, (Inc 2)	7,000	7,000
Air Force	Tinian	Airfield Development Phase 1, (Inc 2)	20,000	20,000
Air Force	Tinian	Parking Apron, (Inc 2)	15,000	15,000
	Montana			
Air Force	Malmstrom Air Force Base	Weapons Storage & Maintenance Facility, (Inc 2)	25,000	25,000
	New Jersey			
Air Force	Joint Base McGuire-Dix-Lakehurst	Munitions Storage Area	22,000	22,000
	Qatar			
Air Force	Al Udeid	Cargo Marshalling Yard	26,000	26,000
	South Dakota			
Air Force	Ellsworth Air Force Base	B–21 2–Bay LO Restoration Facility	0	10,000
	Texas			
Air Force	Joint Base San Antonio	BMT Recruit Dormitory 8, (Inc 2)	36,000	36,000
Air Force	Joint Base San Antonio	T-X ADAL Ground Based Trng Sys Sim	19,500	19,500
	Utah			
Air Force	Hill Air Force Base	GBSD Organic Software Sustainment Center	0	20,000
Air Force	Hill Air Force Base	GBSD Mission Integration Facility, (Inc 2)	68,000	68,000
	Virginia			
Air Force	Joint Base Langley-Eustis	Access Control Point Main Gate With Land Acq	19,500	19,500
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	Cost to Complete	0	29,422
Air Force	Unspecified Worldwide Locations	Planning & Design	296,532	116,532
Air Force	Unspecified Worldwide Locations	Unspecified Minor Construction	68,600	68,600
SUBTOTAL AIR FORCE			**767,132**	**695,554**
DEFENSE-WIDE				

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
	Alabama			
Defense-Wide	Anniston Army Depot	Demilitarization Facility	18,000	18,000
	Alaska			
Defense-Wide	Fort Greely	Communications Center	48,000	48,000
	Albama			
Defense-Wide	Fort Rucker	Construct 10mw Generation & Microgrid	0	24,000
	Arizona			
Defense-Wide	Fort Huachuca	Laboratory Building	33,728	33,728
Defense-Wide	Yuma	SOF Hangar	49,500	49,500
	Arkansas			
Defense-Wide	Fort Smith Air National Guard Base	PV Arrays and Battery Storage	0	2,600
	California			
Defense-Wide	Beale Air Force Base	Bulk Fuel Tank	22,800	22,800
	Colorado			
Defense-Wide	Fort Carson	SOF Tactical Equipment Maintenance Facility	15,600	15,600
	CONUS Unspecified			
Defense-Wide	CONUS Unspecified	Training Target Structure	14,400	14,400
	Florida			
Defense-Wide	Hurlburt Field	SOF Special Tactics Ops Facility (23 STS)	44,810	44,810
Defense-Wide	Hurlburt Field	SOF Combat Aircraft Parking Apron-North	38,310	38,310
	Georgia			
Defense-Wide	Fort Benning	Construct 4.8mw Generation & Microgrid	0	17,000
	Germany			
Defense-Wide	Rhine Ordnance Barracks	Medical Center Replacement (Inc 9)	200,000	0
	Japan			
Defense-Wide	Def Fuel Support Point Tsurumi	Fuel Wharf	49,500	49,500
Defense-Wide	Yokosuka	Kinnick High School (Inc)	30,000	0
	Kentucky			
Defense-Wide	Fort Knox	Van Voorhis Elementary School	69,310	69,310
	Maryland			
Defense-Wide	Bethesda Naval Hospital	MEDCEN Addition/Alteration (Inc 4)	180,000	50,000
Defense-Wide	Fort Meade	NSAW Recapitalize Building #3 (Inc)	250,000	250,000
	Mississippi			
Defense-Wide	MTA Camp Shelby	Construct 10mw Generation Plant and Microgrid System.	0	30,000
	Missouri			
Defense-Wide	Fort Leonard Wood	Hospital Replacement (Inc 3)	40,000	40,000
Defense-Wide	St Louis	Next NGA West (N2W) Complex Phase 2 (Inc)	119,000	60,000
	New Mexico			
Defense-Wide	Kirtland Air Force Base	Administrative Building	46,600	46,600
	North Carolina			
Defense-Wide	Fort Bragg	SOTF Chilled Water Upgrade	0	6,100
Defense-Wide	Fort Bragg	SOF Military Working Dog Facility	17,700	17,700
Defense-Wide	Fort Bragg	SOF Group Headquarters	53,100	53,100
Defense-Wide	Fort Bragg	SOF Operations Facility	43,000	43,000
	Ohio			
Defense-Wide	Wright-Patterson Air Force Base	Intelligence Facility Central Utility Plant	0	35,000
Defense-Wide	Wright-Patterson Air Force Base	Hydrant Fuel System	23,500	23,500
	Tennessee			
Defense-Wide	Memphis International Airport	PV Arrays and Battery Storage	0	4,780
	Texas			
Defense-Wide	Fort Hood	Fuel Facilities	32,700	32,700
	Virginia			
Defense-Wide	Joint Expeditionary Base Little Creek—Story	SOF DCS Operations Fac. and Command Center	54,500	54,500
Defense-Wide	Joint Expeditionary Base Little Creek—Story	SOF NSWG–2 NSWTG CSS Facilities	58,000	58,000
	Washington			
Defense-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis North)	10,900	10,900
Defense-Wide	Joint Base Lewis-McChord	Fuel Facilities (Lewis Main)	10,900	10,900
Defense-Wide	Manchester	Bulk Fuel Storage Tanks Phase 1	82,000	82,000
	Washington DC			
Defense-Wide	Joint Base Anacostia-Bolling	DIA HQ Cooling Towers and Cond Pumps	0	1,963
Defense-Wide	Joint Base Anacostia-Bolling	Industrial Controls System Modernization	0	8,749
Defense-Wide	Joint Base Anacostia-Bolling	PV Carports	0	25,221
	Worldwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	8,000	8,000
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	27,746	27,746
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	4,922	4,922

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	17,698	17,698
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	20,000	20,000
Defense-Wide	Unspecified Worldwide Locations	Energy Resilience and Conserv. Invest. Prog.	142,500	142,500
Defense-Wide	Unspecified Worldwide Locations	Unspecified Minor Construction	3,000	3,000
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	10,647	10,647
Defense-Wide	Unspecified Worldwide Locations	ERCIP Design	14,250	14,250
Defense-Wide	Unspecified Worldwide Locations	Planning and Design	10,303	10,303
Defense-Wide	Unspecified Worldwide Locations	Exercise Related Minor Construction	5,840	5,840
Defense-Wide	Various Worldwide Locations	Planning and Design	32,624	32,624
Defense-Wide	Various Worldwide Locations	Unspecified Minor Construction	9,726	9,726
Defense-Wide	Various Worldwide Locations	Planning and Design	64,406	64,406
	Worlwide Unspecified			
Defense-Wide	Unspecified Worldwide Locations	Planning & Design—Military Installation Resiliency.	0	50,000
Defense-Wide	Unspecified Worldwide Locations	Planning & Design—Pacific Deterrence Initiative	0	15,000
SUBTOTAL DEFENSE-WIDE			**2,027,520**	**1,828,933**
ARMY NATIONAL GUARD				
	Arizona			
Army National Guard	Tucson	National Guard Readiness Center	18,100	18,100
	Arkansas			
Army National Guard	Fort Chaffee	National Guard Readiness Center	0	15,000
	California			
Army National Guard	Bakersfield	National Guard Vehicle Maintenance Shop	0	9,300
	Colorado			
Army National Guard	Peterson Air Force Base	National Guard Readiness Center	15,000	15,000
	Indiana			
Army National Guard	Shelbyville	National Guard/Reserve Center Building Add/Al	12,000	12,000
	Kentucky			
Army National Guard	Frankfort	National Guard/Reserve Center Building	15,000	15,000
	Mississippi			
Army National Guard	Brandon	National Guard Vehicle Maintenance Shop	10,400	10,400
	Nebraska			
Army National Guard	North Platte	National Guard Vehicle Maintenance Shop	9,300	9,300
	New Jersey			
Army National Guard	Joint Base McGuire-Dix-Lakehurst	National Guard Readiness Center	15,000	15,000
	Ohio			
Army National Guard	Columbus	National Guard Readiness Center	15,000	15,000
	Oklahoma			
Army National Guard	Ardmore	National Guard Vehicle Maintenance Shop	0	9,800
	Oregon			
Army National Guard	Hermiston	Enlisted Barracks, Transient Training	0	15,735
Army National Guard	Hermiston	Enlisted Barracks, Transient Training	9,300	9,300
	Puerto Rico			
Army National Guard	Fort Allen	National Guard Readiness Center	37,000	37,000
	South Carolina			
Army National Guard	Joint Base Charleston	National Guard Readiness Center	15,000	15,000
	Tennessee			
Army National Guard	Mcminnville	National Guard Readiness Center	11,200	11,200
	Texas			
Army National Guard	Fort Worth	National Guard Vehicle Maintenance Shop	7,800	7,800
Army National Guard	Fort Worth	Aircraft Maintenance Hangar Addition/Alt	6,000	6,000
	Utah			
Army National Guard	Nephi	National Guard Readiness Center	12,000	12,000
	Virgin Islands			
Army National Guard	St. Croix	Army Aviation Support Facility (AASF)	28,000	28,000
Army National Guard	St. Croix	CST Ready Building	11,400	11,400
	Wisconsin			
Army National Guard	Appleton	National Guard Readiness Center Add/Alt	11,600	11,600
	Worldwide Unspecified			
Army National Guard	Unspecified Worldwide Locations	Unspecified Minor Construction	32,744	32,744
Army National Guard	Unspecified Worldwide Locations	Planning and Design	29,593	29,593
SUBTOTAL ARMY NATIONAL GUARD			**321,437**	**371,272**
AIR NATIONAL GUARD				

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
	Alabama			
Air National Guard	Montgomery Regional Airport	Base Supply Complex	0	12,000
Air National Guard	Montgomery Regional Airport	F–35 Simulator Facility	11,600	11,600
	Guam			
Air National Guard	Joint Region Marianas	Space Control Facility #5	20,000	20,000
	Maryland			
Air National Guard	Joint Base Andrews	F–16 Mission Training Center	9,400	9,400
	North Dakota			
Air National Guard	Hector International Airport	Consolidated RPA Operations Facility	0	17,500
	Texas			
Air National Guard	Joint Base San Antonio	F–16 Mission Training Center	10,800	10,800
	Worldwide Unspecified			
Air National Guard	Unspecified Worldwide Locations	Unspecified Minor Construction	9,000	9,000
Air National Guard	Various Worldwide Locations	Planning and Design	3,414	3,414
SUBTOTAL AIR NATIONAL GUARD			**64,214**	**93,714**
ARMY RESERVE				
	Florida			
Army Reserve	Gainesville	ECS TEMF/Warehouse	36,000	36,000
	Massachusetts			
Army Reserve	Devens Reserve Forces Training Area	Automated Multipurpose Machine Gun Range	8,700	8,700
	North Carolina			
Army Reserve	Asheville	Army Reserve Center/Land	24,000	24,000
	Wisconsin			
Army Reserve	Fort McCoy	Transient Training Barracks	0	2,500
Army Reserve	Fort McCoy	Scout Reconnaissance Range	14,600	14,600
	Worldwide Unspecified			
Army Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	3,819	3,819
Army Reserve	Unspecified Worldwide Locations	Planning and Design	1,218	1,218
SUBTOTAL ARMY RESERVE			**88,337**	**90,837**
NAVY RESERVE				
	Maryland			
Navy Reserve	Reisterstown	Reserve Training Center, Camp Fretterd, MD	39,500	39,500
	Minnesota			
Navy Reserve	NOSC Minneapolis	Joint Reserve Intel Center	0	12,800
	Utah			
Navy Reserve	Hill Air Force Base	Naval Operational Support Center	25,010	25,010
	Worldwide Unspecified			
Navy Reserve	Unspecified Worldwide Locations	MCNR Planning & Design	3,485	3,485
Navy Reserve	Unspecified Worldwide Locations	MCNR Minor Construction	3,000	3,000
SUBTOTAL NAVY RESERVE			**70,995**	**83,795**
AIR FORCE RESERVE				
	Texas			
Air Force Reserve	Fort Worth	F–35 Squadron Ops / Aircraft Maintenance Unit	0	25,000
Air Force Reserve	Fort Worth	F–35A Simulator Facility	14,200	14,200
	Worldwide Unspecified			
Air Force Reserve	Unspecified Worldwide Locations	Planning & Design	3,270	3,270
Air Force Reserve	Unspecified Worldwide Locations	Unspecified Minor Construction	5,647	5,647
SUBTOTAL AIR FORCE RESERVE			**23,117**	**48,117**
NATO SECURITY INVESTMENT PROGRAM				
	Worldwide Unspecified			
NATO Security Investment Program.	NATO Security Investment Program	NATO Security Investment Program	173,030	173,030
SUBTOTAL NATO SECURITY INVESTMENT PROGRAM			**173,030**	**173,030**
TOTAL MILITARY CONSTRUCTION			**6,161,724**	**6,111,724**
FAMILY HOUSING				
CONSTRUCTION, ARMY				
	Italy			
Construction, Army	Vicenza	Family Housing New Construction	84,100	84,100
	Kwajalein			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
Construction, Army	Kwajalein Atoll	Family Housing Replacement Construction	32,000	32,000
	Worldwide Unspecified			
Construction, Army	Unspecified Locations Worldwide	Family Housing P & D	3,300	3,300
SUBTOTAL CONSTRUCTION, ARMY			**119,400**	**119,400**
O&M, ARMY				
	Worldwide Unspecified			
O&M, Army	Unspecified Locations Worldwide	Management	39,716	39,716
O&M, Army	Unspecified Locations Worldwide	Services	8,135	8,135
O&M, Army	Unspecified Locations Worldwide	Furnishings	18,004	18,004
O&M, Army	Unspecified Locations Worldwide	Miscellaneous	526	526
O&M, Army	Unspecified Locations Worldwide	Maintenance	97,789	70,789
O&M, Army	Unspecified Locations Worldwide	Utilities	41,183	41,183
O&M, Army	Unspecified Locations Worldwide	Leasing	123,841	123,841
O&M, Army	Unspecified Locations Worldwide	Housing Privitization Support	37,948	64,948
SUBTOTAL O&M, ARMY			**367,142**	**367,142**
CONSTRUCTION, NAVY AND MARINE CORPS				
	Worldwide Unspecified			
Construction, Navy and Marine Corps.	Unspecified Locations Worldwide	USMC DPRI/Guam Planning and Design	2,726	2,726
Construction, Navy and Marine Corps.	Unspecified Locations Worldwide	Construction Improvements	37,043	37,043
Construction, Navy and Marine Corps.	Unspecified Locations Worldwide	Planning & Design	3,128	3,128
SUBTOTAL CONSTRUCTION, NAVY AND MARINE CORPS			**42,897**	**42,897**
O&M, NAVY AND MARINE CORPS				
	Worldwide Unspecified			
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Utilities	58,429	58,429
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Furnishings	17,977	17,977
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Management	51,006	51,006
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Miscellaneous	350	350
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Services	16,743	16,743
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Leasing	62,658	62,658
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Maintenance	85,630	85,630
O&M, Navy and Marine Corps	Unspecified Locations Worldwide	Housing Privatization Support	53,700	78,700
SUBTOTAL O&M, NAVY AND MARINE CORPS			**346,493**	**371,493**
CONSTRUCTION, AIR FORCE				
	Worldwide Unspecified			
Construction, Air Force	Unspecified Locations Worldwide	Construction Improvements	94,245	94,245
Construction, Air Force	Unspecified Locations Worldwide	Planning & Design	2,969	2,969
SUBTOTAL CONSTRUCTION, AIR FORCE			**97,214**	**97,214**
O&M, AIR FORCE				
	Worldwide Unspecified			
O&M, Air Force	Unspecified Locations Worldwide	Housing Privatization	23,175	48,175
O&M, Air Force	Unspecified Locations Worldwide	Utilities	43,173	43,173
O&M, Air Force	Unspecified Locations Worldwide	Management	64,732	64,732
O&M, Air Force	Unspecified Locations Worldwide	Services	7,968	7,968
O&M, Air Force	Unspecified Locations Worldwide	Furnishings	25,805	25,805

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2021 Request	Senate Authorized
O&M, Air Force	Unspecified Locations Worldwide	Miscellaneous	2,184	2,184
O&M, Air Force	Unspecified Locations Worldwide	Leasing	9,318	9,318
O&M, Air Force	Unspecified Locations Worldwide	Maintenance	140,666	140,666
SUBTOTAL O&M, AIR FORCE			**317,021**	**342,021**
O&M, DEFENSE-WIDE				
O&M, Defense-Wide	Worldwide Unspecified Locations Worldwide	Utilities	4,100	4,100
O&M, Defense-Wide	Unspecified Locations Worldwide	Furnishings	82	82
O&M, Defense-Wide	Unspecified Locations Worldwide	Utilities	13	13
O&M, Defense-Wide	Unspecified Locations Worldwide	Leasing	12,996	12,996
O&M, Defense-Wide	Unspecified Locations Worldwide	Maintenance	32	32
O&M, Defense-Wide	Unspecified Locations Worldwide	Furnishings	645	645
O&M, Defense-Wide	Unspecified Locations Worldwide	Leasing	36,860	36,860
SUBTOTAL O&M, DEFENSE-WIDE			**54,728**	**54,728**
IMPROVEMENT FUND				
Improvement Fund	Worldwide Unspecified Locations Worldwide	Administrative Expenses—FHIF	5,897	5,897
SUBTOTAL IMPROVEMENT FUND			**5,897**	**5,897**
UNACCMP HSG IMPROVEMENT FUND				
Unaccmp HSG Improvement Fund.	Worldwide Unspecified Locations Worldwide	Administrative Expenses—UHIF	600	600
SUBTOTAL UNACCMP HSG IMPROVEMENT FUND			**600**	**600**
TOTAL FAMILY HOUSING			**1,351,392**	**1,401,392**
DEFENSE BASE REALIGNMENT AND CLOSURE				
ARMY BRAC				
Army BRAC	Worldwide Unspecified Base Realignment & Closure, Army	Base Realignment and Closure	66,060	66,060
SUBTOTAL ARMY BRAC			**66,060**	**66,060**
NAVY BRAC				
Navy BRAC	Worldwide Unspecified Locations Worldwide	Base Realignment & Closure	125,165	125,165
SUBTOTAL NAVY BRAC			**125,165**	**125,165**
AIR FORCE BRAC				
Air Force BRAC	Worldwide Unspecified Locations Worldwide	Dod BRAC Activities—Air Force	109,222	109,222
SUBTOTAL AIR FORCE BRAC			**109,222**	**109,222**
TOTAL DEFENSE BASE REALIGNMENT AND CLOSURE			**300,447**	**300,447**
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			**7,813,563**	**7,813,563**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2021 Request	Senate Authorized
MILITARY CONSTRUCTION				
ARMY				

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State or Country and Installation	Project Title	FY 2021 Request	Senate Authorized
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	EDI: Planning and Design	11,903	11,903
Army	Unspecified Worldwide Locations	EDI: Minor Construction	3,970	3,970
SUBTOTAL ARMY			**15,873**	**15,873**
NAVY				
	Spain			
Navy	Rota	EDI: Expeditionary Maintenance Facility	27,470	27,470
Navy	Rota	EDI: EOD Boat Shop	31,760	31,760
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning & Design	10,790	10,790
SUBTOTAL NAVY			**70,020**	**70,020**
AIR FORCE				
	Germany			
Air Force	Ramstein	EDI: Rapid Airfield Damage Repair Storage	36,345	36,345
Air Force	Spangdahlem AB	EDI: Rapid Airfield Damage Repair Storage	25,824	25,824
	Romania			
Air Force	Campia Turzii	EDI: Dangerous Cargo Pad	11,000	11,000
Air Force	Campia Turzii	EDI: POL Increase Capacity	32,000	32,000
Air Force	Campia Turzii	EDI: ECAOS DABS-FEV Storage Complex	68,000	68,000
Air Force	Campia Turzii	EDI: Parking Apron	19,500	19,500
	Worldwide Unspecified			
Air Force	Unspecified Worldwide Locations	EDI: Unspecified Minor Military Construction	16,400	16,400
Air Force	Various Worldwide Locations	EDI: Planning & Design	54,800	54,800
SUBTOTAL AIR FORCE			**263,869**	**263,869**
TOTAL MILITARY CONSTRUCTION			**349,762**	**349,762**
TOTAL MILITARY CONSTRUCTION, FAMILY HOUSING, AND BRAC			**349,762**	**349,762**

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	Senate Authorized
Discretionary Summary by Appropriation		
Energy and Water Development and Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear energy	137,800	137,800
Atomic Energy Defense Activities		
National Nuclear Security Administration:		
Federal Salaries and Expenses	454,000	454,000
Weapons activities	15,602,000	15,602,000
Defense nuclear nonproliferation	2,031,000	2,031,000
Naval reactors	1,684,000	1,684,000
Total, National Nuclear Security Administration	**19,771,000**	**19,771,000**
Defense environmental cleanup	4,983,608	5,083,608
Other defense activities	1,054,727	904,727
Total, Atomic Energy Defense Activities	**25,809,335**	**25,759,335**
Total, Discretionary Funding	**25,947,135**	**25,897,135**
Nuclear Energy		
Idaho sitewide safeguards and security	137,800	137,800
Total, Nuclear Energy	**137,800**	**137,800**
National Nuclear Security Administration		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Federal Salaries and Expenses		
Program direction	454,000	454,000
Weapons Activities		
Stockpile management		
Stockpile major modernization		
B61 Life extension program	815,710	815,710
W76 Life extension program	0	0
W76–2 Modification program	0	0
W88 Alteration program	256,922	256,922
W80–4 Life extension program	1,000,314	1,000,314
W87–1 Modification Program (formerly IW1)	541,000	541,000
W93	53,000	53,000
Total, Stockpile major modernization	**2,666,946**	**2,666,946**
Stockpile sustainment	998,357	998,357
Weapons dismantlement and disposition	50,000	50,000
Production operations	568,941	568,941
Total, Stockpile management	**4,284,244**	**4,284,244**
Production modernization		
Primary capability modernization		
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 & 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
Intertial 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		
Operating		
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
Capabilities Based Investments	149,117	149,117
Planning for Programmatic Construction (Pre-CD–1)	84,787	84,787
Subtotal, Recapitalization	**903,904**	**903,904**
Total, Operating	**2,875,258**	**2,875,258**
I&O: Construction		
Programmatic		
21–D–510, HE Synthesis, Formulation, and Production Facility, PX	31,000	31,000
18–D–690, Lithium Processing Facility, Y–12	109,405	109,405
18–D–650, Tritium Finishing Facility, SRS	27,000	27,000
18–D–620, Exascale Computing Facility Modernization Project, LLNL	29,200	29,200
17–D–640, U1a Complex Enhancements Project, NNSS	160,600	160,600
15–D–302, TA–55 Reinvestment Project—Phase 3, LANL	30,000	30,000
15–D–301, HE Science & Engineering Facility, PX	43,000	43,000
07–D–220-04, Transuranic Liquid Waste Facility, LANL	36,687	36,687
06–D–141, Uranium Processing Facility, Y–12	750,000	750,000
04–D–125, Chemistry and Metallurgy Research Replacement Project, LANL	169,427	169,427
Total, Programmatic	**1,386,319**	**1,386,319**
Mission enabling		
19–D–670, 138kV Power Transmission System Replacement, NNSS	59,000	59,000
15–D–612, Emergency Operations Center, LLNL	27,000	27,000
15–D–611, Emergency Operations Center, SNL	36,000	36,000
Total, Mission enabling	**122,000**	**122,000**
Total, I&O construction	**1,508,319**	**1,508,319**
Total, Infrastructure and operations	**4,383,577**	**4,383,577**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Secure transportation asset		
Operations and equipment	266,390	266,390
Program direction	123,684	123,684
Total, Secure transportation asset	**390,074**	**390,074**
Defense nuclear security		
Operations and maintenance	815,895	815,895
Security improvements program	0	0
Construction:		
17–D–710, West end protected area reduction project, Y–12	11,000	11,000
Subtotal, construction	**11,000**	**11,000**
Total, Defense nuclear security	**826,895**	**826,895**
Information technology and cybersecurity	**375,511**	375,511
Legacy contractor pensions	**101,668**	101,668
Total, Weapons activities	**16,056,000**	**16,056,000**
Adjustments		
Use of prior year balances	0	0
Total, Adjustments	**0**	**0**
Total, Weapons Activities	**15,602,000**	**15,602,000**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Material management and minimization		
Conversion (formerly HEU Reactor Conversion)	170,000	170,000
Nuclear material removal	40,000	40,000
Material disposition	190,711	190,711
Laboratory and partnership support	0	0
Total, Material management & minimization	**400,711**	**400,711**
Global material security		0
International nuclear security	66,391	66,391
Domestic radiological security	101,000	101,000
International radiological security	73,340	73,340
Nuclear smuggling detection and deterrence	159,749	159,749
Total, Global material security	**400,480**	**400,480**
Nonproliferation and arms control	138,708	138,708
National Technical Nuclear Forensics R&D	40,000	40,000
Defense nuclear nonproliferation R&D		
Proliferation detection	235,220	235,220
Nonproliferation Stewardship program	59,900	59,900
Nuclear detonation detection	236,531	236,531
Nonproliferation fuels development	0	0
Total, Defense Nuclear Nonproliferation R&D	**531,651**	**531,651**
Nonproliferation construction		
U. S. Construction:		
18–D–150 Surplus Plutonium Disposition Project	148,589	148,589
99–D–143, Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	0	0
Total, U. S. Construction:	**148,589**	**148,589**
Total, Nonproliferation construction	**148,589**	**148,589**
Total, Defense Nuclear Nonproliferation Programs	**1,660,139**	**1,660,139**
Legacy contractor pensions	14,348	14,348
Nuclear counterterrorism and incident response program		
Emergency Operations	36,000	36,000
Counterterrorism and Counterproliferation	341,513	341,513
Total, Nuclear counterterrorism and incident response program	**377,513**	**377,513**
Subtotal, Defense Nuclear Nonproliferation	**2,052,000**	**2,052,000**
Adjustments		
Use of prior year balances	–21,000	–21,000
Total, Adjustments	**–21,000**	**–21,000**
Total, Defense Nuclear Nonproliferation	**2,031,000**	**2,031,000**
Naval Reactors		
Naval reactors development	590,306	590,306
Columbia-Class reactor systems development	64,700	64,700
S8G Prototype refueling	135,000	135,000
Naval reactors operations and infrastructure	506,294	506,294
Program direction	53,700	53,700
Construction:		
21–D–530 KL Steam and Condensate Upgrades	4,000	4,000
14–D–901, Spent fuel handling recapitalization project, NRF	330,000	330,000
Total, Construction	**334,000**	**334,000**
Transfer to NE—Advanced Test Reactor (non-add)	0	0
Total, Naval Reactors	**1,684,000**	**1,684,000**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
TOTAL, National Nuclear Security Administration	**19,771,000**	**19,771,000**
Defense Environmental Cleanup		
Closure sites administration	4,987	4,987
Richland:		
River corridor and other cleanup operations	54,949	54,949
Central plateau remediation	498,335	498,335
Richland community and regulatory support	2,500	2,500
18–D–404 Modification of Waste Encapsulation and Storage Facility	0	0
Total, Richland	**555,784**	**555,784**
Office of River Protection:		
Waste Treatment Immobilization Plant Commissioning	50,000	50,000
Rad liquid tank waste stabilization and disposition	597,757	597,757
Construction:		
18–D–16 Waste treatment and immobilization plant—LBL/Direct feed LAW	609,924	609,924
15–D–409 Low activity waste pretreatment system, ORP	0	0
01–D–16 D, High-level waste facility	0	0
01–D–16 E, Pretreatment Facility	0	0
Total, Construction	**609,924**	**609,924**
ORP Low-level waste offsite disposal	0	0
Total, Office of River Protection	**1,257,681**	**1,257,681**
Idaho National Laboratory:		
Idaho cleanup and waste disposition	257,554	257,554
ID Excess facilities R&D	0	0
Idaho community and regulatory support	2,400	2,400
Total, Idaho National Laboratory	**259,954**	**259,954**
NNSA sites and Nevada off-sites		
Lawrence Livermore National Laboratory	1,764	1,764
LLNL Excess facilities R&D	0	0
Separations Process Research Unit	15,000	15,000
Nevada Test Site	60,737	60,737
Sandia National Laboratories	4,860	4,860
Los Alamos National Laboratory	120,000	220,000
Execute achievable scope of work		(100,000)
Total, NNSA sites and Nevada off-sites	**202,361**	**302,361**
Oak Ridge Reservation:		
OR Nuclear facility D & D	109,077	109,077
U233 Disposition Program	45,000	45,000
OR cleanup and waste disposition	58,000	58,000
Construction:		
17–D–401 On-site waste disposal facility	22,380	22,380
14–D–403 Outfall 200 Mercury Treatment Facility	20,500	20,500
Subtotal, Construction:	**42,880**	**42,880**
OR community & regulatory support	4,930	4,930
OR technology development and deployment	3,000	3,000
Total, Oak Ridge Reservation	**262,887**	**262,887**
Savannah River Site:		
Savannah River risk management operations	455,122	455,122
SR community and regulatory support	4,989	4,989
Radioactive liquid tank waste:		
Construction:		
20–D–402 Advanced Manufacturing Collaborative Facility (AMC)	25,000	25,000
20–D–401 Saltstone Disposal Unit #10, 11, 12	0	0
19–D–701 SR Security system replacement	0	0
18–D–402,Saltstone disposal unit #8/9	65,500	65,500
17–D–402—Saltstone Disposal Unit #7	10,716	10,716
05–D–405 Salt waste processing facility, SRS	0	0
Total, Construction, Radioactive liquid tank waste	**101,216**	**101,216**
Radioactive liquid tank waste stabilization	970,332	970,332
Total, Savannah River Site	**1,531,659**	**1,531,659**
Waste Isolation Pilot Plant		
Waste Isolation Pilot Plant	323,260	323,260
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	0	0
15–D–412 Exhaust shaft, WIPP	50,000	50,000
21–D–401 Hoisting Capability Project	10,000	10,000
Total, Construction	**60,000**	**60,000**
Total, Waste Isolation Pilot Plant	**383,260**	**383,260**
Program direction—Defense Environment Cleanup	275,285	275,285
Program support—Defense Environment Cleanup	12,979	12,979
Safeguards and Security—Defense Environment Cleanup	320,771	320,771
Technology development and deployment	25,000	25,000
Use of prior year balances	0	0
Subtotal, Defense environmental cleanup	**5,092,608**	**5,192,608**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2021 Request	Senate Authorized
Rescission:		
Rescission of prior year balances	–109,000	–109,000
TOTAL, Defense Environmental Cleanup	**4,983,608**	**5,083,608**
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security mission support	134,320	134,320
Program direction	75,368	75,368
Total, Environment, health, safety and security	**209,688**	**209,688**
Independent enterprise assessments		
Enterprise assessments	26,949	26,949
Program direction—Office of Enterprise Assessments	54,635	54,635
Total, Office of Enterprise Assessments	**81,584**	**81,584**
Specialized security activities	258,411	258,411
Office of Legacy Management		
Legacy management activities—defense	293,873	143,873
Maintain current program administration		(–150,000)
Program direction	23,120	23,120
Total, Office of Legacy Management	**316,993**	**166,993**
Defense related administrative support	183,789	183,789
Office of hearings and appeals	4,262	4,262
Subtotal, Other defense activities	**1,054,727**	**904,727**
Use of prior year balances	0	0
Total, Other Defense Activities	**1,054,727**	**904,727**

DIVISION E—ADDITIONAL PROVISIONS

TITLE LI—PROCUREMENT

Subtitle B—Army Programs

SEC. 5111. REPORT ON CH–47F CHINOOK BLOCK-II UPGRADE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of the Army, shall submit to the congressional defense committees a report that includes the following elements:

(1) An analysis of the warfighting capability currently delivered by the Block I and Block II configurations of H–47 Chinook helicopters.

(2) An analysis of the feasibility and advisability of delaying or terminating the CH–47F Chinook Block-II upgrade.

(3) A plan to ensure that warfighter capability is not negatively affected by the delay or termination of the CH–47F Chinook Block-II upgrade.

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

Subtitle C—Navy Programs

SEC. 5121. LIMITATION ON ALTERATION OF NAVY FLEET MIX.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States shipbuilding and supporting vendor base constitute a national security imperative that is unique and must be protected;

(2) a healthy and efficient industrial base continues to be a fundamental driver for achieving and sustaining a successful shipbuilding procurement strategy;

(3) without consistent and continuous commitment to steady and predictable acquisition profiles, the industrial base will struggle and some elements may not survive; and

(4) proposed reductions in the future-years defense program to the DDG–51 Destroyer procurement profile without a clear transition to procurement of the next Large Surface Combatant would adversely affect the shipbuilding industrial base and long-term strategic objectives of the Navy.

(b) LIMITATION.—

(1) IN GENERAL.—The Secretary of the Navy may not deviate from the 2016 Navy Force Structure Assessment to implement the results of a new force structure assessment or new annual long-range plan for construction of naval vessels that would reduce the requirement for Large Surface Combatants to fewer than 104 such vessels until the date on which the Secretary of the Navy submits to the congressional defense committees the certification under paragraph (2) and the report under subsection (c).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification, in writing, that each of the following conditions have been satisfied:

(A) The large surface combatant shipbuilding industrial base and supporting vendor base would not significantly deteriorate due to a reduced procurement profile.

(B) The Navy can mitigate the reduction in anti-air and ballistic missile defense capabilities due to having a reduced number of DDG–51 Destroyers with the advanced AN/SPY–6 radar in the next three decades.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report that includes—

(1) a description of likely detrimental impacts to the large surface combatant industrial base and the Navy's plan to mitigate any such impacts if the fiscal year 2021 future-years defense program were implemented as proposed;

(2) a review of the benefits to the Navy fleet of the new AN/SPY–6 radar to be deployed aboard Flight III variant DDG–51 Destroyers, which are currently under construction, as well as an analysis of impacts to the fleet's warfighting capabilities, should the number of such destroyers be reduced; and

(3) a plan to fully implement section 131 of the National Defense Authorization for Fiscal Year 2020 (Public Law 116–92), including subsystem prototyping efforts and funding by fiscal year.

TITLE LII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle B—Program Requirements, Restrictions, and Limitations

SEC. 5211. IMPORTANCE OF HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY-SERVING INSTITUTIONS.

(a) INCREASE.—Funds authorized to be appropriated in Research, Development, Test, and Evaluation, Defense-wide, PE 0601228D8Z, section 4201, for Basic Research, Historically Black Colleges and Universities/Minority Institutions, Line 006, are hereby increased by $14,025,000.

(b) OFFSET.—Funding in section 4101 for Other Procurement, Army, for Automated Data Processing Equipment, Line 112, is hereby reduced by $14,025,000.

Subtitle C—Plans, Reports, and Other Matters

SEC. 5231. REPORT ON DEPARTMENT OF DEFENSE STRATEGY ON ARTIFICIAL INTELLIGENCE STANDARDS.

(a) 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 on the role of the Department of Defense in the development of artificial intelligence standards.

(b) CONTENTS.—The report required by subsection (a) shall include an assessment of each of the following:

(1) The need for the Department of Defense to develop an artificial intelligence standards strategy.

(2) Any efforts to date on the development of such a strategy.

(3) The ways in which an artificial intelligence standards strategy will improve the national security.

(4) How the Secretary intends to collaborate with—

(A) the Director of the National Institute of Standards and Technology;

(B) the Secretary of Homeland Security;

(C) the intelligence community;

(D) the Secretary of State;

(E) representatives of private industry, specifically representatives of the defense industrial base; and

(F) representatives of any other agencies, entities, organizations, or persons the Secretary considers appropriate.

SEC. 5232. STUDY ON ESTABLISHMENT OF ENERGETICS PROGRAM OFFICE.

The Under Secretary of Defense for Research and Engineering shall conduct a study to assess the feasibility and advisability of establishing a program office to coordinate energetics research and to ensure a robust and sustained energetics material enterprise.

TITLE LIII—OPERATION AND MAINTENANCE

Subtitle C—Logistics and Sustainment

SEC. 5331. USE OF COST SAVINGS REALIZED FROM INTERGOVERNMENTAL SERVICES AGREEMENTS FOR INSTALLATION-SUPPORT SERVICES.

(a) REQUIREMENT.—Section 2679 of title 10, United States Code, is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

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

''(d) USE OF COST SAVINGS REALIZED.—(1) With respect to a fiscal year in which cost savings are realized as a result of entering into an intergovernmental support agreement under this section for a military installation, the Secretary concerned shall make not less than 25 percent of the amount of such savings available for use by the commander of the installation solely for sustainment restoration and modernization requirements that have been approved by the major subordinate command or equivalent component.

''(2) Not less frequently than annually, the Secretary concerned shall certify to the congressional defense committee the amount of the cost savings achieved, the source and type of intergovernmental support agreement that achieved the savings, and the manner in which those savings were deployed, disaggregated by installation.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to fiscal year 2021 and each subsequent fiscal year.

Subtitle D—Reports

SEC. 5351. REPORT ON NON-PERMISSIVE, GLOBAL POSITIONING SYSTEM DENIED AIRFIELD CAPABILITIES.

(a) IN GENERAL.—Not later than February 1, 2021, the Secretary of Defense shall submit to the congressional defense committees a report assessing the ability of each combatant command to conduct all-weather, day-night airfield operations in a non-permissive, global positioning system denied environment.

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

(1) An assessment of current air traffic control and landing systems at existing airfields and contingency airfields.

(2) An assessment of the ability of each combatant command to conduct all-weather, day-night airfield flight operations in a non-permissive, global positioning system denied environment at existing and contingency airfields, including aircraft tracking and precision landing.

(3) An assessment of the ability of each combatant command to rapidly set up and conduct operations at alternate airfields, including the ability to receive and deploy forces in a non-permissive, global positioning system denied environment.

(4) A list of backup systems in place or prepositioned to be able to reconstitute operations after an attack.

Subtitle E—Other Matters

SEC. 5371. INCREASE OF AMOUNTS AVAILABLE TO MARINE CORPS FOR BASE OPERATIONS AND SUPPORT.

(a) INCREASE OF BASE OPERATIONS AND SUPPORT.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Marine Corps, is hereby increased by $47,600,000, with the amount of the increase to be available for base operations and support (SAG BSS1).

(b) OFFSETS.—

(1) OPERATION AND MAINTENANCE.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Marine Corps, is hereby reduced by $4,700,000, with the amount of the reduction to be derived from SAG 1A1A.

(2) MODIFICATION KIT PROCUREMENT.—The amount authorized to be appropriated for fiscal year 2021 for procurement for the Marine Corps, is hereby reduced by $3,100,000, with the amount of the reduction to be derived from Line 7, Modification Kits.

(3) DIRECT SUPPORT MUNITION PROCUREMENT.—The amount authorized to be appropriated for fiscal year 2021 for procurement and ammunition for the Marine Corps, is hereby reduced by $39,800,000, with the amount of the reduction to be derived from Line 17, Direct Support Munitions.

SEC. 5372. MODERNIZATION OF CONGRESSIONAL REPORTS PROCESS.

(a) INCREASE IN O&M, DEFENSE-WIDE ACTIVITIES.—The amount authorized to be appropriated for fiscal year 2021 by section 301 is hereby increased by $2,000,000, with the amount of the increase to be available for operation and maintenance, Defense-wide activities, for SAG 4GTN Office of the Secretary of Defense for modernization of the congressional reports process.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2021 by section 301 is hereby decreased by $2,000,000, with the amount of the decrease to be applied against amounts available for operation and maintenance, Army, for SAG 421 for Servicewide Transportation for historical underexecution.

TITLE LV—MILITARY PERSONNEL POLICY

Subtitle C—General Service Authorities

SEC. 5516. REPORT ON IMPLEMENTATION OF RECOMMENDATIONS OF THE COMPTROLLER GENERAL OF THE UNITED STATES ON RECRUITMENT AND RETENTION OF FEMALE 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 Committees on Armed Services of the Senate and the House of Representatives a report setting forth a comprehensive plan to implement and accomplish the recommendations for the Department of Defense in keeping with the May 2020 report of the Government Accountability Office titled ''Female Active-Duty Personnel: Guidance and Plans Needed for Recruitment and Retention Efforts'', namely the recommendations as follows:

(1) The Secretary of Defense must ensure that the Under Secretary of Defense for Personnel and Readiness provides guidance to each of the Armed Forces to develop plans, with clearly defined goals, performance measures, and timeframes, to guide and monitor the efforts in connection with the recruitment and retention of female members.

(2) Each Secretary of a military department must develop a plan, with clearly defined goals, performance measures, and timeframes, to guide and monitor the efforts of each Armed Force under the jurisdiction of such Secretary in connection with the recruitment and retention of female members in such Armed Force.

Subtitle F—Decorations and Awards

SEC. 5551. REPORT ON REGULATIONS AND PROCEDURES TO IMPLEMENT PROGRAMS ON AWARD OF MEDALS OR COMMENDATIONS TO HANDLERS OF MILITARY WORKING DOGS.

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 regulations and other procedures prescribed by the Secretaries of the military departments in order to implement and carry out the programs of the military departments on the award of medals or other commendations to handlers of military working dogs required by section 582 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232; 132 Stat. 1787; 10 U.S.C. 1121 note prec.).

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

PART II—MILITARY FAMILY READINESS MATTERS

SEC. 5571. INDEPENDENT STUDY AND REPORT ON MILITARY SPOUSE UNDEREMPLOYMENT.

(a) INDEPENDENT STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall seek to enter into a contract with a Federally funded research and development center to conduct a study on underemployment among military spouses. The study shall consider, at a minimum, the following:

(1) The prevalence of unemployment and underemployment among military spouses, including differences by Armed Force, region, State, education level, and income level.

(2) The causes of unemployment and underemployment among military spouses.

(3) The differences in unemployment and underemployment between military spouses and civilians.

(4) Barriers to small business ownership and entrepreneurship faced by military spouses.

(b) SUBMITTAL TO DOD.—Not later than 240 days after the date of the enactment of this Act, the Federally funded research and development center with which the Secretary contracts pursuant to subsection (a) shall submit to the Secretary a report containing the results of the study conducted pursuant to that subsection.

(c) TRANSMITTAL TO CONGRESS.—Not later than 270 days after the date of the enactment of this Act, the Secretary shall transmit to the appropriate committees of Congress the report under subsection (b), without change.

(d) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means the following—

(1) the Committee on Armed Services, the Committee on Health, Education, Labor, and Pensions, the Committee on Small Business and Entrepreneurship, and Committee on Appropriations of the Senate; and

(2) the Committee on Armed Services, the Committee on Education and Labor, the Committee on Small Business, and Committee on Appropriations of the House of Representatives.

Subtitle H—Other Matters

SEC. 5586. 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—

(1) by inserting ''(a) QUESTIONS REQUIRED.—'' before ''The Secretary'';

(2) in paragraph (1), by inserting ''racist, anti-Semitic, or supremacist'' after ''extremist''; and

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

''(b) REPORT.—Not later than March 1, 2021, the Secretary shall submit to Congress a report including—

''(1) the text of the questions included in surveys under subsection (a); and

''(2) which surveys include such questions.''.

SEC. 5587. BRIEFING ON THE IMPLEMENTATION OF REQUIREMENTS ON CONNECTIONS OF RETIRING AND SEPARATING MEMBERS OF THE ARMED FORCES WITH COMMUNITY-BASED ORGANIZATIONS AND RELATED ENTITIES.

Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall brief Congress on the current status of the implementation of the requirements of section 570F of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92; 133 Stat. 1401; 10 U.S.C. 1142 note), relating to connections of retiring and separating members of the Armed Forces with community-based organizations and related entities.

SEC. 5590. PILOT PROGRAMS ON REMOTE PROVISION BY NATIONAL GUARD TO STATE GOVERNMENTS AND NATIONAL GUARDS OF OTHER STATES OF CYBERSECURITY TECHNICAL ASSISTANCE IN TRAINING, PREPARATION, AND RESPONSE TO CYBER INCIDENTS.

(a) INEFFECTIVENESS OF SECTION 590.—Section 590 shall have no force or effect.

(b) PILOT PROGRAMS AUTHORIZED.—The Secretary of the Army and the Secretary of the Air Force may each, in coordination with the Secretary of Homeland Security and in consultation with the Chief of the National Guard Bureau, conduct a pilot program to assess the feasibility and advisability of the development of a capability within the National Guard through which a National Guard of a State remotely provides State governments and National Guards of other States (whether or not in the same Armed Force as the providing National Guard) with cybersecurity technical assistance in training, preparation, and response to cyber incidents. If such Secretary elects to conduct such a pilot program, such Secretary shall be known as an ''administering Secretary'' for purposes of this section, and any reference in this section to ''the pilot program'' shall be treated as a reference to the pilot program conducted by such Secretary.

(c) ASSESSMENT PRIOR TO COMMENCEMENT.—For purposes of evaluating existing platforms, technologies, and capabilities under subsection (d), and for establishing eligibility and participation requirements under subsection (d), for purposes of the pilot program, an administering Secretary, in consultation with the Chief of the National Guard Bureau, shall, prior to commencing the pilot program—

(1) conduct an assessment of—

(A) existing cyber response capacities of the Army National Guard or Air National Guard, as applicable, in each State; and

(B) any existing platform, technology, or capability of a National Guard that provides the capability described in subsection (b); and

(2) determine whether a platform, technology, or capability described in paragraph (1)(B) is suitable for expansion for purposes of the pilot program.

(d) ELEMENTS.—A pilot program under subsection (b) shall include the following:

(1) A technical capability that enables the National Guard of a State to remotely provide cybersecurity technical assistance to State governments and National Guards of other States, without the need to deploy outside its home State.

(2) Policies, processes, procedures, and authorities for use of such a capability, including with respect to the following:

(A) The roles and responsibilities of both requesting and deploying State governments and National Guards with respect to such technical assistance, taking into account the matters specified in subsection (g).

(B) Necessary updates to the Defense Cyber Incident Coordinating Procedure, or any other applicable Department of Defense instruction, for purposes of implementing the capability.

(C) Program management and governance structures for deployment and maintenance of the capability.

(D) Security when performing remote support, including such in matters such as authentication and remote sensing.

(3) The conduct, in coordination with the Chief of the National Guard Bureau and the Secretary of Homeland Security and in consultation with the Director of the Federal Bureau of Investigation, other Federal agencies, and appropriate non-Federal entities, of at least one exercise to demonstrate the capability, which exercise shall include the following:

(A) Participation of not fewer than two State governments and their National Guards.

(B) Circumstances designed to test and validate the policies, processes, procedures, and authorities developed pursuant to paragraph (2).

(C) An after action review of the exercise.

(e) USE OF EXISTING TECHNOLOGY.—An administering Secretary may use an existing platform, technology, or capability to provide the capability described in subsection (b) under the pilot program.

(f) ELIGIBILITY AND PARTICIPATION REQUIREMENTS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau, establish requirements with respect to eligibility and participation of State governments and their National Guards in the pilot program.

(g) CONSTRUCTION WITH CERTAIN CURRENT AUTHORITIES.—

(1) COMMAND AUTHORITIES.—Nothing in a pilot program under subsection (b) may be construed as affecting or altering the command authorities otherwise applicable to any unit of the National Guard unit participating in the pilot program.

(2) EMERGENCY MANAGEMENT ASSISTANCE COMPACT.—Nothing in a pilot program may be construed as affecting or altering any current agreement under the Emergency Management Assistance Compact, or any other State agreements, or as determinative of the future content of any such agreement.

(h) EVALUATION METRICS.—An administering Secretary shall, in consultation with the Chief of the National Guard Bureau and the Secretary of Homeland Security, establish metrics to evaluate the effectiveness of the pilot program.

(i) TERM.—A pilot program under subsection (b) shall terminate on the date that is three years after the date of the commencement of the pilot program.

(j) REPORTS.—

(1) INITIAL REPORT.—Not later than 180 days after the date of the commencement of the pilot program, the administering Secretary, in coordination with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report setting forth a description of the pilot program and such other matters in connection with the pilot program as the Secretary considers appropriate.

(2) FINAL REPORT.—Not later than 180 days after the termination of the pilot program, the administering Secretary, in coordination with the Secretary of Homeland Security, shall submit to the appropriate committees of Congress a report on the pilot program. The report shall include the following:

(A) A description of the pilot program, including any partnerships entered into by the Chief of the National Guard Bureau under the pilot program.

(B) A summary of the assessment performed prior to the commencement of the pilot program in accordance with subsection (c).

(C) A summary of the evaluation metrics established in accordance with subsection (h).

(D) An assessment of the effectiveness of the pilot program, and of the capability described in subsection (b) under the pilot program.

(E) A description of costs associated with the implementation and conduct of the pilot program.

(F) A recommendation as to the termination or extension of the pilot program, or the making of the pilot program permanent with an expansion nationwide.

(G) An estimate of the costs of making the pilot program permanent and expanding it nationwide in accordance with the recommendation in subparagraph (F).

(H) Such recommendations for legislative or administrative action as the Secretary considers appropriate in light of the pilot program.

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives.

(k) STATE DEFINED.—In this section, the term ''State'' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, Guam, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.

TITLE LVII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Provisions

SEC. 5707. PILOT PROGRAM ON RECEIPT OF NONGENERIC PRESCRIPTION MAINTENANCE MEDICATIONS UNDER TRICARE PHARMACY BENEFITS PROGRAM.

The reference in section 707(c) to section 1074g(a)(9)(C)(i) of title 10, United States Code, is deemed to be a reference to section 1074g(a)(9)(C)(ii) of title 10, United States Code.

Subtitle B—Health Care Administration

SEC. 5723. AUTHORITY OF SECRETARY OF DEFENSE TO WAIVE REQUIREMENTS DURING NATIONAL EMERGENCIES FOR PURPOSES OF PROVISION OF HEALTH CARE.

Section 723 and the amendments made by that section shall have no force or effect.

Subtitle C—Reports and Other Matters

SEC. 5741. STUDY AND REPORT ON SURGE CAPACITY OF DEPARTMENT OF DEFENSE TO ESTABLISH NEGATIVE AIR ROOM CONTAINMENT SYSTEMS IN MILITARY MEDICAL TREATMENT FACILITIES.

(a) STUDY.—The Director of the Defense Health Agency shall conduct a study on the use, scalability, and military requirements for commercial off the shelf negative air pressure room containment systems in order to improve pandemic preparedness at military medical treatment facilities worldwide,

to include an assessment of whether such systems would improve the readiness of the Department of Defense to expand capability and capacity to evaluate and treat patients at such facilities during a pandemic.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Health Agency shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the findings of the study conducted under subsection (a).

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

Subtitle A—Industrial Base Matters

SEC. 5801. 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 to the requirements of section 2533a of title 10, United States Code, relating to domestic nonavailability determinations;

(2) providing reasoning for the use of each such waiver or exception; 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. 5802. REPORT ON THE EFFECT OF THE DEFENSE MANUFACTURING COMMUNITIES SUPPORT PROGRAM ON THE DEFENSE SUPPLY CHAIN.

Not later than September 30, 2021, the Secretary of Defense shall submit to Congress a report evaluating the effect of the Defense Manufacturing Communities Support Program on the defense supply chain. The evaluation should consider the program's effect on—

(1) the diversification of the supply chain;

(2) procurement costs; and

(3) efficient procurement processes.

SEC. 5803. IMPROVING IMPLEMENTATION OF POLICY PERTAINING TO THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

Section 803(d)(2) is deemed amended as follows:

(1) Subparagraph (A) of such section is deemed to read as follows:

''(A) analysis of the national security impacts, cost, and benefits to the United States and allies of the inclusion of such additional member nation in the national technology and industrial base, including criticality to program and mission accomplishment;''.

(2) In the stem of subparagraph (B) of such section, ''costs,'' is deemed to be read ''impacts, costs,''.

(3) In clause (ii) of subparagraph (B) of such section ''base;'' is deemed to read ''base, including costs to reconstitute capability should such capability be lost to competition;''.

SEC. 5808. ADDITIONAL REQUIREMENTS PERTAINING TO PRINTED CIRCUIT BOARDS.

Section 808 is deemed to include at the end the following:

''(h) SENSE OF CONGRESS ON MITIGATING RISKS OF RELIANCE ON CERTAIN SOURCES OF SUPPLY AND MANUFACTURING FOR PRINTED CIRCUIT BOARDS.—It is the sense of Congress that—

''(1) the Department of Defense must take steps to reduce and mitigate risks of reliance on certain sources of supply and manufacturing for printed circuit boards; and

''(2) the provisions of this section are intended to augment, rather than reduce or supersede, current efforts to reduce and mitigate such risks.''.

SEC. 5812. MISCELLANEOUS LIMITATIONS ON THE PROCUREMENT OF GOODS OTHER THAN UNITED STATES GOODS.

Notwithstanding the amendments made by section 812—

(1) the subparagraph (A) proposed to be included in subsection (a)(2) of section 2534 of title 10, United States Code, shall not be included;

(2) subsection (b) of such section is deemed to read as follows:

''(b) MANUFACTURER IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.—A manufacturer meets the requirements of this subsection if the manufacturer is part of the national technology and industrial base.''; and

(3) the amendment to subsection (h) of such section is deemed to insert the following: ''subsection (a)(2)''.

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

SEC. 5841. WAIVERS OF CERTAIN CONDITIONS FOR PROGRESS PAYMENTS UNDER CERTAIN CONTRACTS DURING THE COVID–19 NATIONAL EMERGENCY.

During the national emergency declared under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the coronavirus disease 2019 (commonly referred to as ''COVID–19''), the Secretary of Defense may waive section 2307(e)(2) of title 10, United States Code, with respect to progress payments for any undefinitized contract.

Subtitle E—Small Business Matters

SEC. 5871. OFFICE OF SMALL BUSINESS AND DISADVANTAGED BUSINESS UTILIZATION.

Section 15(k) of the Small Business Act (15 U.S.C. 644(k)) is amended, in the matter preceding paragraph (1)—

(1) by inserting after the first sentence the following: ''If the Government Accountability Office has determined that a Federal agency is not in compliance with all of the requirements under this subsection, the Federal agency shall, not later than 120 days after that determination or 120 days after the date of enactment of this sentence, whichever is later, submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report that includes the reasons why the Federal agency is not in compliance and the specific actions that the Federal agency will take to comply with the requirements under this subsection.''; and

(2) by striking ''The management of each such office'' and inserting ''The management of each Office of Small Business and Disadvantaged Business Utilization''.

SEC. 5872. ELIGIBILITY OF THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS FOR CERTAIN SMALL BUSINESS ADMINISTRATION PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 21(a) (15 U.S.C. 648(a))—

(A) in paragraph (1), by inserting before ''The Administration shall require'' the following new sentence: ''The previous sentence shall not apply to an applicant that has its principal office located in the Commonwealth of the Northern Mariana Islands.''; and

(B) in paragraph (4)(C)(ix), by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''; and

(2) in section 34(a)(9) (15 U.S.C. 657d(a)(9)), by striking ''and American Samoa'' and inserting ''American Samoa, and the Commonwealth of the Northern Mariana Islands''.

SEC. 5873. DISASTER DECLARATION IN RURAL AREAS.

(a) IN GENERAL.—Section 7(b) of the Small Business Act (15 U.S.C. 636(b)) is amended by inserting after paragraph (15) the following:

''(16) DISASTER DECLARATION IN RURAL AREAS.—

''(A) DEFINITIONS.—In this paragraph—

''(i) the term 'rural area' means an area with a population of less than 200,000 outside an urbanized area; and

''(ii) the term 'significant damage' means, with respect to property, uninsured losses of not less than 40 percent of the estimated fair replacement value or pre-disaster fair market value of the damaged property, whichever is lower.

''(B) DISASTER DECLARATION.—Notwithstanding section 123.3(a) of title 13, Code of Federal Regulations, or any successor regulation, the Administrator may declare a disaster in a rural area for which a major disaster was declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) if—

''(i) the Governor of the State in which the rural area is located requests such a declaration; and

''(ii) any home, small business concern, private nonprofit organization, or small agricultural cooperative has incurred significant damage in the rural area.

''(C) SBA REPORT.—Not later than 120 days after the date of enactment of this Act, and every year thereafter, the Administrator shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on, with respect to the 1-year period preceding submission of the report—

''(i) any economic injury that resulted from a major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) in a rural area;

''(ii) each request for assistance made by the Governor of a State under subparagraph (B)(i) and the response of the Administrator, including the timeline for each response; and

''(iii) any regulatory changes that will impact the ability of communities in rural areas to obtain disaster assistance under this subsection.''.

(b) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Small Business Administration shall issue regulations to carry out the amendment made by subsection (a).

(c) GAO REPORT.—

(1) DEFINITION OF RURAL AREA.—In this subsection, the term ''rural area'' means an area with a population of less than 200,000 outside an urbanized area.

(2) REPORT.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report on—

(A) any unique challenges that communities in rural areas face compared to communities in metropolitan areas when seeking to obtain disaster assistance under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); and

(B) legislative recommendations for improving access to disaster assistance for communities in rural areas.

SEC. 5874. TEMPORARY EXTENSION FOR 8(A) PARTICIPANTS.

The Administrator of the Small Business Administration shall allow a small business concern (as defined in section 3 of the Small Business Act (15 U.S.C. 632)) participating in the program established under section 8(a) of

the Small Business Act (15 U.S.C. 637(a)) on the date of enactment of this section to extend such participation by a period of 1 year.

SEC. 5875. MAXIMUM AWARD PRICE FOR SOLE SOURCE MANUFACTURING CONTRACTS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 8 (15 U.S.C. 637)—

(A) in subsection (a)(1)(D)(i)(II), by striking ''$5,000,000'' and inserting ''$7,000,000''; and

(B) in subsection (m)—

(i) in paragraph (7)(B)(i), by striking ''$6,500,000'' and inserting ''$7,000,000''; and

(ii) in paragraph (8)(B)(i), by striking ''$6,500,000'' and inserting ''$7,000,000'';

(2) in section 31(c)(2)(A)(ii)(I) (15 U.S.C. 657a(c)(2)(A)(ii)(I)), by striking ''$5,000,000'' and inserting ''$7,000,000''; and

(3) in section 36(a)(2)(A) (15 U.S.C. 657f(a)(2)(A)), by striking ''$5,000,000'' and inserting ''$7,000,000''.

SEC. 5876. ANNUAL REPORTS REGARDING THE SBIR PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) DEFINITIONS.—In this section—

(1) the term ''SBIR'' has the meaning given the term in section 9(e)(4) of the Small Business Act (15 U.S.C. 638(e)(4)); and

(2) the term ''Secretary'' means the Secretary of Defense.

(b) REPORTS REQUIRED.—Not later than 90 days after the date of enactment of this Act, and not later than 120 days after the end of each fiscal year that begins after that date of enactment, the Secretary, after consultation with the Secretary of each branch of the Armed Forces, shall submit, through the Under Secretary of Defense for Research and Engineering, to Congress a report that addresses—

(1) the ways in which the Secretary, as of the date on which the report is submitted, is using incentives to Department of Defense program managers under section 9(y)(6)(B) of the Small Business Act (15 U.S.C. 638(y)(6)(B)) to increase the number of Phase II SBIR contracts awarded by the Secretary that lead to technology transition into programs of record or fielded systems, which shall include the judgment of the Secretary regarding the potential effect of providing monetary incentives to those officers for that purpose;

(2) the extent to which the Department of Defense has developed simplified and standardized procedures and model contracts throughout the agency for Phase I, Phase II, and Phase III SBIR awards, as required under section 9(hh)(2)(A)(i) of the Small Business Act (15 U.S.C. 638(hh)(2)(A)(i));

(3) with respect to each report submitted under this section after the submission of the first such report, the extent to which any incentives described in this section and implemented by the Secretary have resulted in an increased number of Phase II contracts under the SBIR program of the Department of Defense leading to technology transition into programs of record or fielded systems;

(4) the extent to which Phase I, Phase II, and Phase III projects under the SBIR program of the Department of Defense align with the modernization priorities of the Department, including with respect to artificial intelligence, biotechnology, autonomy, cybersecurity, directed energy, fully networked command, control, and communication systems, microelectronics, quantum science, hypersonics, and space; and

(5) any other action taken, and proposed to be taken, to increase the number of Department of Defense Phase II SBIR contracts leading to technology transition into programs of record or fielded systems.

SEC. 5877. SMALL BUSINESS LOANS FOR NONPROFIT CHILD CARE PROVIDERS.

Section 3(a) of the Small Business Act (15 U.S.C. 632(a)) is amended by adding at the end the following:

''(10) NONPROFIT CHILD CARE PROVIDERS.—

''(A) DEFINITION.—In this paragraph, the term 'covered nonprofit child care provider' means an organization—

''(i) that—

''(I) is in compliance with licensing requirements for child care providers of the State in which the organization is located;

''(II) is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

''(III) is primarily engaged in providing child care for children from birth to compulsory school age;

''(ii) for which each employee and regular volunteer complies with the criminal background check requirements under section 658H(b) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858f(b)); and

''(iii) that may—

''(I) provide care for school-age children outside of school hours or outside of the school year; or

''(II) offer preschool or prekindergarten educational programs.

''(B) ELIGIBILITY FOR LOAN PROGRAMS.—Notwithstanding any other provision of this subsection, a covered nonprofit child care provider shall be deemed to be a small business concern for purposes of any program under this Act or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq.) under which—

''(i) the Administrator may make loans to small business concerns;

''(ii) the Administrator may guarantee timely payment of loans to small business concerns; or

''(iii) the recipient of a loan made or guaranteed by the Administrator may make loans to small business concerns.''.

Subtitle G—Other Matters

SEC. 5891. LISTING OF OTHER TRANSACTION AUTHORITY CONSORTIA.

Beginning not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall maintain on the government-wide point of entry for contracting opportunities, Beta.SAM.gov (or any successor system), a list of the consortia used by the Department of Defense to announce or otherwise make available contracting opportunities using other transaction authority (OTA).

SEC. 5892. REPORT RECOMMENDING DISPOSITION OF NOTES TO CERTAIN SECTIONS OF TITLE 10, UNITED STATES CODE.

(a) IN GENERAL.—Not later than March 31, 2021, the Secretary of Defense shall submit to the congressional defense committees a report recommending the disposition of provisions of law found in the notes to the following sections of title 10, United States Code:

(1) Section 2313.

(2) Section 2364.

(3) Section 2432.

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

(1) for each provision of law included as a note to a section listed in such subsection, a recommendation whether such provision—

(A) should be repealed because the provision is no longer operative or is otherwise obsolete;

(B) should be codified as a section to title 10, United States Code, because the section has, and is anticipated to continue to have in the future, significant relevance; or

(C) should remain as a note to such section; and

(2) any legislative proposals appropriate to improve the intent and effect of the sections listed in such subsection.

(c) TECHNICAL CORRECTIONS.—(1) Section 2362(a) of title 10, United States Code, is amended by striking ''Assistant Secretary of Defense for Research and Engineering'' both places it appears and inserting ''Under Secretary of Defense for Research and Engineering''.

(2) Section 804(c) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2302 note) is amended by striking ''The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence, in consultation with the Under Secretary of Defense for Acquisition, Technology, and Logistics,'' and inserting ''The Under Secretary of Defense for Acquisition and Sustainment''.

SEC. 5893. APPLICABILITY OF REPORTING REQUIREMENT RELATED TO NOTIONAL MILESTONES AND STANDARD TIMELINES FOR FOREIGN MILITARY SALES.

Section 887 of the National Defense Authorization Act for Fiscal Year 2018 (Public Law 115 –91; 22 U.S.C. 2761 note) is amended—

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

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

''(c) APPLICABILITY.—The reporting requirements under this section apply only to foreign military sales processes within the Department of Defense.''.

SEC. 5894. ADDITIONAL REQUIREMENTS RELATED TO MITIGATING RISKS RELATED TO FOREIGN OWNERSHIP, CONTROL, OR INFLUENCE OF DEPARTMENT OF DEFENSE CONTRACTORS AND SUBCONTRACTORS.

(a) COMPLIANCE ASSESSMENT.—Subparagraph (A) of paragraph (2) of section 847(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 clause:

''(v) A requirement for the Secretary to require reports and conduct examinations on a periodic basis of covered contractors and subcontractors in order to assess compliance with the requirements of this section.''.

(b) ADDITIONAL REQUIREMENTS FOR RESPONSIBILITY DETERMINATIONS.—Subparagraph (B) of such paragraph is amended—

(1) in clause (ii), by striking ''; and'' and inserting a semicolon;

(2) by redesignating clause (iii) as clause (iv); and

(3) by inserting after clause (ii) the following new clause:

''(iii) procedures for appropriately responding to changes in contractor or subcontractor beneficial ownership status based on changes in disclosures of their beneficial ownership relating to whether they are under FOCI and based on the reports and examinations required by subparagraph (A)(v); and''.

(c) TIMELINES AND MILESTONES FOR IMPLEMENTATION.—

(1) IMPLEMENTATION PLAN.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the congressional defense committees a plan and schedule for implementation of the requirements of section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), including—

(A) a timeline for issuance of regulations, development of training for appropriate officials, and development of systems for reporting of beneficial ownership and FOCI by contractors and subcontractors;

(B) designation of officials and organizations responsible for execution; and

(C) interim milestones to be met in implementing the plan.

(2) REVISION OF REGULATIONS, DIRECTIVES, GUIDANCE, TRAINING, AND POLICIES.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall revise relevant directives, guidance, training, and policies, including revising the Defense Federal Acquisition Regulation Supplement as needed, to fully implement section 847 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), as amended by this section.

TITLE LIX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle D—Organization and Management of Other Department of Defense Offices and Elements

SEC. 5951. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON VULNERABILITIES OF THE DEPARTMENT OF DEFENSE RESULTING FROM OFFSHORE TECHNICAL SUPPORT CALL CENTERS.

(a) REPORT REQUIRED.—Not later than 180 days 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 vulnerabilities in connection with the provision of services by offshore technical support call centers to the Department of Defense.

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

(1) A description and assessment of the location of all offshore technical support call centers.

(2) A description and assessment of the types of information shared by the Department with foreign nationals at offshore technical support call centers.

(3) An assessment of the extent to which access to such information by foreign nationals creates vulnerabilities to the information technology network of the Department.

(c) OFFSHORE TECHNICAL SUPPORT CALL CENTER DEFINED.—In this section, the term ''offshore technical support call center'' means a call center that—

(1) is physically located outside the United States;

(2) employs individuals who are foreign nationals; and

(3) may be contacted by personnel of the Department to provide technical support relating to technology used by the Department.

TITLE LX—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 6001. UNDER SECRETARY OF DEFENSE (COMPTROLLER) REPORTS ON IMPROVING THE BUDGET JUSTIFICATION AND RELATED MATERIALS OF THE DEPARTMENT OF DEFENSE.

(a) REPORTS REQUIRED.—Not later than April 1 of each of 2021 through 2025, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on improving the following:

(1) Modernization of covered materials, including the following:

(A) Updating the format of such materials in order to account for significant improvements in document management and data visualization.

(B) Expanding the scope and quality of data included in such materials.

(2) Streamlining of the production of covered materials within the Department of Defense.

(3) Transmission of covered materials to Congress.

(4) Availability of adequate resources and capabilities to permit the Department to integrate changes to covered materials together with its submittal of current covered materials.

(5) Promotion of the flow between the Department and the congressional defense committees of other information required by Congress for its oversight of budgeting for the Department and the future-years defense programs.

(b) COVERED MATERIALS DEFINED.—In this section, the term ''covered materials'' means the following:

(1) Materials submitted in support of the budget of the President for a fiscal year under section 1105(a) of title 31, United States Code.

(2) Materials submitted in connection with the future-years defense program for a fiscal year under section 221 of title 10, United States Code.

SEC. 6002. REPORT ON FISCAL YEAR 2022 BUDGET REQUEST REQUIREMENTS IN CONNECTION WITH AIR FORCE OPERATIONS IN THE ARCTIC.

The Secretary of the Air Force shall submit to the congressional defense committees, not later than 30 days after submission of the budget justification documents submitted to Congress in support of the budget of the President for fiscal year 2022 (as submitted pursuant to section 1105 of title 31, United States Code), a report that includes the following:

(1) A description of the manner in which amounts requested for the Air Force in the budget for fiscal year 2022 support Air Force operations in the Arctic.

(2) A list of the procurement initiatives and research, development, test, and evaluation initiatives funded by that budget that are primarily intended to enhance the ability of the Air Force to deploy to or operate in the Arctic region, or to defend the northern approach to the United States homeland.

(3) An assessment of the adequacy of the infrastructure of Air Force installations in Alaska and in the States along the northern border of the continental United States to support deployments to and operations in the Arctic region, including an assessment of runways, fuel lines, and aircraft maintenance capacity for purposes of such support.

Subtitle E—Miscellaneous Authorities and Limitations

SEC. 6046. CONDITIONS FOR PERMANENTLY BASING UNITED STATES EQUIPMENT OR ADDITIONAL MILITARY UNITS IN HOST COUNTRIES WITH AT-RISK VENDORS IN 5G OR 6G NETWORKS.

(a) INEFFECTIVENESS OF SECTION 1046.—Section 1046 shall have no force or effect.

(b) IN GENERAL.—Prior to a decision for basing a major weapon system or an additional military unit comparable to or larger than a battalion, squadron, or naval combatant for permanent basing to a host nation with at-risk 5th generation (5G) or sixth generation (6G) wireless network equipment, software, and services, including the use of telecommunications equipment, software, and services provided by vendors such as Huawei and ZTE, 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 certification to Congress that includes—

(1) an acknowledgment by the host nation of the risk posed by the network architecture;

(2) a description of steps being taken by the host nation to mitigate any potential risks to the weapon systems, military units, or personnel, and the Department of Defense's assessment of those efforts;

(3) a description of steps being taken by the United States Government to mitigate any potential risks to the weapon systems, military units, or personnel; and

(4) a description of any defense mutual agreements between the host nation and the United States intended to allay the costs of risk mitigation posed by the at-risk infrastructure.

(c) APPLICABILITY.—The conditions in subsection (b) apply to the permanent long-term stationing of equipment and personnel, 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.

(d) 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.

(e) FORM.—The report required by subsection (c) shall be submitted in a classified form with an unclassified summary.

Subtitle F—Studies and Reports

SEC. 6061. MARITIME SECURITY AND DOMAIN AWARENESS.

(a) PROGRESS REPORT ON MARITIME SECURITY.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, the Secretary of the Department in which the Coast Guard is operating, and the heads of other appropriate Federal agencies, shall submit to the congressional defense committees a report on the steps taken since December 20, 2019, to make further use of the following mechanisms to combat IUU fishing:

(A) Inclusion of counter-IUU fishing in existing shiprider agreements to which the United States is a party.

(B) Entry into shiprider agreements that include counter-IUU fishing with priority flag states and countries in priority regions with which the United States does not already have such agreements.

(C) Inclusion of counter-IUU fishing in the mission of the Combined Maritime Forces.

(D) Inclusion of counter-IUU fishing exercises in the annual at-sea exercises conducted by the Department of Defense, in coordination with the United States Coast Guard.

(E) Development of partnerships similar to the Oceania Maritime Security Initiative and the Africa Maritime Law Enforcement Partnership in other priority regions.

(2) ELEMENT.—The report required by paragraph (1) shall include a description of specific steps taken by the Secretary of the Navy with respect to each mechanism described in paragraph (1), including a detailed description of any security cooperation engagement undertaken to combat IUU fishing by such mechanisms and resulting coordination between the Department of the Navy and the Coast Guard.

(b) ASSESSMENT OF SERVICE COORDINATION ON MARITIME DOMAIN AWARENESS.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of the Navy shall enter into an agreement with the Secretary of the department in which the Coast Guard is operating,

in consultation with the Secretary of Commerce, to assess the available commercial solutions for collecting, sharing, and disseminating among United States maritime services and partner countries maritime domain awareness information relating to illegal maritime activities, including IUU fishing.

(2) ELEMENTS.—The assessment carried out pursuant to an agreement under paragraph (1) shall—

(A) build on the ongoing Coast Guard assessment related to autonomous vehicles;

(B) consider appropriate commercially and academically available technological solutions; and

(C) consider any limitation related to affordability, exportability, maintenance, and sustainment requirements and any other factor that may constrain the suitability of such solutions for use in a joint and combined environment, including the potential provision of such solutions to one or more partner countries.

(3) SUBMITTAL TO CONGRESS.—Not later than one year after entering into an agreement under paragraph (1), the Secretary of the Navy shall submit to the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate and the Committee on Armed Services, the Committee on Natural Resources, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives the assessment prepared in accordance with the agreement.

(c) REPORT ON USE OF FISHING FLEETS BY FOREIGN GOVERNMENTS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Naval Intelligence shall submit to the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate and the Committee on Armed Services, the Committee on Natural Resources, the Committee on Transportation and Infrastructure, and the Committee on Appropriations of the House of Representatives a report on the use by governments of foreign countries of distant-water fishing fleets as extensions of the official maritime security forces of such countries.

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

(A) An analysis of the manner in which fishing fleets are leveraged in support of the naval operations and policies of foreign countries more generally.

(B) A consideration of—

(i) threats posed, on a country-by-country basis, to the fishing vessels and other vessels of the United States and partner countries;

(ii) risks to Navy and Coast Guard operations of the United States, and the naval and coast guard operations of partner countries; and

(iii) the broader challenge to the interests of the United States and partner countries.

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

(d) DEFINITIONS.—In this section, any term that is also used in the Maritime SAFE Act (Public Law 116–92) shall have the meaning given such term in that Act.

SEC. 6062. REPORT ON PANDEMIC PREPAREDNESS AND PLANNING OF THE NAVY.

Not later than 120 days after the date of the enactment of this Act, the Secretary of the Navy shall submit to the congressional defense committees a report containing a description of the plans of the Navy to prepare for and respond to future pandemics, including future outbreaks of the Coronavirus Disease 2019 (COVID–19). The report shall include a written description of plans, including any necessary corresponding budgetary actions, for the following:

(1) Efforts to prevent and mitigate the impacts of future pandemics at both private and public shipyards, and to protect the health and safety of both military personnel and civilian workers at such shipyards.

(2) Protocol and mitigation strategies once an outbreak of a highly contagious illness occurs aboard a Navy vessel while underway.

(3) Development and adoption of technologies and protocols to prevent and mitigate the spread of future pandemics aboard Navy ships and among Navy personnel, including technologies and protocols in connection with the following:

(A) Artificial intelligence and data-driven infectious disease modeling and interventions.

(B) Shipboard airflow management and disinfectant technologies.

(C) Personal protective equipment, sensors, and diagnostic systems.

(D) Minimally crewed and autonomous supply vehicles.

Subtitle G—Other Matters

SEC. 6081. MODIFICATION TO FIRST DIVISION MONUMENT.

(a) AUTHORIZATION.—The Society of the First Infantry Division may make modifications to the First Division Monument located on Federal land in President's Park in the District of Columbia to honor the dead of the First Infantry Division, United States Forces, in—

(1) Operation Desert Storm;

(2) Operation Iraqi Freedom and New Dawn; and

(3) Operation Enduring Freedom.

(b) MODIFICATIONS.—Modifications to the First Division Monument may include construction of additional plaques and stone plinths on which to put plaques.

(c) APPLICABILITY OF COMMEMORATIVE WORKS ACT.—Chapter 89 of title 40, United States Code (commonly known as the ''Commemorative Works Act''), shall apply to the design and placement of the commemorative elements authorized by this section, except that subsections (b) and (c) of section 8903 shall not apply.

(d) COLLABORATION.—The First Infantry Division of the Department of the Army shall collaborate with the Secretary of Defense to provide to the Society of the First Infantry Division the list of names to be added to the First Division Monument in accordance with subsection (a).

(e) FUNDING.—Federal funds may not be used for modifications of the First Division Monument authorized by this section.

SEC. 6082. ESTIMATE OF DAMAGES FROM FEDERAL COMMUNICATIONS COMMISSION ORDER 20–48.

Section 1083 is deemed to include at the end the following:

''(d) DISTRIBUTION OF ESTIMATE.—As soon as practicable after submitting an estimate as described in paragraph (1) of subsection (a) and making the certification described in paragraph (2) of such subsection, the Secretary shall make such estimate available to any licensee operating under the order and authorization described in such subsection.

''(e) AUTHORITY OF SECRETARY OF DEFENSE TO SEEK RECOVERY OF COSTS.—The Secretary of Defense may work directly with any licensee (or any future assignee, successor, or purchaser) affected by the Order and Authorization adopted by the Federal Communications Commission on April 19, 2020 (FCC 20–48) to seek recovery of costs incurred by the Department of Defense as a result of the effect of such order and authorization.

''(f) REIMBURSEMENT.—

''(1) IN GENERAL.—The Secretary shall establish and facilitate a process for any licensee (or any future assignee, successor, or purchaser) subject to the authorization and order described in subsection (a) to provide reimbursement to the Department of Defense, only to the extent provided in appropriations Acts, for the covered costs and eligible reimbursable costs submitted and certified to the congressional defense committees under such subsection.

''(2) USE OF FUNDS.—The Secretary shall use any funds received under this subsection, to the extent and in such amounts as are provided in advance in appropriations Acts, for covered costs described in subsection (b) and the range of eligible reimbursable costs identified under subsection (a)(1).

''(3) REPORT.—Not later than 90 days after the date on which the Secretary establishes the process required by paragraph (1), the Secretary shall submit to the congressional defense committees a report on such process.

''(g) GOOD FAITH.—The execution of the responsibilities of this section by the Department of Defense shall be considered to be good faith actions pursuant to paragraph 104 of the Order and Authorization (FCC 20–48) described in subsection (a).''.

SEC. 6083. DIESEL EMISSIONS REDUCTION.

(a) REAUTHORIZATION OF DIESEL EMISSIONS REDUCTION PROGRAM.—Section 797(a) of the Energy Policy Act of 2005 (42 U.S.C. 16137(a)) is amended by striking ''2016'' and inserting ''2024''.

(b) RECOGNIZING DIFFERENCES IN DIESEL VEHICLE, ENGINE, EQUIPMENT, AND FLEET USE.—

(1) NATIONAL GRANT, REBATE, AND LOAN PROGRAMS.—Section 792(c)(4)(D) of the Energy Policy Act of 2005 (42 U.S.C. 16132(c)(4)(D)) is amended by inserting '', recognizing differences in typical vehicle, engine, equipment, and fleet use throughout the United States'' before the semicolon.

(2) STATE GRANT, REBATE, AND LOAN PROGRAMS.—Section 793(b)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16133(b)(1)) is amended—

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

(B) by adding at the end the following:

''(D) the recognition, for purposes of implementing this section, of differences in typical vehicle, engine, equipment, and fleet use throughout the United States, including expected useful life; and''.

(c) REALLOCATION OF UNUSED STATE FUNDS.—Section 793(c)(2)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16133(c)(2)(C)) is amended beginning in the matter preceding clause (i) by striking ''to each remaining'' and all that follows through ''this paragraph'' in clause (ii) and inserting ''to carry out section 792''.

SEC. 6084. UTILIZING SIGNIFICANT EMISSIONS WITH INNOVATIVE TECHNOLOGIES.

(a) SHORT TITLE.—This section may be cited as the ''Utilizing Significant Emissions with Innovative Technologies Act'' or the ''USE IT Act''.

(b) RESEARCH, INVESTIGATION, TRAINING, AND OTHER ACTIVITIES.—Section 103 of the Clean Air Act (42 U.S.C. 7403) is amended—

(1) in subsection (c)(3), in the first sentence of the matter preceding subparagraph (A), by striking ''percursors'' and inserting ''precursors''; and

(2) in subsection (g)—

(A) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting appropriately;

(B) in the undesignated matter following subparagraph (D) (as so redesignated)—

(i) in the second sentence, by striking ''The Administrator'' and inserting the following:

''(5) COORDINATION AND AVOIDANCE OF DUPLICATION.—The Administrator''; and

(ii) in the first sentence, by striking ''Nothing'' and inserting the following:

''(4) EFFECT OF SUBSECTION.—Nothing'';

(C) in the matter preceding subparagraph (A) (as so redesignated)—

(i) in the third sentence, by striking ''Such program'' and inserting the following:

''(3) PROGRAM INCLUSIONS.—The program under this subsection'';

(ii) in the second sentence—

(I) by inserting ''States, institutions of higher education,'' after ''scientists,''; and

(II) by striking ''Such strategies and technologies shall be developed'' and inserting the following:

''(2) PARTICIPATION REQUIREMENT.—Such strategies and technologies described in paragraph (1) shall be developed''; and

(iii) in the first sentence, by striking ''In carrying out'' and inserting the following:

''(1) IN GENERAL.—In carrying out'';

(D) by adding at the end the following:

''(6) CERTAIN CARBON DIOXIDE ACTIVITIES.—

''(A) IN GENERAL.—In carrying out paragraph (3)(A) with respect to carbon dioxide, the Administrator shall carry out the activities described in each of subparagraphs (B), (C), (D), and (E).

''(B) DIRECT AIR CAPTURE RESEARCH.—

''(i) DEFINITIONS.—In this subparagraph:

''(I) BOARD.—The term 'Board' means the Direct Air Capture Technology Advisory Board established by clause (iii)(I).

''(II) DILUTE.—The term 'dilute' means a concentration of less than 1 percent by volume.

''(III) DIRECT AIR CAPTURE.—

''(aa) IN GENERAL.—The term 'direct air capture', with respect to a facility, technology, or system, means that the facility, technology, or system uses carbon capture equipment to capture carbon dioxide directly from the air.

''(bb) EXCLUSION.—The term 'direct air capture' does not include any facility, technology, or system that captures carbon dioxide—

''(AA) that is deliberately released from a naturally occurring subsurface spring; or

''(BB) using natural photosynthesis.

''(IV) INTELLECTUAL PROPERTY.—The term 'intellectual property' means—

''(aa) an invention that is patentable under title 35, United States Code; and

''(bb) any patent on an invention described in item (aa).

''(ii) TECHNOLOGY PRIZES.—

''(I) IN GENERAL.—Not later than 1 year after the date of enactment of the USE IT Act, the Administrator, in consultation with the Secretary of Energy, shall establish a program to provide, and shall provide, financial awards on a competitive basis for direct air capture from media in which the concentration of carbon dioxide is dilute.

''(II) DUTIES.—In carrying out this clause, the Administrator shall—

''(aa) subject to subclause (III), develop specific requirements for—

''(AA) the competition process; and

''(BB) the demonstration of performance of approved projects;

''(bb) offer financial awards for a project designed—

''(AA) to the maximum extent practicable, to capture more than 10,000 tons of carbon dioxide per year; and

''(BB) to operate in a manner that would be commercially viable in the foreseeable future (as determined by the Board); and

''(cc) to the maximum extent practicable, make financial awards to geographically diverse projects, including at least—

''(AA) 1 project in a coastal State; and

''(BB) 1 project in a rural State.

''(III) PUBLIC PARTICIPATION.—In carrying out subclause (II)(aa), the Administrator shall—

''(aa) provide notice of and, for a period of not less than 60 days, an opportunity for public comment on, any draft or proposed version of the requirements described in subclause (II)(aa); and

''(bb) take into account public comments received in developing the final version of those requirements.

''(iii) DIRECT AIR CAPTURE TECHNOLOGY ADVISORY BOARD.—

''(I) ESTABLISHMENT.—There is established an advisory board to be known as the 'Direct Air Capture Technology Advisory Board'.

''(II) COMPOSITION.—The Board shall be composed of 9 members appointed by the Administrator, who shall provide expertise in—

''(aa) climate science;

''(bb) physics;

''(cc) chemistry;

''(dd) biology;

''(ee) engineering;

''(ff) economics;

''(gg) business management; and

''(hh) such other disciplines as the Administrator determines to be necessary to achieve the purposes of this subparagraph.

''(III) TERM; VACANCIES.—

''(aa) TERM.—A member of the Board shall serve for a term of 6 years.

''(bb) VACANCIES.—A vacancy on the Board—

''(AA) shall not affect the powers of the Board; and

''(BB) shall be filled in the same manner as the original appointment was made.

''(IV) INITIAL MEETING.—Not later than 30 days after the date on which all members of the Board have been appointed, the Board shall hold the initial meeting of the Board.

''(V) MEETINGS.—The Board shall meet at the call of the Chairperson or on the request of the Administrator.

''(VI) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number of members may hold hearings.

''(VII) CHAIRPERSON AND VICE CHAIRPERSON.—The Board shall select a Chairperson and Vice Chairperson from among the members of the Board.

''(VIII) COMPENSATION.—Each member of the Board may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day during which the member is engaged in the actual performance of the duties of the Board.

''(IX) DUTIES.—The Board shall advise the Administrator on carrying out the duties of the Administrator under this subparagraph.

''(X) FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Board.

''(iv) INTELLECTUAL PROPERTY.—

''(I) IN GENERAL.—As a condition of receiving a financial award under this subparagraph, an applicant shall agree to vest the intellectual property of the applicant derived from the technology in 1 or more entities that are incorporated in the United States.

''(II) RESERVATION OF LICENSE.—The United States—

''(aa) may reserve a nonexclusive, nontransferable, irrevocable, paid-up license, to have practiced for or on behalf of the United States, in connection with any intellectual property described in subclause (I); but

''(bb) shall not, in the exercise of a license reserved under item (aa), publicly disclose proprietary information relating to the license.

''(III) TRANSFER OF TITLE.—Title to any intellectual property described in subclause (I) shall not be transferred or passed, except to an entity that is incorporated in the United States, until the expiration of the first patent obtained in connection with the intellectual property.

''(v) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $35,000,000 shall be available to carry out this subparagraph, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(vi) TERMINATION OF AUTHORITY.—The Board and all authority provided under this subparagraph shall terminate not later than 10 years after the date of enactment of the USE IT Act.

''(C) CARBON DIOXIDE UTILIZATION RESEARCH.—

''(i) DEFINITION OF CARBON DIOXIDE UTILIZATION.—In this subparagraph, the term 'carbon dioxide utilization' refers to technologies or approaches that lead to the use of carbon dioxide—

''(I) through the fixation of carbon dioxide through photosynthesis or chemosynthesis, such as through the growing of algae or bacteria;

''(II) through the chemical conversion of carbon dioxide to a material or chemical compound in which the carbon dioxide is securely stored; or

''(III) through the use of carbon dioxide for any other purpose for which a commercial market exists, as determined by the Administrator.

''(ii) PROGRAM.—The Administrator, in consultation with the Secretary of Energy, shall carry out a research and development program for carbon dioxide utilization to promote existing and new technologies that transform carbon dioxide generated by industrial processes into a product of commercial value, or as an input to products of commercial value.

''(iii) TECHNICAL AND FINANCIAL ASSISTANCE.—Not later than 2 years after the date of enactment of the USE IT Act, in carrying out this subsection, the Administrator, in consultation with the Secretary of Energy, shall support research and infrastructure activities relating to carbon dioxide utilization by providing technical assistance and financial assistance in accordance with clause (iv).

''(iv) ELIGIBILITY.—To be eligible to receive technical assistance and financial assistance under clause (iii), a carbon dioxide utilization project shall—

''(I) have access to an emissions stream generated by a stationary source within the United States that is capable of supplying not less than 250 metric tons per day of carbon dioxide for research;

''(II) have access to adequate space for a laboratory and equipment for testing small-scale carbon dioxide utilization technologies, with onsite access to larger test bays for scale-up; and

''(III) have existing partnerships with institutions of higher education, private companies, States, or other government entities.

''(v) COORDINATION.—In supporting carbon dioxide utilization projects under this paragraph, the Administrator shall consult with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency, States, the private sector, and institutions of higher education to develop methods and technologies to account for the carbon dioxide emissions avoided by the carbon dioxide utilization projects.

''(vi) AUTHORIZATION OF APPROPRIATIONS.—

''(I) IN GENERAL.—Of the amounts authorized to be appropriated for the Environmental Protection Agency, $50,000,000 shall be available to carry out this subparagraph, to remain available until expended.

''(II) REQUIREMENT.—Research carried out using amounts made available under subclause (I) may not duplicate research funded by the Department of Energy.

''(D) DEEP SALINE FORMATION REPORT.—

''(i) DEFINITION OF DEEP SALINE FORMATION.—

''(I) IN GENERAL.—In this subparagraph, the term 'deep saline formation' means a formation of subsurface geographically extensive sedimentary rock layers saturated with waters or brines that have a high total dissolved solids content and that are below the depth where carbon dioxide can exist in the formation as a supercritical fluid.

''(II) CLARIFICATION.—In this subparagraph, the term 'deep saline formation' does not include oil and gas reservoirs.

''(ii) REPORT.—In consultation with the Secretary of Energy, and, as appropriate, with the head of any other relevant Federal agency and relevant stakeholders, not later than 1 year after the date of enactment of the USE IT Act, the Administrator shall prepare, submit to Congress, and make publicly available a report that includes—

''(I) a comprehensive identification of potential risks and benefits to project developers associated with increased storage of carbon dioxide captured from stationary sources in deep saline formations, using existing research;

''(II) recommendations, if any, for managing the potential risks identified under subclause (I), including potential risks unique to public land; and

''(III) recommendations, if any, for Federal legislation or other policy changes to mitigate any potential risks identified under subclause (I).

''(E) REPORT ON CARBON DIOXIDE NONREGULATORY STRATEGIES AND TECHNOLOGIES.—

''(i) IN GENERAL.—Not less frequently than once every 2 years, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that describes—

''(I) the recipients of assistance under subparagraphs (B) and (C); and

''(II) a plan for supporting additional nonregulatory strategies and technologies that could significantly prevent carbon dioxide emissions or reduce carbon dioxide levels in the air, in conjunction with other Federal agencies.

''(ii) INCLUSIONS.—The plan submitted under clause (i) shall include—

''(I) a methodology for evaluating and ranking technologies based on the ability of the technologies to cost effectively reduce carbon dioxide emissions or carbon dioxide levels in the air; and

''(II) a description of any nonair-related environmental or energy considerations regarding the technologies.

''(F) GAO REPORT.—The Comptroller General of the United States shall submit to Congress a report that—

''(i) identifies all Federal grant programs in which a purpose of a grant under the program is to perform research on carbon capture and utilization technologies, including direct air capture technologies; and

''(ii) examines the extent to which the Federal grant programs identified pursuant to clause (i) overlap or are duplicative.''.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the ''Administrator'') shall submit to Congress a report describing how funds appropriated to the Administrator during the 5 most recent fiscal years have been used to carry out section 103 of the Clean Air Act (42 U.S.C. 7403), including a description of—

(1) the amount of funds used to carry out specific provisions of that section; and

(2) the practices used by the Administrator to differentiate funding used to carry out that section, as compared to funding used to carry out other provisions of law.

(d) INCLUSION OF CARBON CAPTURE INFRASTRUCTURE PROJECTS.—Section 41001(6) of the FAST Act (42 U.S.C. 4370m(6)) is amended—

(1) in subparagraph (A)—

(A) in the matter preceding clause (i), by inserting ''carbon capture,'' after ''manufacturing,'';

(B) in clause (i)(III), by striking ''or'' at the end;

(C) by redesignating clause (ii) as clause (iii); and

(D) by inserting after clause (i) the following:

''(ii) is covered by a programmatic plan or environmental review developed for the primary purpose of facilitating development of carbon dioxide pipelines; or''; and

(2) by adding at the end the following:

''(C) INCLUSION.—For purposes of subparagraph (A), construction of infrastructure for carbon capture includes construction of—

''(i) any facility, technology, or system that captures, utilizes, or sequesters carbon dioxide emissions, including projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)); and

''(ii) carbon dioxide pipelines.''.

(e) DEVELOPMENT OF CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION REPORT, PERMITTING GUIDANCE, AND REGIONAL PERMITTING TASK FORCE.—

(1) DEFINITIONS.—In this subsection:

(A) CARBON CAPTURE, UTILIZATION, AND SEQUESTRATION PROJECTS.—The term ''carbon capture, utilization, and sequestration projects'' includes projects for direct air capture (as defined in paragraph (6)(B)(i) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g))).

(B) EFFICIENT, ORDERLY, AND RESPONSIBLE.—The term ''efficient, orderly, and responsible'' means, with respect to development or the permitting process for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, a process that is completed in an expeditious manner while maintaining environmental, health, and safety protections.

(2) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chair of the Council on Environmental Quality (referred to in this section as the ''Chair''), in consultation with the Administrator of the Environmental Protection Agency, the Secretary of Energy, the Secretary of the Interior, the Executive Director of the Federal Permitting Improvement Council, and the head of any other relevant Federal agency (as determined by the President), shall prepare a report that—

(i) compiles all existing relevant Federal permitting and review information and resources for project applicants, agencies, and other stakeholders interested in the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including—

(I) the appropriate points of interaction with Federal agencies;

(II) clarification of the permitting responsibilities and authorities among Federal agencies; and

(III) best practices and templates for permitting;

(ii) inventories current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(iii) inventories existing initiatives and recent publications that analyze or identify priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(iv) identifies gaps in the current Federal regulatory framework for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(v) identifies Federal financing mechanisms available to project developers.

(B) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the report under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the report publicly available.

(3) GUIDANCE.—

(A) IN GENERAL.—After submission of the report under paragraph (2)(B), but not later than 1 year after the date of enactment of this Act, the Chair shall submit guidance consistent with that report to all relevant Federal agencies that—

(i) facilitates reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines; and

(ii) supports the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) REQUIREMENTS.—

(i) IN GENERAL.—The guidance under subparagraph (A) shall address requirements under—

(I) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(II) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.);

(III) the Clean Air Act (42 U.S.C. 7401 et seq.);

(IV) the Safe Drinking Water Act (42 U.S.C. 300f et seq.);

(V) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

(VI) division A of subtitle III of title 54, United States Code (formerly known as the ''National Historic Preservation Act'');

(VII) the Migratory Bird Treaty Act (16 U.S.C. 703 et seq.);

(VIII) the Act of June 8, 1940 (16 U.S.C. 668 et seq.) (commonly known as the ''Bald and Golden Eagle Protection Act''); and

(IX) any other Federal law that the Chair determines to be appropriate.

(ii) ENVIRONMENTAL REVIEWS.—The guidance under subparagraph (A) shall include direction to States and other interested parties for the development of programmatic environmental reviews under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(iii) PUBLIC INVOLVEMENT.—The guidance under subparagraph (A) shall be subject to the public notice, comment, and solicitation of information procedures under section 1506.6 of title 40, Code of Federal Regulations (or a successor regulation).

(C) SUBMISSION; PUBLICATION.—The Chair shall—

(i) submit the guidance under subparagraph (A) to the Committee on Environment and Public Works of the Senate and the Committee on Energy and Commerce of the House of Representatives; and

(ii) as soon as practicable, make the guidance publicly available.

(D) EVALUATION.—The Chair shall—

(i) periodically evaluate the reports of the task forces under paragraph (4)(E) and, as necessary, revise the guidance under subparagraph (A); and

(ii) each year, submit to the Committee on Environment and Public Works of the Senate, the Committee on Energy and Commerce of the House of Representatives, and relevant Federal agencies a report that describes any recommendations for legislation, rules, revisions to rules, or other policies that would address the issues identified by the task forces under paragraph (4)(E).

(4) TASK FORCE.—

(A) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Chair shall establish not less than 2 task forces, which shall each cover a different geographical area with differing demographic, land use, or geological issues—

(i) to identify permitting and other challenges and successes that permitting authorities and project developers and operators face; and

(ii) to improve the performance of the permitting process and regional coordination for the purpose of promoting the efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines.

(B) MEMBERS AND SELECTION.—

(i) IN GENERAL.—The Chair shall—

(I) develop criteria for the selection of members to each task force; and

(II) select members for each task force in accordance with subclause (I) and clause (ii).

(ii) MEMBERS.—Each task force—

(I) shall include not less than 1 representative of each of—

(aa) the Environmental Protection Agency;

(bb) the Department of Energy;

(cc) the Department of the Interior;

(dd) any other Federal agency the Chair determines to be appropriate;

(ee) any State that requests participation in the geographical area covered by the task force;

(ff) developers or operators of carbon capture, utilization, and sequestration projects or carbon dioxide pipelines; and

(gg) nongovernmental membership organizations, the primary mission of which concerns protection of the environment; and

(II) at the request of a Tribal or local government, may include a representative of—

(aa) not less than 1 local government in the geographical area covered by the task force; and

(bb) not less than 1 Tribal government in the geographical area covered by the task force.

(C) MEETINGS.—

(i) IN GENERAL.—Each task force shall meet not less than twice each year.

(ii) JOINT MEETING.—To the maximum extent practicable, the task forces shall meet collectively not less than once each year.

(D) DUTIES.—Each task force shall—

(i) inventory existing or potential Federal and State approaches to facilitate reviews associated with the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, including best practices that—

(I) avoid duplicative reviews;

(II) engage stakeholders early in the permitting process; and

(III) make the permitting process efficient, orderly, and responsible;

(ii) develop common models for State-level carbon dioxide pipeline regulation and oversight guidelines that can be shared with States in the geographical area covered by the task force;

(iii) provide technical assistance to States in the geographical area covered by the task force in implementing regulatory requirements and any models developed under clause (ii);

(iv) inventory current or emerging activities that transform captured carbon dioxide into a product of commercial value, or as an input to products of commercial value;

(v) identify any priority carbon dioxide pipelines needed to enable efficient, orderly, and responsible development of carbon capture, utilization, and sequestration projects at increased scale;

(vi) identify gaps in the current Federal and State regulatory framework and in existing data for the deployment of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines;

(vii) identify Federal and State financing mechanisms available to project developers; and

(viii) develop recommendations for relevant Federal agencies on how to develop and research technologies that—

(I) can capture carbon dioxide; and

(II) would be able to be deployed within the region covered by the task force, including any projects that have received technical or financial assistance for research under paragraph (6) of section 103(g) of the Clean Air Act (42 U.S.C. 7403(g)).

(E) REPORT.—Each year, each task force shall prepare and submit to the Chair and to the other task forces a report that includes—

(i) any recommendations for improvements in efficient, orderly, and responsible issuance or administration of Federal permits and other Federal authorizations required under a law described in paragraph (3)(B)(i); and

(ii) any other nationally relevant information that the task force has collected in carrying out the duties under subparagraph (D).

(F) EVALUATION.—Not later than 5 years after the date of enactment of this Act, the Chair shall—

(i) reevaluate the need for the task forces; and

(ii) submit to Congress a recommendation as to whether the task forces should continue.

SEC. 6085. LEGAL ASSISTANCE FOR VETERANS AND SURVIVING SPOUSES AND DEPENDENTS.

(a) AVAILABILITY OF LEGAL ASSISTANCE AT FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.—

(1) IN GENERAL.—Chapter 59 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 5906. Availability of legal assistance at Department facilities

''(a) IN GENERAL.—Not less frequently than three times each year, the Secretary shall facilitate the provision by a qualified legal assistance clinic of pro bono legal assistance described in subsection (c) to eligible individuals at not fewer than one medical center of the Department of Veterans Affairs, or such other facility of the Department as the Secretary considers appropriate, in each State.

''(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, an eligible individual is—

''(1) any veteran;

''(2) any surviving spouse; or

''(3) any child of a veteran who has died.

''(c) PRO BONO LEGAL ASSISTANCE DESCRIBED.—The pro bono legal assistance described in this subsection is the following:

''(1) Legal assistance with any program administered by the Secretary.

''(2) Legal assistance associated with—

''(A) improving the status of a military discharge or characterization of service in the Armed Forces, including through a discharge review board; or

''(B) seeking a review of a military record before a board of correction for military or naval records.

''(3) Such other legal assistance as the Secretary—

''(A) considers appropriate; and

''(B) determines may be needed by eligible individuals.

''(d) LIMITATION ON USE OF FACILITIES.—Space in a medical center or facility designated under subsection (a) shall be reserved for and may only be used by the following, subject to review and removal from participation by the Secretary:

''(1) A veterans service organization or other nonprofit organization.

''(2) A legal assistance clinic associated with an accredited law school.

''(3) A legal services organization.

''(4) A bar association.

''(5) Such other attorneys and entities as the Secretary considers appropriate.

''(e) LEGAL ASSISTANCE IN RURAL AREAS.—In carrying out this section, the Secretary shall ensure that pro bono legal assistance is provided under subsection (a) in rural areas.

''(f) DEFINITION OF VETERANS SERVICE ORGANIZATION.—The term 'veterans service organization' means any organization recognized by the Secretary for the representation of veterans under section 5902 of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 59 of such title is amended by adding at the end the following new item:

''5906. Availability of legal assistance at Department facilities.''.

(b) PILOT PROGRAM TO ESTABLISH AND SUPPORT LEGAL ASSISTANCE CLINICS.—

(1) PILOT PROGRAM REQUIRED.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall establish a pilot program to assess the feasibility and advisability of awarding grants to eligible entities to establish new legal assistance clinics, or enhance existing legal assistance clinics or other pro bono efforts, for the provision of pro bono legal assistance described in subsection (c) of section 5906 of title 38, United States Code, as added by subsection (a), on a year-round basis to individuals who served in the Armed Forces, including individuals who served in a reserve component of the Armed Forces, and who were discharged or released therefrom, regardless of the conditions of such discharge or release, at locations other than medical centers and facilities described in subsection (a) of such section.

(B) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to limit or affect—

(i) the provision of pro bono legal assistance to eligible individuals at medical centers and facilities of the Department of Veterans Affairs under section 5906(a) of title 38, United States Code, as added by subsection (a); or

(ii) any other legal assistance provided pro bono at medical centers or facilities of the Department as of the date of the enactment of this Act.

(2) ELIGIBLE ENTITIES.—For purposes of the pilot program, an eligible entity is—

(A) a veterans service organization or other nonprofit organization specifically focused on assisting veterans;

(B) an entity specifically focused on assisting veterans and associated with an accredited law school;

(C) a legal services organization or bar association; or

(D) such other type of entity as the Secretary considers appropriate for purposes of the pilot program.

(3) LOCATIONS.—The Secretary shall ensure that at least one grant is awarded under

paragraph (1)(A) to at least one eligible entity in each State, if the Secretary determines that there is such an entity in a State that has applied for, and meets requirements for the award of, such a grant.

(4) DURATION.—The Secretary shall carry out the pilot program during the five-year period beginning on the date on which the Secretary establishes the pilot program.

(5) APPLICATION.—An eligible entity seeking a grant under the pilot program shall submit to the Secretary an application therefor at such time, in such manner, and containing such information as the Secretary may require.

(6) SELECTION.—The Secretary shall select eligible entities who submit applications under paragraph (5) for the award of grants under the pilot program using a competitive process that takes into account the following:

(A) Capacity of the applicant entity to serve veterans and ability of the entity to provide sound legal advice.

(B) Demonstrated need of the veteran population the applicant entity would serve.

(C) Demonstrated need of the applicant entity for assistance from the grants.

(D) Geographic diversity of applicant entities.

(E) Such other criteria as the Secretary considers appropriate.

(7) GRANTEE REPORTS.—Each recipient of a grant under the pilot program shall, in accordance with such criteria as the Secretary may establish, submit to the Secretary a report on the activities of the recipient and how the grant amounts were used.

(c) REVIEW OF PRO BONO ELIGIBILITY OF FEDERAL WORKERS.—

(1) IN GENERAL.—The Secretary shall, in consultation with the Attorney General and the Director of the Office of Government Ethics, conduct a review of the rules and regulations governing the circumstances under which attorneys employed by the Federal Government can provide pro bono legal assistance.

(2) RECOMMENDATIONS.—In conducting the review required by paragraph (1), the Secretary shall develop recommendations for such legislative or administrative action as the Secretary considers appropriate to facilitate greater participation by Federal employees in pro bono legal and other volunteer services for veterans.

(3) SUBMITTAL TO CONGRESS.—Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress—

(A) the findings of the Secretary with respect to the review conducted under paragraph (1); and

(B) the recommendations developed by the Secretary under paragraph (2).

(d) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the status of the implementation of this section.

(e) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Committee on Appropriations of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Appropriations of the House of Representatives.

(2) VETERANS SERVICE ORGANIZATION.—The term ''veterans service organization'' means any organization recognized by the Secretary for the representation of veterans under section 5902 of title 38, United States Code.

SEC. 6086. SILVER STAR SERVICE BANNER DAY.

(a) FINDINGS.—Congress finds the following:

(1) Congress is committed to honoring the sacrifices of wounded and ill members of the Armed Forces.

(2) The Silver Star Service Banner recognizes the members of the Armed Forces and veterans who were wounded or became ill while serving in combat for the United States.

(3) The sacrifices made by members of the Armed Forces and veterans on behalf of the United States should never be forgotten.

(4) May 1 is an appropriate date to designate as ''Silver Star Service Banner Day''.

(b) DESIGNATION.—

(1) IN GENERAL.—Chapter 1 of title 36, United States Code, is amended by adding at the end the following:

''§ 146. Silver Star Service Banner Day

''(a) DESIGNATION.—May 1 is Silver Star Service Banner Day.

''(b) PROCLAMATION.—The President is requested to issue each year a proclamation calling on the people of the United States to observe Silver Star Service Banner Day with appropriate programs, ceremonies, and activities.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 145 the following:

''146. Silver Star Service Banner Day.''.

SEC. 6087. ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.

Section 2203(b) of the Energy Policy Act of 1992 (42 U.S.C. 13503(b)) is amended by striking paragraph (3) and inserting the following:

''(3) ESTABLISHED PROGRAM TO STIMULATE COMPETITIVE RESEARCH.—

''(A) DEFINITIONS.—In this paragraph:

''(i) ELIGIBLE JURISDICTION.—The term 'eligible jurisdiction' means a State that is determined to be eligible for a grant under this paragraph in accordance with subparagraph (D).

''(ii) EPSCoR.—The term 'EPSCoR' means the Established Program to Stimulate Competitive Research operated under subparagraph (B).

''(iii) NATIONAL LABORATORY.—The term 'National Laboratory' has the meaning given the term in section 2 of the Energy Policy Act of 2005 (42 U.S.C. 15801).

''(iv) STATE.—The term 'State' means—

''(I) a State;

''(II) the District of Columbia;

''(III) the Commonwealth of Puerto Rico;

''(IV) Guam; and

''(V) the United States Virgin Islands.

''(B) PROGRAM OPERATION.—The Secretary shall operate an Established Program to Stimulate Competitive Research.

''(C) OBJECTIVES.—The objectives of EPSCoR shall be—

''(i) to increase the number of researchers in eligible jurisdictions, especially at institutions of higher education, capable of performing nationally competitive science and engineering research in support of the mission of the Department of Energy in the areas of applied energy research, environmental management, and basic science;

''(ii) to improve science and engineering research and education programs at institutions of higher education in eligible jurisdictions and enhance the capabilities of eligible jurisdictions to develop, plan, and execute research that is competitive, including through investing in research equipment and instrumentation; and

''(iii) to increase the probability of long-term growth of competitive funding to eligible jurisdictions.

''(D) ELIGIBLE JURISDICTIONS.—

''(i) IN GENERAL.—The Secretary may establish criteria for determining whether a State is eligible for a grant under this paragraph.

''(ii) REQUIREMENT.—Except as provided in clause (iii), in establishing criteria under clause (i), the Secretary shall ensure that a State is eligible for a grant under this paragraph if the State, as determined by the Secretary, is a State that—

''(I) historically has received relatively little Federal research and development funding; and

''(II) has demonstrated a commitment—

''(aa) to develop the research bases in the State; and

''(bb) to improve science and engineering research and education programs at institutions of higher education in the State.

''(iii) ELIGIBILITY UNDER NSF EPSCOR.—At the election of the Secretary, or if the Secretary determines not to establish criteria under clause (i), a State is eligible for a grant under this paragraph if the State is eligible to receive funding under the Established Program to Stimulate Competitive Research of the National Science Foundation.

''(E) GRANTS IN AREAS OF APPLIED ENERGY RESEARCH, ENVIRONMENTAL MANAGEMENT, AND BASIC SCIENCE.—

''(i) IN GENERAL.—EPSCoR shall make grants to eligible jurisdictions to carry out and support applied energy research and research in all areas of environmental management and basic science sponsored by the Department of Energy, including—

''(I) energy efficiency, fossil energy, renewable energy, and other applied energy research;

''(II) electricity delivery research;

''(III) cybersecurity, energy security, and emergency response;

''(IV) environmental management; and

''(V) basic science research.

''(ii) ACTIVITIES.—EPSCoR shall make grants under this subparagraph for activities consistent with the objectives described in subparagraph (C) in the areas of applied energy research, environmental management, and basic science described in clause (i), including—

''(I) to support research that is carried out in partnership with the National Laboratories;

''(II) to provide for graduate traineeships;

''(III) to support research by early career faculty; and

''(IV) to improve research capabilities through biennial research implementation grants.

''(iii) NO COST SHARING.—EPSCoR shall not impose any cost-sharing requirement with respect to a grant made under this subparagraph, but may require letters of commitment from National Laboratories.

''(F) OTHER ACTIVITIES.—EPSCoR may carry out such activities as may be necessary to meet the objectives described in subparagraph (C) in the areas of applied energy research, environmental management, and basic science described in subparagraph (E)(i).

''(G) PROGRAM IMPLEMENTATION.—

''(i) IN GENERAL.—Not later than 270 days after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Energy and Commerce and Appropriations of the House of Representatives a plan describing how the Secretary shall implement EPSCoR.

''(ii) CONTENTS OF PLAN.—The plan described in clause (i) shall include a description of—

''(I) the management structure of EPSCoR, which shall ensure that all research areas

and activities described in this paragraph are incorporated into EPSCoR;

''(II) efforts to conduct outreach to inform eligible jurisdictions and faculty of changes to, and opportunities under, EPSCoR;

''(III) how EPSCoR plans to increase engagement with eligible jurisdictions, faculty, and State committees, including by holding regular workshops, to increase participation in EPSCoR; and

''(IV) any other issues relating to EPSCoR that the Secretary determines appropriate.

''(H) PROGRAM EVALUATION.—

''(i) IN GENERAL.—Not later than 5 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall contract with a federally funded research and development center, the National Academy of Sciences, or a similar organization to carry out an assessment of the effectiveness of EPSCoR, including an assessment of—

''(I) the tangible progress made towards achieving the objectives described in subparagraph (C);

''(II) the impact of research supported by EPSCoR on the mission of the Department of Energy; and

''(III) any other issues relating to EPSCoR that the Secretary determines appropriate.

''(ii) LIMITATION.—The organization with which the Secretary contracts under clause (i) shall not be a National Laboratory.

''(iii) REPORT.—Not later than 6 years after the date of enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary shall submit to the Committees on Energy and Natural Resources and Appropriations of the Senate and the Committees on Energy and Commerce and Appropriations of the House of Representatives a report describing the results of the assessment carried out under clause (i), including recommendations for improvements that would enable the Secretary to achieve the objectives described in subparagraph (C).''.

SEC. 6088. SUBPOENA AUTHORITY.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) by redesignating paragraph (6) as paragraph (7); and

(C) by inserting after paragraph (5) the following:

''(6) the term 'security vulnerability' has the meaning given that term in section 102(17) of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501(17)); and'';

(2) in subsection (c)—

(A) in paragraph (10), by striking ''and'' at the end;

(B) in paragraph (11), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(12) detecting, identifying, and receiving information about security vulnerabilities relating to critical infrastructure in the information systems and devices for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501).''; and

(3) by adding at the end the following:

''(o) SUBPOENA AUTHORITY.—

''(1) DEFINITION.—In this subsection, the term 'covered device or system'—

''(A) means a device or system commonly used to perform industrial, commercial, scientific, or governmental functions or processes that relate to critical infrastructure, including operational and industrial control systems, distributed control systems, and programmable logic controllers; and

''(B) does not include personal devices and systems, such as consumer mobile devices, home computers, residential wireless routers, or residential internet enabled consumer devices.

''(2) AUTHORITY.—

''(A) IN GENERAL.—If the Director identifies a system connected to the internet with a specific security vulnerability and has reason to believe that the security vulnerability relates to critical infrastructure and affects a covered device or system, and the Director is unable to identify the entity at risk that owns or operates the covered device or system, the Director may issue a subpoena for the production of information necessary to identify and notify the entity at risk, in order to carry out a function authorized under subsection (c)(12).

''(B) LIMIT ON INFORMATION.—A subpoena issued under the authority under subparagraph (A) may seek information—

''(i) only in the categories set forth in subparagraphs (A), (B), (D), and (E) of section 2703(c)(2) of title 18, United States Code; and

''(ii) for not more than 20 covered devices or systems.

''(C) LIABILITY PROTECTIONS FOR DISCLOSING PROVIDERS.—The provisions of section 2703(e) of title 18, United States Code, shall apply to any subpoena issued under the authority under subparagraph (A).

''(3) COORDINATION.—

''(A) IN GENERAL.—If the Director decides to exercise the subpoena authority under this subsection, and in the interest of avoiding interference with ongoing law enforcement investigations, the Director shall coordinate the issuance of any such subpoena with the Department of Justice, including the Federal Bureau of Investigation, pursuant to inter-agency procedures which the Director, in coordination with the Attorney General, shall develop not later than 60 days after the date of enactment of this subsection.

''(B) CONTENTS.—The inter-agency procedures developed under this paragraph shall provide that a subpoena issued by the Director under this subsection shall be—

''(i) issued in order to carry out a function described in subsection (c)(12); and

''(ii) subject to the limitations under this subsection.

''(4) NONCOMPLIANCE.—If any person, partnership, corporation, association, or entity fails to comply with any duly served subpoena issued under this subsection, the Director may request that the Attorney General seek enforcement of the subpoena in any judicial district in which such person, partnership, corporation, association, or entity resides, is found, or transacts business.

''(5) NOTICE.—Not later than 7 days after the date on which the Director receives information obtained through a subpoena issued under this subsection, the Director shall notify any entity identified by information obtained under the subpoena regarding the subpoena and the identified vulnerability.

''(6) AUTHENTICATION.—

''(A) IN GENERAL.—Any subpoena issued by the Director under this subsection shall be authenticated with a cryptographic digital signature of an authorized representative of the Agency, or other comparable successor technology, that allows the Agency to demonstrate that the subpoena was issued by the Agency and has not been altered or modified since it was issued by the Agency.

''(B) INVALID IF NOT AUTHENTICATED.—Any subpoena issued by the Director under this subsection that is not authenticated in accordance with subparagraph (A) shall not be considered to be valid by the recipient of the subpoena.

''(7) PROCEDURES.—Not later than 90 days after the date of enactment of this subsection, the Director shall establish internal procedures and associated training, applicable to employees and operations of the Agency, regarding subpoenas issued under this subsection, which shall address—

''(A) the protection of and restriction on dissemination of nonpublic information obtained through a subpoena issued under this subsection, including a requirement that the Agency shall not disseminate nonpublic information obtained through a subpoena issued under this subsection that identifies the party that is subject to the subpoena or the entity at risk identified by information obtained, except that the Agency may share the nonpublic information of the entity at risk with another the Department of Justice for the purpose of enforcing the subpoena in accordance with paragraph (4) or with a Federal agency if—

''(i) the Agency identifies or is notified of a cybersecurity incident involving the entity, which relates to the vulnerability which led to the issuance of the subpoena;

''(ii) the Director determines that sharing the nonpublic information with another Federal agency is necessary to allow that Federal agency to take a law enforcement or national security action, subject to the inter-agency procedures under paragraph (3)(A), or actions related to mitigating or otherwise resolving such incident;

''(iii) the entity to which the information pertains is notified of the Director's determination, to the extent practicable consistent with national security or law enforcement interests, subject to the inter-agency procedures under paragraph (3)(A); and

''(iv) the entity consents, except that the entity's consent shall not be required if another Federal agency identifies the entity to the Agency in connection with a suspected cybersecurity incident;

''(B) the restriction on the use of information obtained through the subpoena for a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501);

''(C) the retention and destruction of nonpublic information obtained through a subpoena issued under this subsection, including—

''(i) destruction of information obtained through the subpoena that the Director determines is unrelated to critical infrastructure immediately upon providing notice to the entity pursuant to paragraph (5); and

''(ii) destruction of any personally identifiable information not later than 6 months after the date on which the Director receives information obtained through the subpoena, unless otherwise agreed to by the individual identified by the subpoena respondent;

''(D) the processes for providing notice to each party that is subject to the subpoena and each entity identified by information obtained under a subpoena issued under this subsection;

''(E) the processes and criteria for conducting critical infrastructure security risk assessments to determine whether a subpoena is necessary prior to being issued under this subsection; and

''(F) the information to be provided to an entity at risk at the time of the notice of the vulnerability, which shall include—

''(i) a discussion or statement that responding to, or subsequent engagement with, the Agency, is voluntary; and

''(ii) to the extent practicable, information regarding the process through which the Director identifies security vulnerabilities.

''(8) LIMITATION ON PROCEDURES.—The internal procedures established under paragraph (7) may not require an owner or operator of critical infrastructure to take any action as a result of a notice of vulnerability made pursuant to this Act.

''(9) REVIEW OF PROCEDURES.—Not later than 1 year after the date of enactment of this subsection, the Privacy Officer of the Agency shall—

''(A) review the procedures developed by the Director under paragraph (7) to ensure that—

''(i) the procedures are consistent with fair information practices; and

''(ii) the operations of the Agency comply with the procedures; and

''(B) notify the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives of the results of the review.

''(10) PUBLICATION OF INFORMATION.—Not later than 120 days after establishing the internal procedures under paragraph (7), the Director shall publish information on the website of the Agency regarding the subpoena process under this subsection, including regarding—

''(A) the purpose for subpoenas issued under this subsection;

''(B) the subpoena process;

''(C) the criteria for the critical infrastructure security risk assessment conducted prior to issuing a subpoena;

''(D) policies and procedures on retention and sharing of data obtained by subpoena;

''(E) guidelines on how entities contacted by the Director may respond to notice of a subpoena; and

''(F) the procedures and policies of the Agency developed under paragraph (7).

''(11) ANNUAL REPORTS.—The Director shall annually submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report (which may include a classified annex but with the presumption of declassification) on the use of subpoenas under this subsection by the Director, which shall include—

''(A) a discussion of—

''(i) the effectiveness of the use of subpoenas to mitigate critical infrastructure security vulnerabilities;

''(ii) the critical infrastructure security risk assessment process conducted for subpoenas issued under this subsection;

''(iii) the number of subpoenas issued under this subsection by the Director during the preceding year;

''(iv) to the extent practicable, the number of vulnerable covered devices or systems mitigated under this subsection by the Agency during the preceding year; and

''(v) the number of entities notified by the Director under this subsection, and their response, during the previous year; and

''(B) for each subpoena issued under this subsection—

''(i) the source of the security vulnerability detected, identified, or received by the Director;

''(ii) the steps taken to identify the entity at risk prior to issuing the subpoena; and

''(iii) a description of the outcome of the subpoena, including discussion on the resolution or mitigation of the critical infrastructure security vulnerability.

''(12) PUBLICATION OF THE ANNUAL REPORTS.—The Director shall publish a version of the annual report required by paragraph (11) on the website of the Agency, which shall, at a minimum, include the findings described in clauses (iii), (iv) and (v) of paragraph (11)(A).

''(13) PROHIBITION ON USE OF INFORMATION FOR UNAUTHORIZED PURPOSES.—Any information obtained pursuant to a subpoena issued under this subsection shall not be provided to any other Federal agency for any purpose other than a cybersecurity purpose, as defined in section 102 of the Cybersecurity Information Sharing Act of 2015 (6 U.S.C. 1501) or for the purpose of enforcing a subpoena under paragraph (4).''.

(b) RULES OF CONSTRUCTION.—

(1) PROHIBITION ON NEW REGULATORY AUTHORITY.—Nothing in this section or the amendments made by this section shall be construed to grant the Secretary of Homeland Security (in this subsection referred to as the ''Secretary''), or another Federal agency, any authority to promulgate regulations or set standards relating to the cybersecurity of private sector critical infrastructure that was not in effect on the day before the date of enactment of this Act.

(2) PRIVATE ENTITIES.—Nothing in this section or the amendments made by this section shall be construed to require any private entity—

(A) toto request assistance from the Secretary; or

(B) that requested such assistance from the Secretary to implement any measure or recommendation suggested by the Secretary.

SEC. 6089. THAD COCHRAN HEADQUARTERS BUILDING.

(a) IN GENERAL.—The headquarters building of the Engineer Research and Development Center of the Corps of Engineers located at 3909 Halls Ferry Road in Vicksburg, Mississippi, shall be known and designated as the ''Thad Cochran Headquarters Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in subsection (a) shall be deemed to be a reference to the ''Thad Cochran Headquarters Building''.

SEC. 6090. COMPTROLLER GENERAL OF THE UNITED STATES REPORT ON HANDLING BY DEPARTMENT OF VETERANS AFFAIRS OF DISABILITY-RELATED BENEFITS CLAIMS BY VETERANS WITH TYPE 1 DIABETES WHO WERE EXPOSED TO A HERBICIDE AGENT.

The Comptroller General of the United States shall submit to Congress a report evaluating how the Department of Veterans Affairs has handled claims for disability-related benefits under laws administered by the Secretary of Veterans Affairs of veterans with type 1 diabetes who have been exposed to a herbicide agent (as defined in section 1116(a)(3) of title 38, United States Code).

SEC. 6091. 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) is amended—

(1) in subsection (a), by inserting ''or other designated heads of Federal agencies'' after ''The Secretary of State''; and

(2) in subsection (e)(2), by striking ''Department of State'' and inserting ''Federal Government''.

Subtitle H—Industries of the Future

SEC. 6094A. SHORT TITLE.

This subtitle may be cited as the ''Industries of the Future Act of 2020''.

SEC. 6094B. REPORT ON FEDERAL RESEARCH AND DEVELOPMENT FOCUSED ON INDUSTRIES OF THE FUTURE.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit to Congress a report on research and development investments, infrastructure, and workforce development investments of the Federal Government that enable continued United States leadership in industries of the future.

(b) CONTENTS.—The report submitted under subsection (a) shall include the following:

(1) A definition, for purposes of this Act, of the term ''industries of the future'' that includes emerging technologies.

(2) An assessment of the current baseline of investments in civilian research and development investments of the Federal Government in the industries of the future.

(3) A plan to double such baseline investments in artificial intelligence and quantum information science by fiscal year 2022.

(4) A detailed plan to increase investments described in paragraph (2) in industries of the future to $10,000,000,000 per year by fiscal year 2025.

(5) A plan to leverage investments described in paragraphs (2), (3), and (4) in industries of the future to elicit complimentary investments by non-Federal entities to the greatest extent practicable.

(6) Proposed legislation to implement such plans.

SEC. 6094C. INDUSTRIES OF THE FUTURE COORDINATION COUNCIL.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—The President shall establish or designate a council to advise the Director of the Office of Science and Technology Policy on matters relevant to the Director and the industries of the future.

(2) DESIGNATION.—The council established or designated under paragraph (1) shall be known as the ''Industries of the Future Coordination Council'' (in this section the ''Council'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of members from the Federal Government as follows:

(A) One member appointed by the Director.

(B) A chairperson of the Select Committee on Artificial Intelligence of the National Science and Technology Council.

(C) A chairperson of the Subcommittee on Advanced Manufacturing of the National Science and Technology Council.

(D) A chairperson of the Subcommittee on Quantum Information Science of the National Science and Technology Council.

(E) Such other members as the President considers appropriate.

(2) CHAIRPERSON.—The member appointed to the Council under paragraph (1)(A) shall serve as the chairperson of the Council.

(c) DUTIES.—The duties of the Council are as follows:

(1) To provide the Director with advice on ways in which in the Federal Government can ensure the United States continues to lead the world in developing emerging technologies that improve the quality of life of the people of the United States, increase economic competitiveness of the United States, and strengthen the national security of the United States, including identification of the following:

(A) Investments required in fundamental research and development, infrastructure, and workforce development of the United States workers who will support the industries of the future.

(B) Actions necessary to create and further develop the workforce that will support the industries of the future.

(C) Actions required to leverage the strength of the research and development ecosystem of the United States, which includes academia, industry, and nonprofit organizations.

(D) Ways that the Federal Government can consider leveraging existing partnerships and creating new partnerships and other multisector collaborations to advance the industries of the future.

(2) To provide the Director with advice on matters relevant to the report required by section 6092B.

(d) COORDINATION.—The Council shall coordinate with and utilize relevant existing

National Science and Technology Council committees to the maximum extent feasible in order to minimize duplication of effort.

(e) SUNSET.—The Council shall terminate on the date that is 6 years after the date of the enactment of this Act.

Subtitle I—READI Act

SEC. 6096. SHORT TITLE.

This subtitle may be cited as the ''Reliable Emergency Alert Distribution Improvement Act of 2020'' or ''READI Act''.

SEC. 6096A. DEFINITIONS.

In this subtitle—

(1) the term ''Administrator'' means the Administrator of the Federal Emergency Management Agency;

(2) the term ''Commission'' means the Federal Communications Commission;

(3) the term ''Emergency Alert System'' means the national public warning system, the rules for which are set forth in part 11 of title 47, Code of Federal Regulations (or any successor regulation); and

(4) the term ''Wireless Emergency Alerts System'' means the wireless national public warning system established under the Warning, Alert, and Response Network Act (47 U.S.C. 1201 et seq.), the rules for which are set forth in part 10 of title 47, Code of Federal Regulations (or any successor regulation).

SEC. 6096B. WIRELESS EMERGENCY ALERTS SYSTEM OFFERINGS.

(a) AMENDMENT.—Section 602(b)(2)(E) of the Warning, Alert, and Response Network Act (47 U.S.C. 1201(b)(2)(E)) is amended—

(1) by striking the second and third sentences; and

(2) by striking ''other than an alert issued by the President.'' and inserting the following: ''other than an alert issued by—

''(i) the President; or

''(ii) the Administrator of the Federal Emergency Management Agency.''.

(b) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall adopt regulations to implement the amendment made by subsection (a)(2).

SEC. 6096C. STATE EMERGENCY ALERT SYSTEM PLANS AND EMERGENCY COMMUNICATIONS COMMITTEES.

(a) DEFINITIONS.—In this section—

(1) the term ''SECC'' means a State Emergency Communications Committee;

(2) the term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any possession of the United States; and

(3) the term ''State EAS Plan'' means a State Emergency Alert System Plan.

(b) STATE EMERGENCY COMMUNICATIONS COMMITTEE.—Not later than 180 days after the date of enactment of this Act, the Commission shall adopt regulations that—

(1) encourage the chief executive of each State—

(A) to establish an SECC if the State does not have an SECC; or

(B) if the State has an SECC, to review the composition and governance of the SECC;

(2) provide that—

(A) each SECC, not less frequently than annually, shall—

(i) meet to review and update its State EAS Plan;

(ii) certify to the Commission that the SECC has met as required under clause (i); and

(iii) submit to the Commission an updated State EAS Plan; and

(B) not later than 60 days after the date on which the Commission receives an updated State EAS Plan under subparagraph (A)(iii), the Commission shall—

(i) approve or disapprove the updated State EAS Plan; and

(ii) notify the chief executive of the State of the Commission's findings; and

(3) establish a State EAS Plan content checklist for SECCs to use when reviewing and updating a State EAS Plan for submission to the Commission under paragraph (2)(A).

(c) CONSULTATION.—The Commission shall consult with the Administrator regarding the adoption of regulations under subsection (b)(3).

SEC. 6096D. INTEGRATED PUBLIC ALERT AND WARNING SYSTEM GUIDANCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall develop and issue guidance on how State, Tribal, and local governments can participate in the integrated public alert and warning system of the United States described in section 526 of the Homeland Security Act of 2002 (6 U.S.C. 321o) (referred to in this section as the ''public alert and warning system'') while maintaining the integrity of the public alert and warning system, including—

(1) guidance on the categories of public emergencies and appropriate circumstances that warrant an alert and warning from State, Tribal, and local governments using the public alert and warning system;

(2) the procedures for State, Tribal, and local government officials to authenticate civil emergencies and initiate, modify, and cancel alerts transmitted through the public alert and warning system, including protocols and technology capabilities for—

(A) the initiation, or prohibition on the initiation, of alerts by a single authorized or unauthorized individual;

(B) testing a State, Tribal, or local government incident management and warning tool without accidentally initiating an alert through the public alert and warning system; and

(C) steps a State, Tribal, or local government official should take to mitigate the possibility of the issuance of a false alert through the public alert and warning system;

(3) the standardization, functionality, and interoperability of incident management and warning tools used by State, Tribal, and local governments to notify the public of an emergency through the public alert and warning system;

(4) the annual training and recertification of emergency management personnel on requirements for originating and transmitting an alert through the public alert and warning system;

(5) the procedures, protocols, and guidance concerning the protective action plans that State, Tribal, and local governments should issue to the public following an alert issued under the public alert and warning system;

(6) the procedures, protocols, and guidance concerning the communications that State, Tribal, and local governments should issue to the public following a false alert issued under the public alert and warning system;

(7) a plan by which State, Tribal, and local government officials may, during an emergency, contact each other as well as Federal officials and participants in the Emergency Alert System and the Wireless Emergency Alerts System, when appropriate and necessary, by telephone, text message, or other means of communication regarding an alert that has been distributed to the public; and

(8) any other procedure the Administrator considers appropriate for maintaining the integrity of and providing for public confidence in the public alert and warning system.

(b) COORDINATION WITH NATIONAL ADVISORY COUNCIL REPORT.—The Administrator shall ensure that the guidance developed under subsection (a) does not conflict with recommendations made for improving the public alert and warning system provided in the report submitted by the National Advisory Council under section 2(b)(7)(B) of the Integrated Public Alert and Warning System Modernization Act of 2015 (Public Law 114–143; 130 Stat. 332).

(c) PUBLIC CONSULTATION.—In developing the guidance under subsection (a), the Administrator shall ensure appropriate public consultation and, to the extent practicable, coordinate the development of the guidance with stakeholders of the public alert and warning system, including—

(1) appropriate personnel from Federal agencies, including the National Institute of Standards and Technology, the Federal Emergency Management Agency, and the Commission;

(2) representatives of State and local governments and emergency services personnel, who shall be selected from among individuals nominated by national organizations representing those governments and personnel;

(3) representatives of federally recognized Indian Tribes and national Indian organizations;

(4) communications service providers;

(5) vendors, developers, and manufacturers of systems, facilities, equipment, and capabilities for the provision of communications services;

(6) third-party service bureaus;

(7) the national organization representing the licensees and permittees of noncommercial broadcast television stations;

(8) technical experts from the broadcasting industry, including representatives of both the non-commercial and commercial radio broadcast industries and non-commercial and commercial television broadcast industries;

(9) educators from the Emergency Management Institute; and

(10) other individuals with technical expertise as the Administrator determines appropriate.

(d) INAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the public consultation with stakeholders under subsection (c).

(e) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to amend, supplement, or abridge the authority of the Commission under the Communications Act of 1934 (47 U.S.C. 151 et seq.) or in any other manner give the Administrator authority over communications service providers participating in the Emergency Alert System or the Wireless Emergency Alerts System.

SEC. 6096E. FALSE ALERT REPORTING.

Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to establish a system to receive from the Administrator or State, Tribal, or local governments reports of false alerts under the Emergency Alert System or the Wireless Emergency Alerts System for the purpose of recording such false alerts and examining their causes.

SEC. 6096F. REPEATING EMERGENCY ALERT SYSTEM MESSAGES FOR NATIONAL SECURITY.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Commission, in consultation with the Administrator, shall complete a rulemaking proceeding to modify the Emergency Alert System to provide for repeating Emergency Alert System messages while an alert remains pending that is issued by—

(1) the President;

(2) the Administrator; or

(3) any other entity under specified circumstances as determined by the Commission, in consultation with the Administrator.

(b) SCOPE OF RULEMAKING.—Subsection (a)—

(1) shall apply to warnings of national security events, meaning emergencies of national significance, such as a missile threat, terror attack, or other act of war; and

(2) shall not apply to more typical warnings, such as a weather alert, AMBER Alert, or disaster alert.

SEC. 6096G. INTERNET AND ONLINE STREAMING SERVICES EMERGENCY ALERT EXAMINATION.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, and after providing public notice and opportunity for comment, the Commission shall complete an inquiry to examine the feasibility of updating the Emergency Alert System to enable or improve alerts to consumers provided through the internet, including through streaming services.

(b) REPORT.—Not later than 90 days after completing the inquiry under subsection (a), the Commission shall submit a report on the findings and conclusions of the inquiry to—

(1) the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Committee on Energy and Commerce of the House of Representatives.

TITLE LXII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 6211. CONGRESSIONAL OVERSIGHT OF UNITED STATES TALKS WITH TALIBAN OFFICIALS AND AFGHANISTAN'S COMPREHENSIVE PEACE PROCESS.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) GOVERNMENT OF AFGHANISTAN.—The term ''Government of Afghanistan'' means the Government of the Islamic Republic of Afghanistan and its agencies, instrumentalities, and controlled entities.

(3) THE TALIBAN.—The term ''the Taliban''—

(A) refers to the organization that refers to itself as the ''Islamic Emirate of Afghanistan'', that was founded by Mohammed Omar, and that is currently led by Mawlawi Hibatullah Akhundzada; and

(B) includes subordinate organizations, such as the Haqqani Network, and any successor organization.

(4) FEBRUARY 29 AGREEMENT.—The term ''February 29 Agreement'' refers to the political arrangement between the United States and the Taliban titled ''Agreement for Bringing Peace to Afghanistan Between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America'' signed at Doha, Qatar February 29, 2020.

(b) OVERSIGHT OF PEACE PROCESS AND OTHER AGREEMENTS.—

(1) TRANSMISSION TO CONGRESS OF MATERIALS RELEVANT TO THE FEBRUARY 29 AGREEMENT.—The Secretary of State, in consultation with the Secretary of Defense, shall continue to submit to the appropriate congressional committees materials relevant to the February 29 Agreement.

(2) SUBMISSION TO CONGRESS OF ANY FUTURE DEALS INVOLVING THE TALIBAN.—The Secretary of State shall submit to the appropriate congressional committees, within 5 days of conclusion and on an ongoing basis thereafter, any future agreement or arrangement involving the Taliban in any manner, as well as materials relevant to any future agreement or arrangement involving the Taliban in any manner.

(3) DEFINITIONS.—In this subsection, the terms ''materials relevant to the February 29 Agreement'' and ''materials relevant to any future agreement or arrangement'' include all annexes, appendices, and instruments for implementation of the February 29 Agreement or a future agreement or arrangement, as well as any understandings or expectations related to the Agreement or a future agreement or arrangement.

(c) REPORT AND BRIEFING ON VERIFICATION AND COMPLIANCE.—

(1) IN GENERAL.—

(A) REPORT.—Not later than 90 days after the date of the enactment of this Act, and not less frequently than once every 120 days thereafter, the President shall submit to the appropriate congressional committees a report verifying whether the key tenets of the February 29 Agreement, or future agreements, and accompanying implementing frameworks are being preserved and honored.

(B) BRIEFING.—At the time of each report submitted under subparagraph (A), the Secretary of State shall direct a Senate-confirmed Department of State official and other appropriate officials to brief the appropriate congressional committees on the contents of the report. The Director of National Intelligence shall also direct an appropriate official to participate in the briefing.

(2) ELEMENTS.—The report and briefing required under paragraph (1) shall include—

(A) an assessment—

(i) of the Taliban's compliance with counterterrorism guarantees, including guarantees to deny safe haven and freedom of movement to al-Qaeda and other terrorist threats from operating on territory under its influence; and

(ii) whether the United States intelligence community has collected any intelligence indicating the Taliban does not intend to uphold its commitments;

(B) an assessment of Taliban actions against terrorist threats to United States national security interests;

(C) an assessment of whether Taliban officials have made a complete, transparent, public, and verifiable breaking of all ties with al-Qaeda;

(D) an assessment of the current relationship between the Taliban and al-Qaeda, including any interactions between members of the two groups in Afghanistan, Pakistan, or other countries, and any change in Taliban conduct towards al-Qaeda since February 29, 2020;

(E) an assessment of the relationship between the Taliban and any other terrorist group that is assessed to threaten the security of the United States or its allies, including any change in conduct since February 29, 2020;

(F) an assessment of whether the Haqqani Network has broken ties with al-Qaeda, and whether the Haqqani Network's leader Sirajuddin Haqqani remains part of the leadership structure of the Taliban;

(G) an assessment of threats emanating from Afghanistan against the United States homeland and United States partners, and a description of how the United States Government is responding to those threats;

(H) an assessment of intra-Afghan discussions, political reconciliation, and progress towards a political roadmap that seeks to serve all Afghans;

(I) an assessment of the viability of any intra-Afghan governing agreement;

(J) an assessment as to whether the terms of any reduction in violence or ceasefire are being met by all sides in the conflict;

(K) a detailed overview of any United States and NATO presence remaining in Afghanistan and any planned changes to such force posture;

(L) an assessment of the status of human rights, including the rights of women, minorities, and youth;

(M) an assessment of the access of women, minorities, and youth to education, justice, and economic opportunities in Afghanistan;

(N) an assessment of the status of the rule of law and governance structures at the central, provincial, and district levels of government;

(O) an assessment of the media and of the press and civil society's operating space in Afghanistan;

(P) an assessment of illicit narcotics production in Afghanistan, its linkages to terrorism, corruption, and instability, and policies to counter illicit narcotics flows;

(Q) an assessment of corruption in Government of Afghanistan institutions at the district, provincial, and central levels of government;

(R) an assessment of the number of Taliban and Afghan prisoners and any plans for the release of such prisoners from either side;

(S) an assessment of any malign Iranian, Chinese, and Russian influence in Afghanistan;

(T) an assessment of how other regional actors, such as Pakistan, are engaging with Afghanistan;

(U) a detailed overview of national-level efforts to promote transitional justice, including forensic efforts and documentation of war crimes, mass killings, or crimes against humanity, redress to victims, and reconciliation activities;

(V) A detailed overview of United States support for Government of Afghanistan and civil society efforts to promote peace and justice at the local level and how these efforts are informing government-level policies and negotiations;

(W) an assessment of the progress made by the Afghanistan Ministry of Interior and the Office of the Attorney General to address gross violations of human rights (GVHRs) by civilian security forces, Taliban, and non-government armed groups, including—

(i) a breakdown of resources provided by the Government of Afghanistan towards these efforts; and

(ii) a summary of assistance provided by the United States Government to support these efforts; and

(X) an overview of civilian casualties caused by the Taliban, non-government armed groups, and Afghan National Defense and Security Forces, including—

(i) an estimate of the number of destroyed or severely damaged civilian structures;

(ii) a description of steps taken by the Government of Afghanistan to minimize civilian casualties and other harm to civilians and civilian infrastructure;

(iii) an assessment of the Government of Afghanistan's capacity and mechanisms for investigating reports of civilian casualties; and

(iv) an assessment of the Government of Afghanistan's efforts to hold local militias accountable for civilian casualties.

(3) COUNTERTERRORISM STRATEGY.—In the event that the Taliban does not meet its counterterrorism obligations under the February 29 Agreement, the report and briefing

required under this subsection shall include information detailing the United States' counterterrorism strategy in Afghanistan and Pakistan.

(4) FORM.—The report required under subparagraph (A) of paragraph (1) shall be submitted in unclassified form, but may include a classified annex, and the briefing required under subparagraph (B) of such paragraph shall be conducted at the appropriate classification level.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall prejudice whether a future deal involving the Taliban in any manner constitutes a treaty for purposes of Article II of the Constitution of the United States.

(e) SUNSET.—Except for subsections (b) and (d), the provisions of this section shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

Subtitle D—Matters Relating to Europe and the Russian Federation

SEC. 6231. CLARIFICATION AND EXPANSION OF SANCTIONS RELATING TO CONSTRUCTION OF NORD STREAM 2 OR TURKSTREAM PIPELINE PROJECTS.

(a) IN GENERAL.—Subsection (a)(1) of section 7503 of the Protecting Europe's Energy Security Act of 2019 (title LXXV of Public Law 116–92) is amended—

(1) in subparagraph (A), by inserting ''or pipe-laying activities'' after ''pipe-laying''; and

(2) in subparagraph (B)—

(A) in clause (i)—

(i) by inserting '', or facilitated selling, leasing, or providing,'' after ''provided''; and

(ii) by striking ''; or'' and inserting a semicolon;

(B) in clause (ii), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(iii) provided underwriting services or insurance or reinsurance for those vessels;

''(iv) provided services or facilities for technology upgrades or installation of welding equipment for, or retrofitting or tethering of, those vessels; or

''(v) provided services for the testing, inspection, or certification necessary for, or associated with the operation of, the Nord Stream 2 pipeline.''.

(b) DEFINITIONS.—Subsection (i) of such section is amended—

(1) by redesignating paragraph (5) as paragraph (6); and

(2) by inserting after paragraph (4) the following:

''(5) PIPE-LAYING ACTIVITIES.—The term 'pipe-laying activities' means activities that facilitate pipe-laying, including site preparation, trenching, surveying, placing rocks, backfilling, stringing, bending, welding, coating, and lowering of pipe.''.

SEC. 6235. SENSE OF SENATE ON ADMISSION OF UKRAINE TO THE NORTH ATLANTIC TREATY ORGANIZATION ENHANCED OPPORTUNITIES PARTNERSHIP PROGRAM.

(a) INEFFECTIVENESS OF SECTION 1235.—Section 1235 shall have no force or effect.

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

(1) On August 24, 1991, Ukraine became a free and independent country after declaring its independence from the Soviet Union.

(2) The Russian Federation is required to respect the independence, sovereignty, and territorial integrity of Ukraine through its signed commitments to the 1994 Budapest Memorandum, the 1975 Helsinki Accords, and the Charter of the United Nations.

(3) On February 8, 1994, Ukraine was among the first post-Soviet states to join the North Atlantic Treaty Organization's Partnership for Peace, and Ukraine subsequently participated in numerous North Atlantic Treaty Organization-led security assistance, peacekeeping, counterterror, and maritime initiatives.

(4) The North Atlantic Treaty Organization and Ukraine have continuously deepened their cooperation through the establishment of—

(A) the North Atlantic Treaty Organization-Ukraine Charter on a Distinctive Partnership and the North Atlantic Treaty Organization-Ukraine Commission in 1997;

(B) the North Atlantic Treaty Organization-Ukraine Joint Working Group on Defense Reform in 1998; and

(C) the North Atlantic Treaty Organization-Ukraine Action Plan in 2002.

(5) In the Bucharest Summit Declaration of April 2008, heads of state and governments of North Atlantic Treaty Organization member countries declared, ''NATO welcomes Ukraine's and Georgia's Euro-Atlantic aspirations for membership in NATO. We agreed today that these countries will become members of NATO.''.

(6) Beginning on November 21, 2013, and ending on February 22, 2014, during a period that became known as the Revolution of Dignity, the people of Ukraine peacefully protested the decision of then President Viktor Yanukovych to suspend the signing of the Ukraine-European Union Association Agreement, resulting in the unanimous removal from office of Yanukovych by the Verkhovna Rada.

(7) On May 25, 2014, Peter Poroshenko was elected democratically to become the President of Ukraine based on a pro-European Union and pro-North Atlantic Treaty Organization platform, which laid the foundation for progress on the European Union Association Agreement.

(8) In response to Ukraine's Revolution of Dignity, the Russian Federation launched an overt and covert military campaign against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated war in eastern Ukraine, resulting in the deaths of approximately 14,000 Ukrainians.

(9) The Russian Federation's invasion and illegal occupation of the Crimean Peninsula and instigation of conflict in eastern Ukraine in 2014 was widely viewed as an effort to stifle pro-democracy and pro-Western developments across Ukraine in the wake of the Revolution of Dignity.

(10) At the 2014 Wales Summit, the North Atlantic Treaty Organization adopted the Enhanced Opportunities Partnership Program as a component of the North Atlantic Treaty Organization Partnership Interoperability Initiative, which would ''encourage, facilitate, and sustain'' Ukraine's contributions to the North Atlantic Treaty Organization.

(11) In 2016, as a result of the Warsaw Summit, the North Atlantic Treaty Organization pledged additional training and technical support for the military forces of Ukraine and endorsed a comprehensive assistance package that included ''tailored capability and capacity building measures . . . to enhance Ukraine's resilience against a wide array of threats, including hybrid threats''.

(12) In 2017, in the face of continued Russian Federation aggression in the eastern region of Ukraine and the continued occupation of Crimea, the Government of Ukraine rejected cooperation with the Russian Federation and voted to make cooperation with the North Atlantic Treaty Organization a foreign policy priority.

(13) On September 1, 2017, the Ukraine-European Union Association Agreement entered into force.

(14) On April 21, 2019, the new president of Ukraine, Volodymyr Zelenskyy—

(A) reaffirmed to European Union and North Atlantic Treaty Organization leaders that Ukraine's strategic course was to achieve full membership in the European Union and the North Atlantic Treaty Organization; and

(B) championed the adoption of an amendment to the Constitution of Ukraine declaring that the Government of Ukraine is responsible for implementing such strategic course toward membership in the European Union and the North Atlantic Treaty Organization.

(15) In January 2020, the Government of Ukraine requested that the North Atlantic Treaty Organization grant Ukraine the status of an Enhanced Opportunities Partner.

(16) Since Ukraine's Revolution of Dignity and in recognition of the United States-Ukraine strategic partnership, the United States has—

(A) provided Ukraine with more than $1,600,000,000 in security assistance, including critical defense items;

(B) collaborated closely with the military forces of Ukraine; and

(C) imposed strong sanctions on the Russian Federation in response to continued Russian Federation aggression in Ukraine.

(17) On June 12, 2020, the North Atlantic Treaty Organization welcomed Ukraine into the Enhanced Opportunities Partnership program, joining Australia, Finland, Sweden, Georgia, and Jordan.

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

(1) applauds the progress of Ukraine and the Revolution of Dignity with respect to strengthening the rule of law and combating corruption, aligning with Euro-Atlantic norms and standards, and improving Ukraine's military combat readiness and interoperability with the North Atlantic Treaty Organization;

(2) affirms the unwavering commitment of the United States to—

(A) supporting the continued efforts of Ukraine to implement democratic and free market reforms;

(B) restoring the territorial integrity of Ukraine; and

(C) providing additional lethal and nonlethal security assistance to strengthen the defense capabilities of Ukraine and to deter further Russian Federation aggression;

(3) condemns the Russian Federation's ongoing use of force and other malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activities that seek to undermine Ukraine and destabilize Europe; and

(4) congratulates Ukraine on its inclusion in the North Atlantic Treaty Organization Enhanced Opportunities Partnership program and on the establishment of a roadmap to full NATO accession for Ukraine.

Subtitle E—Matters Relating to the Indo-Pacific Region

SEC. 6251. PILOT PROGRAM TO IMPROVE CYBER COOPERATION WITH VIETNAM, THAILAND, AND INDONESIA.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of State, may establish a pilot program in Vietnam, Thailand, and Indonesia—

(1) to enhance the cyber security, resilience, and readiness of Vietnam, Thailand, and Indonesia; and

(2) to increase regional cooperation between the United States and Vietnam, Thailand, and Indonesia on cyber issues.

(b) ELEMENTS.—The activities of the pilot program under subsection (a) shall include the following:

(1) Provision of training to cybersecurity and computer science professionals in Vietnam, Thailand, and Indonesia.

(2) An expansion of the capacity of organizations involved in the training of such cybersecurity and computer science professionals.

(3) The facilitation of regular policy dialogues between and among the United States Government and the governments of Vietnam, Thailand, and Indonesia with respect to the development of infrastructure to protect against cyber attacks.

(4) An evaluation of legal and other barriers to reforms relevant to cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(5) A feasibility study on establishing a public-private partnership to build cloud-computing capacity in Vietnam, Thailand, and Indonesia and in Southeast Asia more broadly.

(6) The development of cooperative exercises, to be carried out in future years, to enhance collaboration between the United States Government and the governments of Vietnam, Thailand, and Indonesia.

(c) FUNDING.—The Secretary of Defense may enter into cooperative agreements with entities that receive funds under section 211 of the Vietnam Education Foundation Act of 2000 (title II of division B of H.R. 5666, as enacted by section 1(a)(4) of Public Law 106–554 and contained in appendix D of that Act; 114 Stat. 2763A–254; 22 U.S.C. 2452 note), as added by section 7085 of the Consolidated and Further Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2685), to carry out the pilot program under subsection (a).

(d) REPORTS.—

(1) DESIGN OF PILOT PROGRAM.—Not later than June 1, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the design of the pilot program under subsection (a).

(2) PROGRESS REPORT.—Not later than December 31, 2021, the Secretary of Defense, in consultation with the Secretary of State, shall submit to the appropriate committees of Congress a report on the pilot program under subsection (a) that includes—

(A) a description of the activities conducted and the results of such activities; and

(B) an assessment of legal and other barriers to reforms relevant to cybersecurity and technology in Vietnam, Thailand, and Indonesia.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for fiscal year 2021 to carry out this section.

(f) OFFSET.—The amount authorized to be appropriated by this Act for operation and maintenance, Navy, and available for SAG 1CCS for military information support operations, is hereby reduced by $5,000,000.

(g) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

Subtitle F—Reports

SEC. 6273. REPORT ON RISK TO PERSONNEL, EQUIPMENT, AND OPERATIONS DUE TO HUAWEI 5G ARCHITECTURE IN HOST COUNTRIES.

Section 1273 shall have no force or effect.

Subtitle G—Other Matters

SEC. 6281. COMPARATIVE STUDIES ON DEFENSE BUDGET TRANSPARENCY OF THE PEOPLE'S REPUBLIC OF CHINA, THE RUSSIAN FEDERATION, AND THE UNITED STATES.

(a) STUDIES REQUIRED.—

(1) DEPARTMENT OF DEFENSE STUDY.—Not later than 270 days after the date of the enactment of this Act, the Secretary of Defense, acting through the Director of the Defense Intelligence Agency, in consultation with the Under Secretary of Defense (Comptroller), the Director of the Office of Cost Assessment and Program Evaluation, the Director of the Office of Net Assessment, the Assistant Secretary of Defense for Indo-Pacific Security Affairs, and the Assistant Secretary of Defense for International Security Affairs, shall complete a comparative study on the defense budgets of the People's Republic of China, the Russian Federation, and the United States.

(2) INDEPENDENT STUDY.—

(A) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall offer to enter into an agreement with not more than two entities independent of the Department to conduct a comparative study on the defense budgets of the People's Republic of China, the Russian Federation, and the United States, to be completed not later than 270 days after the date of the enactment of this Act.

(B) FEDERALLY FUNDED RESEARCH AND DEVELOPMENT CENTER.—Not fewer than one entity described in subparagraph (A) shall be a federally funded research and development center.

(b) GOAL.—The goal of the studies required by subsection (a) shall be to develop a methodologically sound set of assumptions to underpin a comparison of the defense spending of the People's Republic of China, the Russian Federation, and the United States.

(c) ELEMENTS.—Each study required by subsection (a) shall do the following:

(1) Develop consistent functional categories for spending, including—

(A) defense-related research and development;

(B) weapons procurement;

(C) operations and maintenance; and

(D) pay and benefits.

(2) Consider the effects of purchasing power parity and market exchange rates, particularly on nontraded goods.

(3) Consider differences in the relative prices of goods and labor within each subject country.

(4) Compare the costs of labor and benefits for the defense workforce of each subject country.

(5) Account for discrepancies in the manner in which each subject country accounts for certain functional types of defense-related spending.

(6) Explicitly estimate the magnitude of omitted spending from official defense budget information.

(7) Evaluate the adequacy of the United Nations database on military expenditures.

(8) Exclude spending related to veterans' benefits.

(d) REPORT.—Not later than 30 days after the date on which the studies required by subsection (a) are completed, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the results of each study, together with the views of the Secretary on each study.

(e) FORM.—The report required by subsection (d) shall be submitted in unclassified form, but may include a classified annex.

SEC. 6282. MODIFICATION TO INITIATIVE TO SUPPORT PROTECTION OF NATIONAL SECURITY ACADEMIC RESEARCHERS FROM UNDUE INFLUENCE AND OTHER SECURITY THREATS.

Section 1286 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (10 U.S.C. 2358 note) is amended—

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

(2) by adding after subsection (e) the following new subsection (f):

''(f) DESIGNATION OF ACADEMIC LIAISON.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, the Secretary, acting through the Under Secretary of Defense for Research and Engineering, shall designate an academic liaison with principal responsibility for working with the academic community to protect Department-sponsored academic research of concern from undue foreign influence.

''(2) QUALIFICATION.—The Secretary shall designate an individual under paragraph (1) who is an official of the Office of the Under Secretary of Defense for Research and Engineering.

''(3) DUTIES.—The duties of the academic liaison designated under paragraph (1) shall be as follows:

''(A) To serve as the liaison of the Department with the academic community.

''(B) To conduct annual outreach and education activities for the academic community on undue foreign influence and threats to Department-sponsored academic research of concern.

''(C) To coordinate and align academic security policies with Department component agencies, the Office of Science and Technology Policy, the intelligence community, Federal science agencies, and Federal regulatory agencies, including agencies involved in export controls.

''(D) To the extent practicable, to coordinate on an annual basis with the intelligence community to share, not less frequently than annually, with the academic community unclassified information, including counterintelligence information, on threats from undue foreign influence.

''(E) Any other related responsibility, as determined by the Secretary in consultation with the Under Secretary of Defense for Research and Engineering.

''(F) Any other duty, as determined by the Secretary.''.

SEC. 6283. SENSE OF SENATE ON UNITED STATES-ISRAEL COOPERATION ON PRECISION-GUIDED MUNITIONS.

It is the sense of the Senate that—

(1) the Department of Defense has cooperated extensively with Israel to assist in the procurement of precision-guided munitions, and such cooperation represents an important example of robust United States support for Israel;

(2) to the extent practicable, the Secretary of Defense should take further measures to expedite deliveries of precision-guided munitions to Israel; and

(3) regularized annual purchases of precision-guided munitions by Israel, in accordance with existing requirements and practices regarding the export of defense articles and defense services, coordinated with the United States Air Force annual purchase of precision-guided munitions, would enhance the security of both the United States and Israel by—

(A) promoting a more efficient use of defense resources by taking advantage of economies of scale;

(B) enabling the United States and Israel to address crisis requirements for precision-guided munitions in a timely and flexible manner; and

(C) encouraging the defense industrial base to maintain routine production lines of precision-guided munitions.

SEC. 6284. BLOCKING DEADLY FENTANYL IMPORTS.

(a) SHORT TITLE.—This section may be cited as the ''Blocking Deadly Fentanyl Imports Act''.

(b) DEFINITIONS.—Section 481(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''in which'';

(B) in subparagraph (A), by inserting ''in which'' before ''1,000'';

(C) in subparagraph (B)—

(i) by inserting ''in which'' before ''1,000''; and

(ii) by striking ''or'' at the end;

(D) in subparagraph (C)—

(i) by inserting ''in which'' before ''5,000''; and

(ii) by inserting ''or'' after the semicolon; and

(E) by adding at the end the following:

''(D) that is a significant source of illicit synthetic opioids significantly affecting the United States;''; and

(2) in paragraph (4)—

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

(B) in subparagraph (D), by adding ''and'' at the end; and

(C) by adding at the end the following:

''(E) assistance that furthers the objectives set forth in paragraphs (1) through (4) of section 664(b) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2151n–2(b));

''(F) assistance to combat trafficking authorized under the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7101 et seq.)); and

''(G) global health assistance authorized under sections 104 through 104C of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b through 22 U.S.C. 2151b–4).''.

(c) INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORT.—Section 489(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)) is amended by adding at the end the following:

''(9) A separate section that contains the following:

''(A) An identification of the countries, to the extent feasible, that are the most significant sources of illicit fentanyl and fentanyl analogues significantly affecting the United States during the preceding calendar year.

''(B) A description of the extent to which each country identified pursuant to subparagraph (A) has cooperated with the United States to prevent the articles or chemicals described in subparagraph (A) from being exported from such country to the United States.

''(C) A description of whether each country identified pursuant to subparagraph (A) has adopted and utilizes scheduling or other procedures for illicit drugs that are similar in effect to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;

''(D) A description of whether each country identified pursuant to subparagraph (A) is following steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)); and

''(E) A description of whether each country identified pursuant to subparagraph (A) requires the registration of tableting machines and encapsulating machines or other measures similar in effect to the registration requirements set forth in part 1310 of title 21, Code of Federal Regulations, and has not made good faith efforts, in the opinion of the Secretary, to improve regulation of tableting machines and encapsulating machines.''.

(d) WITHHOLDING OF BILATERAL AND MULTILATERAL ASSISTANCE.—

(1) IN GENERAL.—Section 490(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291j(a)) is amended—

(A) in paragraph (1), by striking ''or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting ''country identified pursuant to section 489(a)(8)(A), or country thrice identified during a 5-year period pursuant to section 489(a)(9)(A)''; and

(B) in paragraph (2), by striking ''or major drug-transit country (as determined under subsection (h)) or country identified pursuant to clause (i) or (ii) of section 489(a)(8)(A) of this Act'' and inserting '', major drug-transit country, country identified pursuant to section 489(a)(8)(A), or country thrice identified during a 5-year period pursuant to section 489(a)(9)(A)''.

(2) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT SCHEDULING PROCEDURES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''also'';

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

(C) by redesignating subparagraph (B) as subparagraph (D);

(D) by inserting after subparagraph (A) the following:

''(B) designate each country, if any, identified under section 489(a)(9) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that has failed to adopt and utilize scheduling procedures for illicit drugs that are comparable to the procedures authorized under title II of the Controlled Substances Act (21 U.S.C. 811 et seq.) for adding drugs and other substances to the controlled substances schedules;''; and

(E) in subparagraph (D), as redesignated, by striking ''so designated'' and inserting ''designated under subparagraph (A), (B), or (C)''.

(3) DESIGNATION OF ILLICIT FENTANYL COUNTRIES WITHOUT ABILITY TO PROSECUTE CRIMINALS FOR THE MANUFACTURE OR DISTRIBUTION OF FENTANYL ANALOGUES.—Section 706(2) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(2)), as amended by paragraph (2), is further amended by inserting after subparagraph (B) the following:

''(C) designate each country, if any, identified under section 489(a)(9) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291h(a)(9)) that has not taken significant steps to prosecute individuals involved in the illicit manufacture or distribution of controlled substance analogues (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32));''.

(4) LIMITATION ON ASSISTANCE FOR DESIGNATED COUNTRIES.—Section 706(3) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(3)) is amended by striking ''also designated under paragraph (2) in the report'' and inserting ''designated in the report under paragraph (2)(A) or thrice designated during a 5-year period in the report under subparagraph (B) or (C) of paragraph (2)''.

(5) EXCEPTION TO THE LIMITATION ON ASSISTANCE.—Section 706(5) of the Foreign Relations Authorization Act, Fiscal Year 2003 (22 U.S.C. 2291j–1(5)) is amended—

(A) by redesignating subparagraph (C) as subparagraph (F);

(B) by inserting after subparagraph (B) the following:

''(C) Notwithstanding paragraph (3), assistance to promote democracy (as described in section 481(e)(4)(E) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)(E))) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

''(D) Notwithstanding paragraph (3), assistance to combat trafficking (as described in section 481(e)(4)(F) of such Act) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph.

''(E) Notwithstanding paragraph (3), global health assistance (as described in section 481(e)(4)(G) of such Act) shall be provided to countries identified in a report under paragraph (1) and designated under subparagraph (B) or (C) of paragraph (2), to the extent such countries are otherwise eligible for such assistance, regardless of whether the President reports to the appropriate congressional committees in accordance with such paragraph''; and

(C) in subparagraph (F), as redesignated, by striking ''section clause (i) or (ii) of'' and inserting ''clause (i) or (ii) of section''.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date that is 90 days after the date of the enactment of this Act.

SEC. 6286. ESTABLISHMENT OF UNITED STATES-ISRAEL OPERATIONS-TECHNOLOGY WORKING GROUP.

The reference in section 1286(b)(5)(A) to the ''Minister of Defense of Israel'' is deemed to refer to the ''Secretary of State and the Minister of Defense of Israel''.

Subtitle H—United States-Israel Security Assistance

SEC. 6290. SHORT TITLE.

This subtitle may be cited as the ''United States-Israel Security Assistance Authorization Act of 2020''.

SEC. 6290A. DEFINITION.

In this subtitle, the term ''appropriate congressional committees'' means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Armed Services of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Armed Services of the House of Representatives.

CHAPTER 1—SECURITY ASSISTANCE FOR ISRAEL

SEC. 6291. FINDINGS.

Congress makes the following findings:

(1) On September 14, 2016, the United States and Israel signed a 10-year Memorandum of Understanding to reaffirm the importance of continuing annual United States military assistance to Israel and cooperative missile defense programs in a way that enhances Israel's security and strengthens the bilateral relationship between the 2 countries.

(2) The 2016 Memorandum of Understanding reflects United States support of Foreign Military Financing grant assistance to Israel over a 10-year period beginning in fiscal year 2019 and ending in fiscal year 2028.

(3) The 2016 Memorandum of Understanding also reflects United States support for funding for cooperative programs to develop, produce, and procure missile, rocket, and projectile defense capabilities during such 10-year period at an average funding level of $500,000,000 per year, totaling $5,000,000,000 for such period.

SEC. 6292. STATEMENT OF POLICY.

It is the policy of the United States to provide assistance to the Government of Israel for the development and acquisition of advanced capabilities that Israel requires to

meet its security needs and to enhance United States capabilities.

SEC. 6293. SECURITY ASSISTANCE FOR ISRAEL.

Section 513(c) of the Security Assistance Act of 2000 (Public Law 106–280; 114 Stat. 856) is amended—

(1) in paragraph (1), by striking ''2002 and 2003'' and inserting ''2021, 2022, 2023, 2024, 2025, 2026, 2027, and 2028'';

(2) in paragraph (2), by striking ''equal to—'' and all that follows and inserting ''not less than $3,300,000,000.''; and

(3) by amending paragraph (3) to read as follows:

''(3) DISBURSEMENT OF FUNDS.—Amounts authorized to be available for Israel under paragraph (1) and subsection (b)(1) for fiscal years 2021, 2022, 2023, 2024, 2025, 2026, 2027, and 2028 shall be disbursed not later than 30 days after the date of the enactment of an Act making appropriations for the Department of State, foreign operations, and related programs for the respective fiscal year, or October 31 of the respective fiscal year, whichever is later.''.

SEC. 6294. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.

(a) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005.—Section 12001(d) of the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 1011) is amended by striking ''September 30, 2020'' and inserting ''after September 30, 2025''.

(b) FOREIGN ASSISTANCE ACT OF 1961.—Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking ''2013, 2014, 2015, 2016, 2017, 2018, 2019, and 2020'' and inserting ''2021, 2022, 2023, 2024, and 2025''.

SEC. 6295. EXTENSION OF LOAN GUARANTEES TO ISRAEL.

Chapter 5 of title I of the Emergency Wartime Supplemental Appropriations Act, 2003 (Public Law 108–11; 117 Stat. 576) is amended under the heading ''LOAN GUARANTEES TO ISRAEL''—

(1) in the matter preceding the first proviso, by striking ''September 30, 2023'' and inserting ''September 30, 2025''; and

(2) in the second proviso, by striking ''September 30, 2023'' and inserting ''September 30, 2025''.

SEC. 6296. TRANSFER OF PRECISION GUIDED MUNITIONS TO ISRAEL.

(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer to Israel precision guided munitions from reserve stocks for Israel in such quantities as may be necessary for legitimate self-defense of Israel and is otherwise consistent with the purposes and conditions for such transfers under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(b) CERTIFICATIONS.—Except in case of emergency, as determined by the President, not later than 5 days before making a transfer under subsection (a), the President shall certify to the appropriate congressional committees that the transfer of the precision guided munitions—

(1) does not affect the ability of the United States to maintain a sufficient supply of precision guided munitions;

(2) does not harm the combat readiness of the United States or the ability of the United States to meet its commitment to allies for the transfer of such munitions;

(3) is necessary for Israel to counter the threat of rockets in a timely fashion; and

(4) is in the national security interest of the United States.

SEC. 6297. SENSE OF CONGRESS ON RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.

It is the sense of Congress that the President should—

(1) prescribe procedures for the rapid acquisition and deployment of precision guided munitions for United States counterterrorism missions; or

(2) assist Israel, which is an ally of the United States, to protect itself against direct missile threats.

SEC. 6298. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.

(a) FINDINGS.—Congress finds the following:

(1) Israel has adopted high standards in the field of weapons export controls.

(2) Israel has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.

(3) Israel is a party to—

(A) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925 (commonly known as the ''Geneva Protocol'');

(B) the Convention on the Physical Protection of Nuclear Material, signed at Vienna and New York March 3, 1980; and

(C) 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.

(4) Section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note) directs the President, consistent with the commitments of the United States under international agreements, to take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, re-export, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(b) BRIEFING ON ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTION.—Not later than 120 days after the date of the enactment of this Act, the President shall brief the appropriate congressional committees by describing the steps taken to include Israel in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, as required under section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (Public Law 113–296).

CHAPTER 2—ENHANCED UNITED STATES-ISRAEL COOPERATION

SEC. 6299. UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT MEMORANDA OF UNDERSTANDING TO ENHANCE COOPERATION WITH ISRAEL.

(a) FINDINGS.—Congress finds that the United States Agency for International Development and Israel's Agency for International Development Cooperation signed memoranda of understanding in 2012, 2017, and 2019 to coordinate the agencies' respective efforts to promote common development goals in third countries.

(b) SENSE OF CONGRESS REGARDING USAID POLICY.—It is the sense of Congress that the Department of State and the United States Agency for International Development should continue to cooperate with Israel to advance common development goals in third countries across a wide variety of sectors, including energy, agriculture, food security, democracy, human rights, governance, economic growth, trade, education, environment, global health, water, and sanitation.

(c) MEMORANDA OF UNDERSTANDING.—The Secretary of State, acting through the Administrator of the United States Agency for International Development, may enter into memoranda of understanding with Israel to advance common goals on energy, agriculture, food security, democracy, human rights, governance, economic growth, trade, education, environment, global health, water, and sanitation, with a focus on strengthening mutual ties and cooperation with nations throughout the world.

SEC. 6299A. COOPERATIVE PROJECTS AMONG THE UNITED STATES, ISRAEL, AND DEVELOPING COUNTRIES.

Section 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151d) is amended by striking subsections (e) and (f) and inserting the following:

''(e) There are authorized to be appropriated $2,000,000 for each of the fiscal years 2021 through 2025 to finance cooperative projects among the United States, Israel, and developing countries that identify and support local solutions to address sustainability challenges relating to water resources, agriculture, and energy storage, including—

''(1) establishing public-private partnerships;

''(2) supporting the identification, research, development testing, and scaling of innovations that focus on populations that are vulnerable to environmental and resource-scarcity crises, such as subsistence farming communities;

''(3) seed or transition-to-scale funding;

''(4) clear and appropriate branding and marking of United States funded assistance, in accordance with section 641; and

''(5) accelerating demonstrations or applications of local solutions to sustainability challenges, or the further refinement, testing, or implementation of innovations that have previously effectively addressed sustainability challenges.

''(f) Amounts appropriated pursuant to subsection (e) shall be obligated in accordance with the memoranda of understanding referred to in subsections (a) and (c) of section 6299 of the United States-Israel Security Assistance Authorization Act of 2020''.

SEC. 6299B. JOINT COOPERATIVE PROGRAM RELATED TO INNOVATION AND HIGH-TECH FOR THE MIDDLE EAST REGION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should help foster cooperation in the Middle East region by financing and, as appropriate, cooperating in projects related to innovation and advanced technologies; and

(2) projects referred to in paragraph (1) should—

(A) contribute to development and the quality of life in the Middle East region through the application of research and advanced technology; and

(B) contribute to Arab-Israeli cooperation by establishing strong working relationships that last beyond the life of such projects.

(b) ESTABLISHMENT.—The Secretary of State, acting through the Administrator of the United States Agency for International Development, is authorized to seek to establish a program between the United States and appropriate regional partners to provide for cooperation in the Middle East region by supporting projects related to innovation and advanced technologies.

(c) PROJECT REQUIREMENTS.—Each project carried out under the program established pursuant to subsection (b)—

(1) shall include the participation of at least 1 entity from Israel and 1 entity from another regional partner; and

(2) shall be conducted in a manner that appropriately protects sensitive information, intellectual property, the national security

interests of the United States, and the national security interests of Israel.

SEC. 6299C. SENSE OF CONGRESS ON UNITED STATES-ISRAEL ECONOMIC COOPERATION.

It is the sense of Congress that—

(1) the United States-Israel economic partnership—

(A) has achieved great tangible and intangible benefits to both countries; and

(B) is a foundational component of the strong alliance;

(2) science and technology innovations present promising new frontiers for United States-Israel economic cooperation, particularly in light of widespread drought, cybersecurity attacks, and other major challenges impacting the United States; and

(3) the President should regularize and expand existing forums of economic dialogue with Israel and foster both public and private sector participation.

SEC. 6299D. COOPERATION ON DIRECTED ENERGY CAPABILITIES.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States, deployed forces of the United States, or Israel. Any activities carried out under this paragraph shall be conducted in a manner that appropriately protects sensitive information, intellectual property, the national security interests of the United States, and the national security interests of Israel.

(2) REPORT.—The activities described in paragraph (1) may be carried out after the Secretary of Defense, with the concurrence of the Secretary of State, submits a report to the appropriate congressional committees that includes—

(A) a memorandum of agreement between the United States and Israel regarding sharing of research and development costs for the capabilities described in paragraph (1), and any supporting documents; and

(B) a certification that the memorandum of agreement referred to in subparagraph (A)—

(i) requires sharing of costs of projects, including in-kind support, between the United States and Israel;

(ii) establishes a framework to negotiate the rights to any intellectual property developed under the memorandum of agreement; and

(iii) requires the United States Government to receive semiannual reports on expenditure of funds, if any, by the Government of Israel, including—

(I) a description of what the funds have been used for and when funds were expended; and

(II) the identification of entities that expended such funds.

(b) SUPPORT IN CONNECTION WITH ACTIVITIES.—

(1) IN GENERAL.—The Secretary of Defense, with the concurrence of the Secretary of State, is authorized to provide maintenance and sustainment support to Israel for the directed energy capabilities research, development, test, and evaluation activities authorized under subsection (a)(1), including the installation of equipment that is necessary to carry out such research, development, test, and evaluation.

(2) REPORT.—The support described in paragraph (1) may not be provided until 15 days after the date on which the Secretary of Defense, with the concurrence of the Secretary of State, submits a report to the appropriate congressional committees that describes in detail the support to be provided.

(3) MATCHING CONTRIBUTION.—The support described in paragraph (1) may not be provided unless the Secretary of Defense, with the concurrence of the Secretary of State, certifies to the appropriate congressional committees that the Government of Israel will contribute to such support—

(A) an amount not less than the amount of support to be so provided; or

(B) an amount that otherwise meets the best efforts of Israel, as mutually agreed to by the United States and Israel.

(c) SEMIANNUAL REPORT.—The Secretary of Defense, with the concurrence of the Secretary of State, shall submit a semiannual report to the appropriate congressional committees that includes the most recent semiannual report provided by the Government of Israel to the United States Government.

SEC. 6299E. PLANS TO PROVIDE ISRAEL WITH NECESSARY DEFENSE ARTICLES AND SERVICES IN A CONTINGENCY.

(a) IN GENERAL.—The President shall establish and update, as appropriate, plans to provide Israel with defense articles and services that are determined by the Secretary of Defense to be necessary for the defense of Israel in a contingency.

(b) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the President shall brief the appropriate congressional committees regarding the status of the plans required under subsection (a).

SEC. 6299F. OTHER MATTERS OF COOPERATION.

(a) IN GENERAL.—Activities authorized under this section shall be carried out with the concurrence of the Secretary of State and aligned with the National Security Strategy of the United States, the United States Government Global Health Security Strategy, the Department of State Integrated Country Strategies, the USAID Country Development Cooperation Strategies, and any equivalent or successor plans or strategies, as necessary and appropriate

(b) DEVELOPMENT OF HEALTH TECHNOLOGIES.—

(1) IN GENERAL.—There is authorized to be appropriated to the Secretary of Health and Human Services $4,000,000 for each of the fiscal years 2021 through 2023 for a bilateral cooperative program with the Government of Israel that awards grants for the development of health technologies, including health technologies listed in paragraph (2), subject to paragraph (3), with an emphasis on collaboratively advancing the use of technology and personalized medicine in relation to COVID–19.

(2) TYPES OF HEALTH TECHNOLOGIES.—The health technologies described in this paragraph may include technologies such as sensors, drugs and vaccinations, respiratory assist devices, diagnostic tests, and telemedicine.

(3) RESTRICTIONS ON FUNDING.—Amounts appropriated pursuant to paragraph (1) are subject to a matching contribution from the Government of Israel.

(4) OPTION FOR ESTABLISHING NEW PROGRAM.—Amounts appropriated pursuant to paragraph (1) may be expended for a bilateral program with the Government of Israel that—

(A) is in existence on the day before the date of the enactment of this Act for the purposes described in paragraph (1); or

(B) is established after the date of the enactment of this Act by the Secretary of Health and Human Services, in consultation with the Secretary of State, in accordance with the Agreement between the Government of the United States of America and the Government of the State of Israel on Cooperation in Science and Technology for Homeland Security Matters, done at Jerusalem May 29, 2008 (or a successor agreement), for the purposes described in paragraph (1).

(c) COORDINATOR OF UNITED STATES–ISRAEL RESEARCH AND DEVELOPMENT.—

(1) IN GENERAL.—The President may designate the Assistant Secretary of State for the Bureau of Oceans and International Environmental and Scientific Affairs, or another appropriate Department of State official, to act as Coordinator of United States-Israel Research and Development (referred to in this subsection as the ''Coordinator'').

(2) AUTHORITIES AND DUTIES.—The Coordinator, in conjunction with the heads of relevant Federal Government departments and agencies and in coordination with the Israel Innovation Authority, may oversee civilian science and technology programs on a joint basis with Israel.

(d) OFFICE OF GLOBAL POLICY AND STRATEGY OF THE FOOD AND DRUG ADMINISTRATION.—

(1) IN GENERAL.—It is the sense of Congress that the Commissioner of the Food and Drug Administration should seek to explore collaboration with Israel through the Office of Global Policy and Strategy.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Commissioner, acting through the head of the Office of Global Policy and Strategy, shall submit a report describing the benefits to the United States and to Israel of opening an office in Israel for the Office of Global Policy and Strategy to—

(A) the Committee on Foreign Relations of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Committee on Foreign Affairs of the House of Representatives; and

(D) the Committee on Energy and Commerce of the House of Representatives.

(e) UNITED STATES–ISRAEL ENERGY CENTER.—There is authorized to be appropriated to the Secretary of Energy $4,000,000 for each of the fiscal years 2021 through 2023 to carry out the activities of the United States-Israel Energy Center established pursuant to section 917(d) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(d)).

(f) UNITED STATES–ISRAEL BINATIONAL INDUSTRIAL RESEARCH AND DEVELOPMENT FOUNDATION.—It is the sense of Congress that grants to promote covered energy projects conducted by, or in conjunction with, the United States-Israel Binational Industrial Research and Development Foundation should be funded at not less than $2,000,000 annually under section 917(b) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17337(b)).

(g) UNITED STATES–ISRAEL COOPERATION ON ENERGY, WATER, HOMELAND SECURITY, AGRICULTURE, AND ALTERNATIVE FUEL TECHNOLOGIES.—Section 7 of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8606) is amended by adding at the end the following:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $2,000,000 for each of the fiscal years 2021 through 2023.''.

(h) ANNUAL POLICY DIALOGUE.—It is the sense of Congress that the Department of Transportation and Israel's Ministry of Transportation should engage in an annual policy dialogue to implement the 2016 Memorandum of Cooperation signed by the Secretary of Transportation and the Israeli Minister of Transportation.

(i) COOPERATION ON SPACE EXPLORATION AND SCIENCE INITIATIVES.—The Administrator of the National Aeronautics and Space Administration shall continue to work with

the Israel Space Agency to identify and cooperatively pursue peaceful space exploration and science initiatives in areas of mutual interest, taking all appropriate measures to protect sensitive information, intellectual property, trade secrets, and economic interests of the United States.

(j) RESEARCH AND DEVELOPMENT COOPERATION RELATING TO DESALINATION TECHNOLOGY.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Science and Technology Policy shall submit a report that describes research and development cooperation with international partners, such as the State of Israel, in the area of desalination technology in accordance with section 9(b)(3) of the Water Desalination Act of 1996 (42 U.S.C. 10301 note) to—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Energy and Natural Resources of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Natural Resources of the House of Representatives.

(k) RESEARCH AND TREATMENT OF POSTTRAUMATIC STRESS DISORDER.—It is the sense of Congress that the Secretary of Veterans Affairs should seek to explore collaboration between the Mental Illness Research, Education and Clinical Centers of Excellence and Israeli institutions with expertise in researching and treating posttraumatic stress disorder.

TITLE LXVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle B—Cyberspace Related Matters

SEC. 6611. REPORT ON USE OF ENCRYPTION BY DEPARTMENT OF DEFENSE NATIONAL SECURITY SYSTEMS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report detailing the mission need and efficacy of full disk encryption across Non-classified Internet Protocol Router Network (NIPRNet) and Secretary Internet Protocol Router Network (SIPRNet) endpoint computer systems. Such report shall cover matters relating to cost, mission impact, and implementation timeline.

SEC. 6612. GUIDANCE AND DIRECTION ON USE OF DIRECT HIRING PROCESSES FOR ARTIFICIAL INTELLIGENCE PROFESSIONALS AND OTHER DATA SCIENCE AND SOFTWARE DEVELOPMENT PERSONNEL.

(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 the secretaries of the military departments and the heads of the defense components on improved use of the direct hiring processes for artificial intelligence professionals and other data science and software development personnel.

(b) OBJECTIVE.—The objective of the guidance issued under subsection (a) shall be to ensure that organizational leaders assume greater responsibility for the results of civilian hiring of artificial intelligence professionals and other data science and software development personnel.

(c) CONTENTS OF GUIDANCE.—At a minimum, the guidance required by subsection (a) shall—

(1) instruct human resources professionals and hiring authorities to utilize available direct hiring authorities (including excepted service authorities) for the hiring of artificial intelligence professionals and other data science and software development personnel, to the maximum extent practicable;

(2) instruct hiring authorities, when using direct hiring authorities, to prioritize utilization of panels of subject matter experts over human resources professionals to assess applicant qualifications and determine which applicants are best qualified for a position;

(3) authorize and encourage the use of ePortfolio reviews to provide insight into the previous work of applicants as a tangible demonstration of capabilities and contribute to the assessment of applicant qualifications by subject matter experts; and

(4) encourage the use of referral bonuses for recruitment and hiring of highly qualified artificial intelligence professionals and other data science and software development personnel in accordance with volume 451 of Department of Defense Instruction 1400.25.

(d) REPORT.—

(1) IN GENERAL.—Not later than one year after the date on which the guidance is issued under subsection (a), the Secretary shall submit to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a report on the guidance issued pursuant to subsection (a).

(2) CONTENTS.—At a minimum, the report submitted under paragraph (1) shall address the following:

(A) The objectives of the guidance and the manner in which the guidance seeks to achieve those objectives.

(B) The effect of the guidance on the hiring process for artificial intelligence professionals and other data science and software development personnel, including the effect on—

(i) hiring time;

(ii) the use of direct hiring authority;

(iii) the use of subject matter experts; and

(iv) the quality of new hires, as assessed by hiring managers and organizational leaders.

SEC. 6613. CYBERSECURITY STATE COORDINATOR ACT.

(a) SHORT TITLE.—This section may be cited as the ''Cybersecurity State Coordinator Act of 2020''.

(b) CYBERSECURITY STATE COORDINATOR.—

(1) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.) is amended—

(A) in section 2202(c) (6 U.S.C. 652(c))—

(i) in paragraph (10), by striking ''and'' at the end;

(ii) by redesignating paragraph (11) as paragraph (12); and

(iii) by inserting after paragraph (10) the following:

''(11) appoint a Cybersecurity State Coordinator in each State, as described in section 2215; and''; and

(B) by adding at the end the following:

''SEC. 2215. CYBERSECURITY STATE COORDINATOR.

''(a) APPOINTMENT.—The Director shall appoint an employee of the Agency in each State, with the appropriate cybersecurity qualifications and expertise, who shall serve as the Cybersecurity State Coordinator.

''(b) DUTIES.—The duties of a Cybersecurity State Coordinator appointed under subsection (a) shall include—

''(1) building strategic relationships across Federal and, on a voluntary basis, non-Federal entities by advising on establishing governance structures to facilitate the development and maintenance of secure and resilient infrastructure;

''(2) serving as a Federal cybersecurity risk advisor and coordinating between Federal and, on a voluntary basis, non-Federal entities to support preparation, response, and remediation efforts relating to cybersecurity risks and incidents;

''(3) facilitating the sharing of cyber threat information between Federal and, on a voluntary basis, non-Federal entities to improve understanding of cybersecurity risks and situational awareness of cybersecurity incidents;

''(4) raising awareness of the financial, technical, and operational resources available from the Federal Government to non-Federal entities to increase resilience against cyber threats;

''(5) supporting training, exercises, and planning for continuity of operations to expedite recovery from cybersecurity incidents, including ransomware;

''(6) serving as a principal point of contact for non-Federal entities to engage, on a voluntary basis, with the Federal Government on preparing, managing, and responding to cybersecurity incidents;

''(7) assisting non-Federal entities in developing and coordinating vulnerability disclosure programs consistent with Federal and information security industry standards; and

''(8) performing such other duties as determined necessary by the Director to achieve the goal of managing cybersecurity risks in the United States and reducing the impact of cyber threats to non-Federal entities.

''(c) FEEDBACK.—The Director shall consult with relevant State and local officials regarding the appointment, and State and local officials and other non-Federal entities regarding the performance, of the Cybersecurity State Coordinator of a State.''.

(2) OVERSIGHT.—The Director of the Cybersecurity and Infrastructure Security Agency shall provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a briefing on the placement and efficacy of the Cybersecurity State Coordinators appointed under section 2215 of the Homeland Security Act of 2002, as added by paragraph (1)—

(A) not later than 1 year after the date of enactment of this Act; and

(B) not later than 2 years after providing the first briefing under this paragraph.

(3) RULE OF CONSTRUCTION.—Nothing in this subsection or the amendments made by this subsection shall be construed to affect or otherwise modify the authority of Federal law enforcement agencies with respect to investigations relating to cybersecurity incidents.

(4) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended by inserting after the item relating to section 2214 the following:

''Sec. 2215. Cybersecurity State Coordinator.''.

SEC. 6614. CYBERSECURITY ADVISORY COMMITTEE.

(a) SHORT TITLE.—This section may be cited as the ''Cybersecurity Advisory Committee Authorization Act of 2020''.

(b) IN GENERAL.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.), as amended by section 6613 of this Act, is further amended by adding at the end the following:

''SEC. 2216. CYBERSECURITY ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—The Secretary shall establish within the Agency a Cybersecurity Advisory Committee (referred to in this section as the 'Advisory Committee').

''(b) DUTIES.—

''(1) IN GENERAL.—The Advisory Committee shall advise, consult with, report to, and make recommendations to the Director, as appropriate, on the development, refinement, and implementation of policies, programs, planning, and training pertaining to the cybersecurity mission of the Agency.

''(2) RECOMMENDATIONS.—

''(A) IN GENERAL.—The Advisory Committee shall develop, at the request of the

Director, recommendations for improvements to advance the cybersecurity mission of the Agency and strengthen the cybersecurity of the United States.

''(B) RECOMMENDATIONS OF SUBCOMMITTEES.—Recommendations agreed upon by subcommittees established under subsection (d) for any year shall be approved by the Advisory Committee before the Advisory Committee submits to the Director the annual report under paragraph (4) for that year.

''(3) PERIODIC REPORTS.—The Advisory Committee shall periodically submit to the Director—

''(A) reports on matters identified by the Director; and

''(B) reports on other matters identified by a majority of the members of the Advisory Committee.

''(4) ANNUAL REPORT.—

''(A) IN GENERAL.—The Advisory Committee shall submit to the Director an annual report providing information on the activities, findings, and recommendations of the Advisory Committee, including its subcommittees, for the preceding year.

''(B) PUBLICATION.—Not later than 180 days after the date on which the Director receives an annual report for a year under subparagraph (A), the Director shall publish a public version of the report describing the activities of the Advisory Committee and such related matters as would be informative to the public during that year, consistent with section 552(b) of title 5, United States Code.

''(5) FEEDBACK.—Not later than 90 days after receiving any recommendation submitted by the Advisory Committee under paragraph (2), (3), or (4), the Director shall respond in writing to the Advisory Committee with feedback on the recommendation. Such a response shall include—

''(A) with respect to any recommendation with which the Director concurs, an action plan to implement the recommendation; and

''(B) with respect to any recommendation with which the Director does not concur, a justification for why the Director does not plan to implement the recommendation.

''(6) CONGRESSIONAL NOTIFICATION.—Not less frequently than once per year after the date of enactment of this section, the Director shall provide to the Committee on Homeland Security and Governmental Affairs and the Committee on Appropriations of the Senate and the Committee on Homeland Security and the Committee on Appropriations of the House of Representatives a briefing on feedback from the Advisory Committee.

''(7) GOVERNANCE RULES.—The Director shall establish rules for the structure and governance of the Advisory Committee and all subcommittees established under subsection (d).

''(c) MEMBERSHIP.—

''(1) APPOINTMENT.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Cybersecurity Advisory Committee Authorization Act of 2020, the Director shall appoint the members of the Advisory Committee.

''(B) COMPOSITION.—The membership of the Advisory Committee shall consist of not more than 35 individuals.

''(C) REPRESENTATION.—

''(i) IN GENERAL.—The membership of the Advisory Committee shall—

''(I) consist of subject matter experts;

''(II) be geographically balanced; and

''(III) include representatives of State, local, and Tribal governments and of a broad range of industries, which may include the following:

''(aa) Defense.

''(bb) Education.

''(cc) Financial services and insurance.

''(dd) Healthcare.

''(ee) Manufacturing.

''(ff) Media and entertainment.

''(gg) Chemicals.

''(hh) Retail.

''(ii) Transportation.

''(jj) Energy.

''(kk) Information Technology.

''(ll) Communications.

''(mm) Other relevant fields identified by the Director.

''(ii) PROHIBITION.—Not less than 1 member nor more than 3 members may represent any 1 category under clause (i)(III).

''(iii) PUBLICATION OF MEMBERSHIP LIST.—The Advisory Committee shall publish its membership list on a publicly available website not less than once per fiscal year and shall update the membership list as changes occur.

''(2) TERM OF OFFICE.—

''(A) TERMS.—The term of each member of the Advisory Committee shall be 2 years, except that a member may continue to serve until a successor is appointed.

''(B) REMOVAL.—The Director may review the participation of a member of the Advisory Committee and remove such member any time at the discretion of the Director.

''(C) REAPPOINTMENT.—A member of the Advisory Committee may be reappointed for an unlimited number of terms.

''(3) PROHIBITION ON COMPENSATION.—The members of the Advisory Committee may not receive pay or benefits from the United States Government by reason of their service on the Advisory Committee.

''(4) MEETINGS.—

''(A) IN GENERAL.—The Director shall require the Advisory Committee to meet not less frequently than semiannually, and may convene additional meetings as necessary.

''(B) PUBLIC MEETINGS.—At least one of the meetings referred to in subparagraph (A) shall be open to the public.

''(C) ATTENDANCE.—The Advisory Committee shall maintain a record of the persons present at each meeting.

''(5) MEMBER ACCESS TO CLASSIFIED INFORMATION.—

''(A) IN GENERAL.—Not later than 60 days after the date on which a member is first appointed to the Advisory Committee and before the member is granted access to any classified information, the Director shall determine, for the purposes of the Advisory Committee, if the member should be restricted from reviewing, discussing, or possessing classified information.

''(B) ACCESS.—Access to classified materials shall be managed in accordance with Executive Order No. 13526 of December 29, 2009 (75 Fed. Reg. 707), or any subsequent corresponding Executive Order.

''(C) PROTECTIONS.—A member of the Advisory Committee shall protect all classified information in accordance with the applicable requirements for the particular level of classification of such information.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the security clearance of a member of the Advisory Committee or the authority of a Federal agency to provide a member of the Advisory Committee access to classified information.

''(6) CHAIRPERSON.—The Advisory Committee shall select, from among the members of the Advisory Committee—

''(A) a member to serve as chairperson of the Advisory Committee; and

''(B) a member to serve as chairperson of each subcommittee of the Advisory Committee established under subsection (d).

''(d) SUBCOMMITTEES.—

''(1) IN GENERAL.—The Director shall establish subcommittees within the Advisory Committee to address cybersecurity issues, which may include the following:

''(A) Information exchange.

''(B) Critical infrastructure.

''(C) Risk management.

''(D) Public and private partnerships.

''(2) MEETINGS AND REPORTING.—Each subcommittee shall meet not less frequently than semiannually, and submit to the Advisory Committee for inclusion in the annual report required under subsection (b)(4) information, including activities, findings, and recommendations, regarding subject matter considered by the subcommittee.

''(3) SUBJECT MATTER EXPERTS.—The chair of the Advisory Committee shall appoint members to subcommittees and shall ensure that each member appointed to a subcommittee has subject matter expertise relevant to the subject matter of the subcommittee.''.

(c) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as so amended, is further amended by inserting after the item relating to section 2215 the following:

''Sec. 2216. Cybersecurity Advisory Committee.''.

SEC. 6615. CYBERSECURITY EDUCATION AND TRAINING ASSISTANCE PROGRAM.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States continues to face critical shortages in the national cybersecurity workforce;

(2) the Cybersecurity and Infrastructure Security Agency within the Department of Homeland Security has the responsibility to manage cyber and physical risks to our critical infrastructure, including by ensuring a national workforce supply to support cybersecurity through education, training, and capacity development efforts;

(3) to reestablish the technology leadership, security, and economic competitiveness of the United States, the Cybersecurity and Infrastructure Security Agency should create a sustainable pipeline by strengthening K-12 cybersecurity outreach and education nationwide.

(b) AUTHORITIES.—Section 2202(e)(1) of the Homeland Security Act of 2002 (6 U.S.C. 652(e)(1)) is amended by adding at the end the following:

''(R) To encourage and build cybersecurity awareness and competency across the United States and to develop, attract, and retain the cybersecurity workforce necessary for the cybersecurity related missions of the Department, including by—

''(i) overseeing K-12 cybersecurity education and awareness related programs at the agency;

''(ii) leading efforts to develop, attract, and retain the cybersecurity workforce necessary for the cybersecurity related missions of the Department;

''(iii) encouraging and building cybersecurity awareness and competency across the United States; and

''(iv) carrying out cybersecurity related workforce development activities, including through—

''(I) increasing the pipeline of future cybersecurity professionals through programs focused on K-12, higher education, and non-traditional students; and

''(II) building awareness of and competency in cybersecurity across the civilian Federal government workforce.''.

(c) EDUCATION, TRAINING, AND CAPACITY DEVELOPMENT.—Section 2202(c) of the Homeland Security Act of 2002 (6 U.S.C. 652(c)) is amended—

(1) by redesignating paragraph (11) as paragraph (12);

(2) in paragraph (10), by striking ''and'' at the end; and

(3) by inserting after paragraph (10) the following:

''(11) provide education, training, and capacity development for Federal and non-Federal entities to enhance the security and resiliency of domestic and global cybersecurity and infrastructure security; and''.

(d) ESTABLISHMENT OF TRAINING PROGRAMS.—Subtitle A of title XXII of the Homeland Security Act of 2002 (6 U.S.C. 651 et seq.), as amended by section 6614 of this Act, is further amended by adding at the end the following:

''SEC. 2217. CYBERSECURITY EDUCATION AND TRAINING PROGRAMS.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—The Cybersecurity Education and Training Assistance Program (referred to in this section as 'CETAP') is established within the Agency.

''(2) PURPOSE.—The purpose of CETAP shall be to support the effort of the Agency in building and strengthening a national cybersecurity workforce pipeline capacity through enabling K-12 cybersecurity education, including by—

''(A) providing foundational cybersecurity awareness and literacy;

''(B) encouraging cybersecurity career exploration; and

''(C) supporting the teaching of cybersecurity skills at the K-12 levels.

''(b) REQUIREMENTS.—In carrying out CETAP, the Director shall—

''(1) ensure that the program—

''(A) creates and disseminates K-12 cybersecurity-focused curricula and career awareness materials;

''(B) conducts professional development sessions for teachers;

''(C) develops resources for the teaching of K-12 cybersecurity-focused curricula;

''(D) provides direct student engagement opportunities through camps and other programming;

''(E) engages with local and State education authorities to promote awareness of the program and ensure that offerings align with State and local standards;

''(F) integrates with existing post-secondary education and workforce development programs at the Department;

''(G) establishes and maintains national standards for K-12 cyber education;

''(H) partners with cybersecurity and education stakeholder groups to expand outreach; and

''(I) any other activity the Director determines necessary to meet the purpose described in subsection (a)(2); and

''(2) enable the deployment of CETAP nationwide, with special consideration for underserved populations or communities.

''(c) BRIEFINGS.—

''(1) IN GENERAL.—Not later than 1 year after the establishment of CETAP, and annually thereafter, the Secretary shall brief the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives on the program.

''(2) CONTENTS.—Each briefing conducted under paragraph (1) shall include—

''(A) estimated figures on the number of students reached and teachers engaged;

''(B) information on community outreach and State engagement efforts;

''(C) information on new curricula offerings and teacher training platforms; and

''(D) information on coordination with post-secondary education and workforce development programs at the Department.

''(d) MISSION PROMOTION.—The Director may use appropriated amounts to purchase promotional and recognition items and marketing and advertising services to publicize and promote the mission and services of the Agency, support the activities of the Agency, and to recruit and retain Agency personnel.''.

(e) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135), as so amended, is further amended by inserting after the item relating to section 2216 the following:

''Sec. 2217. Cybersecurity Education and Training Programs.''.

Subtitle C—Nuclear Forces

SEC. 6651. REPORT ON ELECTROMAGNETIC PULSE HARDENING OF GROUND-BASED STRATEGIC DETERRENT WEAPONS SYSTEM.

(a) 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 on establishing requirements and protocols to ensure that the ground-based strategic deterrent weapons system is hardened against electromagnetic pulses.

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

(1) The testing protocols the ground-based strategic deterrent program will use for electromagnetic pulse testing.

(2) How requirements for electromagnetic pulse hardness will be integrated into the ground-based strategic deterrent program.

(3) Plans for electromagnetic pulse verification tests of the ground-based strategic deterrent weapons system.

(4) Plans for electromagnetic pulse testing of nonmissile components of the ground-based strategic deterrent weapons system.

(5) Plans to sustain electromagnetic pulse qualification of the ground-based strategic deterrent weapons system.

TITLE LXVII—NUCLEAR ENERGY LEADERSHIP

SEC. 6701. ADVANCED NUCLEAR REACTOR RESEARCH AND DEVELOPMENT GOALS.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) is amended by adding at the end the following:

''SEC. 959A. ADVANCED NUCLEAR REACTOR RESEARCH AND DEVELOPMENT GOALS.

''(a) DEFINITIONS.—In this section:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

''(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to the most recent generation of fission reactors, including improvements such as—

''(i) additional inherent safety features;

''(ii) lower waste yields;

''(iii) improved fuel performance;

''(iv) increased tolerance to loss of fuel cooling;

''(v) enhanced reliability;

''(vi) increased proliferation resistance;

''(vii) increased thermal efficiency;

''(viii) reduced consumption of cooling water;

''(ix) the ability to integrate into electric applications and nonelectric applications;

''(x) modular sizes to allow for deployment that corresponds with the demand for electricity; or

''(xi) operational flexibility to respond to changes in demand for electricity and to complement integration with intermittent renewable energy; and

''(B) a fusion reactor.

''(2) DEMONSTRATION PROJECT.—The term 'demonstration project' means an advanced nuclear reactor operated in any manner, including as part of the power generation facilities of an electric utility system, for the purpose of demonstrating the suitability for commercial application of the advanced nuclear reactor.

''(b) PURPOSE.—The purpose of this section is to direct the Secretary, as soon as practicable after the date of enactment of this section, to advance the research and development of domestic advanced, affordable, and clean nuclear energy by—

''(1) demonstrating different advanced nuclear reactor technologies that could be used by the private sector to produce—

''(A) emission-free power at a levelized cost of electricity of $60 per megawatt-hour or less;

''(B) heat for community heating, industrial purposes, or synthetic fuel production;

''(C) remote or off-grid energy supply; or

''(D) backup or mission-critical power supplies;

''(2) developing subgoals for nuclear energy research programs that would accomplish the goals of the demonstration projects carried out under subsection (c);

''(3) identifying research areas that the private sector is unable or unwilling to undertake due to the cost of, or risks associated with, the research; and

''(4) facilitating the access of the private sector—

''(A) to Federal research facilities and personnel; and

''(B) to the results of research relating to civil nuclear technology funded by the Federal Government.

''(c) DEMONSTRATION PROJECTS.—

''(1) IN GENERAL.—The Secretary shall, to the maximum extent practicable—

''(A) enter into agreements to complete not fewer than 2 demonstration projects by not later than December 31, 2025; and

''(B) establish a program to enter into agreements to complete 1 additional operational demonstration project by not later than December 31, 2035.

''(2) REQUIREMENTS.—In carrying out demonstration projects under paragraph (1), the Secretary shall—

''(A) include diversity in designs for the advanced nuclear reactors demonstrated under this section, including designs using various—

''(i) primary coolants;

''(ii) fuel types and compositions; and

''(iii) neutron spectra;

''(B) seek to ensure that—

''(i) the long-term cost of electricity or heat for each design to be demonstrated under this subsection is cost-competitive in the applicable market;

''(ii) the selected projects can meet the deadline established in paragraph (1) to demonstrate first-of-a-kind advanced nuclear reactor technologies, for which additional information shall be considered, including—

''(I) the technology readiness level of a proposed advanced nuclear reactor technology;

''(II) the technical abilities and qualifications of teams desiring to demonstrate a proposed advanced nuclear reactor technology; and

''(III) the capacity to meet cost-share requirements of the Department;

''(C) ensure that each evaluation of candidate technologies for the demonstration projects is completed through an external review of proposed designs, which review shall—

''(i) be conducted by a panel that includes not fewer than 1 representative of each of—

''(I) an electric utility; and

''(II) an entity that uses high-temperature process heat for manufacturing or industrial processing, such as a petrochemical company, a manufacturer of metals, or a manufacturer of concrete;

''(ii) include a review of cost-competitiveness and other value streams, together with the technology readiness level, of each design to be demonstrated under this subsection; and

''(iii) not be required for a demonstration project that receives no financial assistance from the Department for construction costs;

''(D) for federally funded demonstration projects, enter into cost-sharing agreements with private sector partners in accordance with section 988 for the conduct of activities relating to the research, development, and demonstration of private-sector advanced nuclear reactor designs under the program;

''(E) work with private sector partners to identify potential sites, including Department-owned sites, for demonstrations, as appropriate;

''(F) align specific activities carried out under demonstration projects carried out under this subsection with priorities identified through direct consultations between—

''(i) the Department;

''(ii) National Laboratories;

''(iii) institutions of higher education;

''(iv) traditional end-users (such as electric utilities);

''(v) potential end-users of new technologies (such as users of high-temperature process heat for manufacturing processing, including petrochemical companies, manufacturers of metals, or manufacturers of concrete); and

''(vi) developers of advanced nuclear reactor technology; and

''(G) seek to ensure that the demonstration projects carried out under paragraph (1) do not cause any delay in a deployment of an advanced reactor by private industry and the Department that is underway as of the date of enactment of this section.

''(3) ADDITIONAL REQUIREMENTS.—In carrying out demonstration projects under paragraph (1), the Secretary shall—

''(A) identify candidate technologies that—

''(i) are not developed sufficiently for demonstration within the initial required timeframe described in paragraph (1)(A); but

''(ii) could be demonstrated within the timeframe described in paragraph (1)(B);

''(B) identify technical challenges to the candidate technologies identified in subparagraph (A);

''(C) support near-term research and development to address the highest-risk technical challenges to the successful demonstration of a selected advanced reactor technology, in accordance with—

''(i) subparagraph (B); and

''(ii) the research and development activities under sections 952 and 958;

''(D) establish such technology advisory working groups as the Secretary determines to be appropriate to advise the Secretary regarding the technical challenges identified under subparagraph (B) and the scope of research and development programs to address the challenges, in accordance with subparagraph (C), to be comprised of—

''(i) private-sector advanced nuclear reactor technology developers;

''(ii) technical experts with respect to the relevant technologies at institutions of higher education; and

''(iii) technical experts at the National Laboratories.

''(d) GOALS.—

''(1) IN GENERAL.—The Secretary shall establish goals for research relating to advanced nuclear reactors facilitated by the Department that support the objectives of the program for demonstration projects established under subsection (c).

''(2) COORDINATION.—In developing the goals under paragraph (1), the Secretary shall coordinate, on an ongoing basis, with members of private industry to advance the demonstration of various designs of advanced nuclear reactors.

''(3) REQUIREMENTS.—In developing the goals under paragraph (1), the Secretary shall ensure that—

''(A) research activities facilitated by the Department to meet the goals developed under this subsection are focused on key areas of nuclear research and deployment ranging from basic science to full-design development, safety evaluation, and licensing;

''(B) research programs designed to meet the goals emphasize—

''(i) resolving materials challenges relating to extreme environments, including extremely high levels of—

''(I) radiation fluence;

''(II) temperature;

''(III) pressure; and

''(IV) corrosion; and

''(ii) qualification of advanced fuels;

''(C) activities are carried out that address near-term challenges in modeling and simulation to enable accelerated design and licensing;

''(D) related technologies, such as technologies to manage, reduce, or reuse nuclear waste, are developed;

''(E) nuclear research infrastructure is maintained or constructed, such as—

''(i) currently operational research reactors at the National Laboratories and institutions of higher education;

''(ii) hot cell research facilities;

''(iii) a versatile fast neutron source; and

''(iv) a molten salt testing facility;

''(F) basic knowledge of non-light water coolant physics and chemistry is improved;

''(G) advanced sensors and control systems are developed; and

''(H) advanced manufacturing and advanced construction techniques and materials are investigated to reduce the cost of advanced nuclear reactors.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) is amended—

(1) in the item relating to section 917, by striking ''Efficiency'';

(2) in the items relating to each of sections 957, 958, and 959 by inserting ''Sec.'' before the item number; and

(3) by inserting after the item relating to section 959 the following:

''Sec. 959A. Advanced nuclear reactor research and development goals.''.

SEC. 6702. NUCLEAR ENERGY STRATEGIC PLAN.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by section 6701(a)) is amended by adding at the end the following:

''SEC. 959B. NUCLEAR ENERGY STRATEGIC PLAN.

''(a) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives a 10-year strategic plan for the Office of Nuclear Energy of the Department, in accordance with this section.

''(b) REQUIREMENTS.—

''(1) COMPONENTS.—The strategic plan under this section shall designate—

''(A) programs that support the planned accomplishment of—

''(i) the goals established under section 959A; and

''(ii) the demonstration programs identified under subsection (c) of that section; and

''(B) programs that—

''(i) do not support the planned accomplishment of demonstration programs, or the goals, referred to in subparagraph (A); but

''(ii) are important to the mission of the Office of Nuclear Energy, as determined by the Secretary.

''(2) PROGRAM PLANNING.—In developing the strategic plan under this section, the Secretary shall specify expected timelines for, as applicable—

''(A) the accomplishment of relevant objectives under current programs of the Department; or

''(B) the commencement of new programs to accomplish those objectives.

''(c) UPDATES.—Not less frequently than once every 2 years, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce and Science, Space, and Technology of the House of Representatives an updated 10-year strategic plan in accordance with subsection (b), which shall identify, and provide a justification for, any major deviation from a previous strategic plan submitted under this section.''.

(b) TABLE OF CONTENTS.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) (as amended by section 6701(b)(3)) is amended by inserting after the item relating to section 959A the following:

''Sec. 959B. Nuclear energy strategic plan.''.

SEC. 6703. VERSATILE, REACTOR-BASED FAST NEUTRON SOURCE.

Section 955(c)(1) of the Energy Policy Act of 2005 (42 U.S.C. 16275(c)(1)) is amended—

(1) in the paragraph heading, by striking ''MISSION NEED'' and inserting ''AUTHORIZATION''; and

(2) in subparagraph (A), by striking ''determine the mission need'' and inserting ''provide''.

SEC. 6704. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.

(a) IN GENERAL.—Subtitle E of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16271 et seq.) (as amended by section 6702(a)) is amended by adding at the end the following:

''SEC. 960. ADVANCED NUCLEAR FUEL SECURITY PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) HALEU TRANSPORTATION PACKAGE.—The term 'HALEU transportation package' means a transportation package that is suitable for transporting high-assay, low-enriched uranium.

''(2) HIGH-ASSAY, LOW-ENRICHED URANIUM.—The term 'high-assay, low-enriched uranium' means uranium with an assay greater than 5 weight percent, but less than 20 weight percent, of the uranium-235 isotope.

''(3) HIGH-ENRICHED URANIUM.—The term 'high-enriched uranium' means uranium with an assay of 20 weight percent or more of the uranium-235 isotope.

''(b) HIGH-ASSAY, LOW-ENRICHED URANIUM PROGRAM FOR ADVANCED REACTORS.—

''(1) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this section, the Secretary shall establish a program to make available high-assay, low-enriched uranium, through contracts for sale, resale, transfer, or lease, for use in commercial or noncommercial advanced nuclear reactors.

''(2) NUCLEAR FUEL OWNERSHIP.—Each lease under this subsection shall include a provision establishing that the high-assay, low-enriched uranium that is the subject of the lease shall remain the property of the Department, including with respect to responsibility for the storage, use, or final disposition of all radioactive waste created by the irradiation, processing, or purification of any leased high-assay, low-enriched uranium.

''(3) QUANTITY.—In carrying out the program under this subsection, the Secretary shall make available—

''(A) by December 31, 2022, high-assay, low-enriched uranium containing not less than 2 metric tons of the uranium-235 isotope; and

''(B) by December 31, 2025, high-assay, low-enriched uranium containing not less than 10

metric tons of the uranium-235 isotope (as determined including the quantities of the uranium-235 isotope made available before December 31, 2022).

''(4) FACTORS FOR CONSIDERATION.—In carrying out the program under this subsection, the Secretary shall take into consideration—

''(A) options for providing the high-assay, low-enriched uranium under this subsection from a stockpile of uranium owned by the Department (including the National Nuclear Security Administration), including—

''(i) fuel that—

''(I) directly meets the needs of an end-user; but

''(II) has been previously used or fabricated for another purpose;

''(ii) fuel that can meet the needs of an end-user after removing radioactive or other contaminants that resulted from a previous use or fabrication of the fuel for research, development, demonstration, or deployment activities of the Department (including activities of the National Nuclear Security Administration); and

''(iii) fuel from a high-enriched uranium stockpile, which can be blended with lower-assay uranium to become high-assay, low-enriched uranium to meet the needs of an end-user; and

''(B) requirements to support molybdenum-99 production under the American Medical Isotopes Production Act of 2012 (Public Law 112–239; 126 Stat. 2211).

''(5) LIMITATIONS.—

''(A) FINAL DISPOSITION OF RADIOACTIVE WASTE.—The Secretary shall not barter or otherwise sell or transfer uranium in any form in exchange for services relating to the final disposition of radioactive waste from uranium that is the subject of a lease under this subsection.

''(B) NATIONAL SECURITY NEEDS.—The Secretary shall only make available from Department stockpiles under this subsection high-assay, low-enriched uranium that is not needed for national security.

''(6) SUNSET.—The program under this subsection shall terminate on the earlier of—

''(A) January 1, 2035; and

''(B) the date on which uranium enriched up to, but not equal to, 20 weight percent can be obtained in the commercial market from domestic suppliers.

''(c) REPORT.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall submit to the appropriate committees of Congress a report that describes actions proposed to be carried out by the Secretary—

''(A) under the program under subsection (b); or

''(B) otherwise to enable the commercial use of high-assay, low-enriched uranium.

''(2) COORDINATION AND STAKEHOLDER INPUT.—In developing the report under this subsection, the Secretary shall seek input from—

''(A) the Nuclear Regulatory Commission;

''(B) the National Laboratories;

''(C) institutions of higher education;

''(D) producers of medical isotopes;

''(E) a diverse group of entities operating in the nuclear energy industry; and

''(F) a diverse group of technology developers.

''(3) COST AND SCHEDULE ESTIMATES.—The report under this subsection shall include estimated costs, budgets, and timeframes for enabling the use of high-assay, low-enriched uranium.

''(4) REQUIRED EVALUATIONS.—The report under this subsection shall evaluate—

''(A) the costs and actions required to establish and carry out the program under subsection (b), including with respect to—

''(i) proposed preliminary terms for the sale, resale, transfer, and leasing of high-assay, low-enriched uranium (including guidelines defining the roles and responsibilities between the Department and the purchaser, transfer recipient, or lessee); and

''(ii) the potential to coordinate with purchasers, transfer recipients, and lessees regarding—

''(I) fuel fabrication; and

''(II) fuel transport;

''(B) the potential sources and fuel forms available to provide uranium for the program under subsection (b);

''(C) options to coordinate the program under subsection (b) with the operation of the versatile reactor-based fast neutron source under section 955(c)(1);

''(D) the ability of the domestic uranium market to provide materials for advanced nuclear reactor fuel; and

''(E) any associated legal, regulatory, and policy issues that should be addressed to enable—

''(i) the program under subsection (b); and

''(ii) the establishment of a domestic industry capable of providing high-assay, low-enriched uranium for commercial and non-commercial purposes, including with respect to the needs of—

''(I) the Department;

''(II) the Department of Defense; and

''(III) the National Nuclear Security Administration.

''(d) HALEU TRANSPORTATION PACKAGE RESEARCH PROGRAM.—

''(1) IN GENERAL.—As soon as practicable after the date of enactment of this section, the Secretary shall establish a research, development, and demonstration program under which the Secretary shall provide financial assistance, on a competitive basis, to establish the capability to transport high-assay, low-enriched uranium.

''(2) REQUIREMENT.—The focus of the program under this subsection shall be to establish 1 or more HALEU transportation packages that can be certified by the Nuclear Regulatory Commission to transport high-assay, low-enriched uranium to the various facilities involved in producing or using nuclear fuel containing high-assay, low-enriched uranium, such as—

''(A) enrichment facilities;

''(B) fuel processing facilities;

''(C) fuel fabrication facilities; and

''(D) nuclear reactors.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Energy Policy Act of 2005 (Public Law 109–58; 119 Stat. 594; 132 Stat. 3160) (as amended by section 6702(b)) is amended by inserting after the item relating to section 959B the following:

''Sec. 960. Advanced nuclear fuel security program.''.

SEC. 6705. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.

Section 313 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (42 U.S.C. 16274a) is amended to read as follows:

''SEC. 313. UNIVERSITY NUCLEAR LEADERSHIP PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ADVANCED NUCLEAR REACTOR.—The term 'advanced nuclear reactor' means—

''(A) a nuclear fission reactor, including a prototype plant (as defined in sections 50.2 and 52.1 of title 10, Code of Federal Regulations (or successor regulations)), with significant improvements compared to the most recent generation of fission reactors, including improvements such as—

''(i) additional inherent safety features;

''(ii) lower waste yields;

''(iii) improved fuel performance;

''(iv) increased tolerance to loss of fuel cooling;

''(v) enhanced reliability;

''(vi) increased proliferation resistance;

''(vii) increased thermal efficiency;

''(viii) reduced consumption of cooling water;

''(ix) the ability to integrate into electric applications and nonelectric applications;

''(x) modular sizes to allow for deployment that corresponds with the demand for electricity; or

''(xi) operational flexibility to respond to changes in demand for electricity and to complement integration with intermittent renewable energy; and

''(B) a fusion reactor.

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

''(3) PROGRAM.—The term 'Program' means the University Nuclear Leadership Program established under subsection (b).

''(b) ESTABLISHMENT.—The Secretary of Energy, the Administrator of the National Nuclear Security Administration, and the Chairman of the Nuclear Regulatory Commission shall jointly establish a program, to be known as the 'University Nuclear Leadership Program'.

''(c) USE OF FUNDS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), amounts made available to carry out the Program shall be used to provide financial assistance for scholarships, fellowships, and research and development projects at institutions of higher education in areas relevant to the programmatic mission of the applicable Federal agency, with an emphasis on providing the financial assistance with respect to research, development, demonstration, and deployment activities for technologies relevant to advanced nuclear reactors, including relevant fuel cycle technologies.

''(2) EXCEPTION.—Notwithstanding paragraph (1), amounts made available to carry out the Program may be used to provide financial assistance for a scholarship, fellowship, or multiyear research and development project that does not align directly with a programmatic mission of the applicable Federal agency providing the financial assistance, if the activity for which assistance is provided would facilitate the maintenance of the discipline of nuclear science or engineering.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out the Program for fiscal year 2021 and each fiscal year thereafter—

''(1) $30,000,000 to the Secretary of Energy; and

''(2) $15,000,000 to the Nuclear Regulatory Commission.''.

SEC. 6706. ADJUSTING STRATEGIC PETROLEUM RESERVE MANDATED DRAWDOWNS.

(a) BIPARTISAN BUDGET ACT OF 2015.—Section 403(a) of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241 note; Public Law 114–74) is amended—

(1) by striking paragraph (6);

(2) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively; and

(3) in paragraph (7) (as so redesignated), by striking ''10,000,000'' and inserting ''20,000,000''.

(b) FIXING AMERICA'S SURFACE TRANSPORTATION ACT.—Section 32204(a)(1) of the FAST Act (42 U.S.C. 6241 note; Public Law 114–94) is amended—

(1) in subparagraph (B)—

(A) by striking ''16,000,000'' and inserting ''11,000,000''; and

(B) by striking ''2023'' and inserting ''2022''; and

(2) in subparagraph (C), by striking ''25,000,000'' and inserting ''30,000,000''.

(c) AMERICA'S WATER INFRASTRUCTURE ACT OF 2018.—Section 3009(a)(1) of America's Water Infrastructure Act of 2018 (42 U.S.C. 6241 note; Public Law 115–270) is amended by striking ''2028'' and inserting ''2030.''

(d) BIPARTISAN BUDGET ACT OF 2018.—Section 30204(a)(1) of the Bipartisan Budget Act of 2018 (42 U.S.C. 6241 note; Public Law 115–123) is amended by striking subparagraphs (A) through (C) and inserting the following:

''(A) 7,500,000 barrels of crude oil during fiscal year 2022;

''(B) 7,500,000 barrels of crude oil during fiscal year 2024;

''(C) 15,000,000 barrels of crude oil during fiscal year 2025;

''(D) 30,000,000 barrels of crude oil during fiscal year 2029; and

''(E) 40,000,000 barrels of crude oil during fiscal year 2030.''.

(e) RECONCILIATION ON THE BUDGET FOR 2018.—Section 20003(a)(1) of Public Law 115–97 (42 U.S.C. 6241 note) is amended by striking ''the period of fiscal years 2026 through 2027'' and inserting ''fiscal year 2030''.

TITLE LXXVIII—MILITARY CONSTRUCTION AND GENERAL PROVISIONS

Subtitle A—Military Construction Program

SEC. 7801. MODIFICATION TO AUTHORITY FOR MILITARY CONSTRUCTION PROJECTS FOR CHILD DEVELOPMENT CENTERS AT MILITARY INSTALLATIONS.

Section 2809(b) of the National Defense Authorization Act for Fiscal Year 2020 is amended—

(1) in paragraph (1), by inserting ''and annually thereafter,'' after ''this Act,''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''the report'' and inserting ''a report''; and

(B) in subparagraph (B), by inserting ''in which the project is included'' before the period at the end.

SEC. 7802. MODIFICATION OF CONSTRUCTION OF GROUND-BASED STRATEGIC DETERRENT LAUNCH FACILITIES AND LAUNCH CENTERS FOR THE AIR FORCE.

Subsection (e) of section 2802 is deemed to read as follows:

''(e) FUNDING.—

''(1) IN GENERAL.—Of the amount authorized to be appropriated for fiscal year 2021 as specified in the funding table in section 4601, the Secretary of the Air Force may expend not more than $15,000,000 for the purposes of planning and design to support the projects described in subsection (a).

''(2) INCREASE.—The amount authorized to be appropriated for fiscal year 2021 for military construction for the Air Force is hereby increased by $15,000,000, with the amount of the increase to be designated to Air Force, Unspecified Worldwide Locations, Planning and Design.

''(3) OFFSET.—The amount authorized to be appropriated for fiscal year 2021 for operation and maintenance for the Army is hereby reduced by $15,000,000, with the amount of the reduction to be derived from subactivity group 421, Servicewide Transportation.''.

Subtitle B—Military Family Housing

SEC. 7821. INCLUSION OF ASSESSMENT OF PERFORMANCE METRICS IN ANNUAL PUBLICATION ON USE OF INCENTIVE FEES FOR PRIVATIZED MILITARY HOUSING PROJECTS.

(a) IN GENERAL.—Section 2891c of title 10, United States Code, is amended—

(1) by striking the section heading and inserting the following: ''**Transparency regarding finances and performance metrics**'';

(2) in subsection (b)—

(A) in the subsection heading, by inserting ''PERFORMANCE METRICS AND'' before ''USE OF INCENTIVE FEES'';

(B) in paragraph (1), by striking ''publicly accessible website, information'' and inserting ''publicly accessible website—

''(A) for each contract for the provision or management of housing units—

''(i) an assessment of indicators underlying the performance metrics under such contract to ensure such indicators adequately measure the condition and quality of the home or homes covered by the contract, including—

''(I) resident satisfaction;

''(II) maintenance management;

''(III) project safety; and

''(IV) financial management; and

''(ii) a detailed description of each indicator assessed under subparagraph (A), including an indication of—

''(I) the limitations of available survey data;

''(II) how resident satisfaction and maintenance management is calculated; and

''(III) whether data is missing; and

''(B) information''; and

(C) in paragraph (2), by striking ''paragraph (1)'' and inserting ''paragraph (1)(B)''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter V of chapter 169 of such title is amended by striking the item relating to section 2891c and inserting the following new item:

''2891c. Transparency regarding finances and performance metrics.''.

Subtitle D—Land Conveyances

SEC. 7861. ESTABLISHMENT OF INTERAGENCY COMMITTEES ON JOINT USE OF CERTAIN LAND WITHDRAWN FROM APPROPRIATION UNDER PUBLIC LAND LAWS.

(a) INTERAGENCY EXECUTIVE COMMITTEE ON JOINT USE BY DEPARTMENT OF THE NAVY AND DEPARTMENT OF THE INTERIOR OF NAVAL AIR STATION FALLON RANGES.—Section 3011(a) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 885) is amended by adding at the end the following new paragraph:

''(5) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—

''(A) ESTABLISHMENT.—The Secretary of the Navy and the Secretary of the Interior shall jointly establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this paragraph as the 'executive committee'), for the purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the land described in paragraph (2).

''(B) MEMORANDUM OF UNDERSTANDING.—The memorandum of understanding entered into under subparagraph (A) shall include—

''(i) a description of the officials and other individuals to be invited to participate as members in the executive committee under subparagraph (C);

''(ii) a description of the duties of the Chairperson and Vice Chairperson of the executive committee; and

''(iii) subject to subparagraphs (D) and (E), a procedure for—

''(I) creating a forum to carry out the purpose described in subparagraph (A);

''(II) rotating the Chairperson of the executive committee; and

''(III) scheduling regular meetings of the executive committee.

''(C) MEMBERSHIP.—The executive committee shall be comprised of—

''(i) 1 representative of the Nevada Department of Wildlife;

''(ii) 1 representative of the Nevada Department of Conservation and Natural Resources;

''(iii) 1 county commissioner from each of Churchill, Lyon, Nye, Mineral, and Pershing Counties, Nevada;

''(iv) 1 representative of each Indian tribe in the vicinity of the land described in paragraph (2); and

''(v) not more than 3 members that the Secretary of the Navy and the Secretary of the Interior jointly determine would advance the goals and objectives of the executive committee.

''(D) CHAIRPERSON AND VICE CHAIRPERSON.—The members of the executive committee shall elect from among the members—

''(i) 1 member to serve as Chairperson of the executive committee; and

''(ii) 1 member to serve as Vice Chairperson of the executive committee.

''(E) MEETINGS.—

''(i) FREQUENCY.—The executive committee shall meet not less frequently than 3 times each calendar year.

''(ii) LOCATION.—The location of the meetings of the executive committee shall rotate to facilitate ease of access for all members of the executive committee.

''(iii) PUBLIC ACCESSIBILITY.—The meetings of the executive committee shall—

''(I) be open to the public; and

''(II) serve as a forum for the public to provide comments regarding the natural and cultural resources of the land described in paragraph (2).

''(F) CONDITIONS AND TERMS.—

''(i) IN GENERAL.—Each member of the executive committee shall serve voluntarily and without compensation.

''(ii) TERM OF APPOINTMENT.—

''(I) IN GENERAL.—Except as provided in subclause (II)(bb), each member of the executive committee shall be appointed for a term of 4 years.

''(II) ORIGINAL MEMBERS.—Of the members initially appointed to the executive committee, the Secretary of the Navy and the Secretary of the Interior shall select—

''(aa) ½ to serve for a term of 4 years; and

''(bb) ½ to serve for a term of 2 years.

''(iii) REAPPOINTMENT AND REPLACEMENT.—The Secretary of the Navy and the Secretary of the Interior may reappoint or replace, as appropriate, a member of the executive committee if—

''(I) the term of the member has expired;

''(II) the member has resigned; or

''(III) the position held by the member has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

''(G) LIAISONS.—The Secretary of the Navy and the Secretary of the Interior shall each appoint appropriate operational and land management personnel of the Department of the Navy and the Department of the Interior, respectively, to serve as liaisons to the executive committee.''.

(b) JOINT ACCESS AND USE BY DEPARTMENT OF THE AIR FORCE AND DEPARTMENT OF THE INTERIOR OF NEVADA TEST AND TRAINING RANGE AND DESERT NATIONAL WILDLIFE REFUGE.—

(1) UNITED STATES FISH AND WILDLIFE SERVICE AND DEPARTMENT OF THE AIR FORCE COORDINATION.—Section 3011(b)(5) of the Military Lands Withdrawal Act of 1999 (Public Law 106–65; 113 Stat. 887) is amended by adding at the end the following new subparagraph:

''(G) INTERAGENCY COMMITTEE.—

''(i) IN GENERAL.—The Secretary of the Interior and the Secretary of the Air Force shall jointly establish an interagency committee (referred to in this subparagraph as the 'interagency committee') to facilitate coordination, manage public access needs and requirements, and minimize potential conflict between the Department of the Interior and the Department of the Air Force with respect to joint operating areas within the Desert National Wildlife Refuge.

''(ii) MEMBERSHIP.—The interagency committee shall include only the following members:

''(I) Representatives from the United States Fish and Wildlife Service.

''(II) Representatives from the Department of the Air Force.

''(III) The Project Leader of the Desert National Wildlife Refuge Complex.

''(IV) The Commander of the Nevada Test and Training Range, Nellis Air Force Base.

''(iii) REPORT TO CONGRESS.—The interagency committee shall biannually submit to the Committees on Armed Services, Environment and Public Works, and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives, and make available publicly online, a report on the activities of the interagency committee.''.

(2) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—Such section is further amended by adding at the end the following new subparagraph:

''(H) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—

''(i) ESTABLISHMENT.—The Secretary of the Interior and the Secretary of the Air Force shall jointly establish, by memorandum of understanding, an intergovernmental executive committee (referred to in this subparagraph as the 'executive committee') in accordance with this subparagraph.

''(ii) PURPOSE.—The executive committee shall be established for the purposes of—

''(I) exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this section; and

''(II) discussing and making recommendations to the interagency committee established under subparagraph (G) with respect to public access needs and requirements.

''(iii) COMPOSITION.—The executive committee shall comprise the following members:

''(I) FEDERAL AGENCIES.—The Secretary of the Interior and the Secretary of the Air Force shall each appoint 1 representative from an interested Federal agency.

''(II) STATE GOVERNMENT.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite 1 representative of the Nevada Department of Wildlife.

''(III) LOCAL GOVERNMENTS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite 1 county commissioner of each of Clark, Nye, and Lincoln Counties, Nevada.

''(IV) TRIBAL GOVERNMENTS.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite 1 representative of each Indian tribe in the vicinity of the portions of the joint use area of the Desert National Wildlife Refuge where the Secretary of the Interior exercises primary jurisdiction.

''(V) PUBLIC.—The Secretary of the Interior and the Secretary of the Air Force shall jointly invite not more than 3 private individuals who the Secretary of the Interior and the Secretary of the Air Force jointly determine would further the goals and objectives of the executive committee.

''(VI) ADDITIONAL MEMBERS.—The Secretary of the Interior and the Secretary of the Air Force may designate such additional members as the Secretary of the Interior and the Secretary of the Air Force jointly determine to be appropriate.

''(iv) OPERATION.—The executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under clause (i), which shall specify the officials or other individuals to be invited to participate in the executive committee in accordance with clause (iii).

''(v) PROCEDURES.—Subject to clauses (vi) and (vii), the memorandum of understanding under clause (i) shall establish procedures for—

''(I) creating a forum for carrying out the purpose described in clause (ii);

''(II) rotating the Chairperson of the executive committee; and

''(III) scheduling regular meetings.

''(vi) CHAIRPERSON AND VICE CHAIRPERSON.—

''(I) IN GENERAL.—The members of the executive committee shall elect from among the members—

''(aa) 1 member to serve as the Chairperson of the executive committee; and

''(bb) 1 member to serve as the Vice Chairperson of the executive committee.

''(II) DUTIES.—The duties of each of the Chairperson and the Vice Chairperson shall be included in the memorandum of understanding under clause (i).

''(vii) MEETINGS.—

''(I) FREQUENCY.—The executive committee shall meet not less frequently than 3 times each calendar year.

''(II) MEETING LOCATIONS.—Locations of meetings of the executive committee shall rotate to facilitate ease of access for all executive committee members.

''(III) PUBLIC ACCESSIBILITY.—Meetings of the executive committee shall—

''(aa) be open to the public; and

''(bb) provide a forum for the public to provide comment regarding the management of, and public access to, the Nevada Test and Training Range and the Desert National Wildlife Refuge.

''(viii) CONDITIONS AND TERMS OF APPOINTMENT.—

''(I) IN GENERAL.—Each member of the executive committee shall serve voluntarily and without compensation.

''(II) TERM OF APPOINTMENT.—

''(aa) IN GENERAL.—Each member of the executive committee shall be appointed for a term of 4 years.

''(bb) ORIGINAL MEMBERS.—Notwithstanding item (aa), the Secretary of the Interior and the Secretary of the Air Force shall select—

''(AA) ½ of the original members of the executive committee to serve for a term of 4 years; and

''(BB) ½ of the original members of the executive committee to serve for a term of 2 years.

''(III) REAPPOINTMENT AND REPLACEMENT.—The Secretary of the Interior and the Secretary of the Air Force may reappoint or replace a member of the executive committee if—

''(aa) the term of the member has expired;

''(bb) the member has resigned; or

''(cc) the position held by the member has changed to the extent that the ability of the member to represent the group or entity that the member represents has been significantly affected.

''(ix) LIAISONS.—The Secretary of the Air Force and the Secretary of the Interior shall each appoint appropriate operational and land management personnel of the Department of the Air Force and the Department of the Interior, respectively, to participate in, and serve as liaisons to, the executive committee.''.

SEC. 7862. LEASE EXTENSION FOR BRYAN MULTI-SPORTS COMPLEX, WAYNE COUNTY, NORTH CAROLINA.

(a) AUTHORITY.—The Secretary of the Air Force may extend to the City of Goldsboro the existing lease of the approximately 62-acre Bryan Multi-Sports Complex located in Wayne County, North Carolina, for the purpose of operating a sports and recreation facility for the benefit of both the Air Force and the community.

(b) DURATION.—At the option of the Secretary of the Air Force, the lease entered into under this section may be extended for up to 30 additional years with a total lease period not to exceed 50 years.

(c) PAYMENTS UNDER THE LEASE.—The Secretary of the Air Force may waive the requirement under section 2667(b)(4) of title 10, United States Code, with respect to the lease entered into under this section if the Secretary determines that the lease enhances the quality of life of members of the Armed Forces.

(d) SENSE OF SENATE.—It is the Sense of the Senate regarding the conditions governing the extension of the current lease for the Bryan Multi-Sports Complex that—

(1) the Senate has determined it is in the best interest of the community and the Air Force to extend the lease at no cost;

(2) the current lease allowed the Air Force to close their sports field on Seymour-Johnson Air Force Base and resulted in a savings of $15,000 per year in utilities and grounds maintenance costs;

(3) the current sports complex reduces force protection vulnerability now that the sports complex is located outside the fence line of the installation; and

(4) the facility has improved the quality of life for military families stationed at Seymour-Johnson Air Force Base by allowing members of the Armed Forces and their families to have access to world class sports facilities located adjacent to the installation and on-base privatized housing with easy access by junior enlisted members residing in the dorms.

Subtitle E—Other Matters

SEC. 7881. SENSE OF CONGRESS ON RELOCATION OF JOINT SPECTRUM CENTER.

It is the Sense of Congress that Congress strongly recommends that the Director of the Defense Information Systems Agency begin the process for the relocation of the Joint Spectrum Center of the Department of Defense to the building at Fort Meade that is allocated for such center.

TITLE LXXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle F—Other Matters

SEC. 8159. EXTENSION AND EXPANSION OF LIMITATIONS ON IMPORTATION OF URANIUM FROM RUSSIAN FEDERATION.

Section 3159 and the amendments made by that section shall have no force or effect.

DIVISION F—INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2021

SEC. 9001. SHORT TITLE.

This division may be cited as the ''Intelligence Authorization Act for Fiscal Year 2021''.

SEC. 9002. DEFINITIONS.

In this division:

(1) CONGRESSIONAL INTELLIGENCE COMMITTEES.—The term ''congressional intelligence committees'' has the meaning given such term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

(2) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given such term in such section.

TITLE XCI—INTELLIGENCE ACTIVITIES

SEC. 9101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2021 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 9102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS.—The amounts authorized to be appropriated under section 9101 for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 9101, are those specified in the classified Schedule of Authorizations prepared to accompany this division.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—

(1) AVAILABILITY.—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President.

(2) DISTRIBUTION BY THE PRESIDENT.—Subject to paragraph (3), the President shall provide for suitable distribution of the classified Schedule of Authorizations referred to in subsection (a), or of appropriate portions of such Schedule, within the executive branch of the Federal Government.

(3) LIMITS ON DISCLOSURE.—The President shall not publicly disclose the classified Schedule of Authorizations or any portion of such Schedule except—

(A) as provided in section 601(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (50 U.S.C. 3306(a));

(B) to the extent necessary to implement the budget; or

(C) as otherwise required by law.

SEC. 9103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2021 the sum of $731,200,000.

(b) CLASSIFIED AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Intelligence Community Management Account for fiscal year 2021 such additional amounts as are specified in the classified Schedule of Authorizations referred to in section 9102(a).

TITLE XCII—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 9201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund $514,000,000 for fiscal year 2021.

TITLE XCIII—INTELLIGENCE COMMUNITY MATTERS

Subtitle A—General Intelligence Community Matters

SEC. 9301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this division shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 9 9302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.—

Appropriations authorized by this division for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 9303. CLARIFICATION OF AUTHORITIES AND RESPONSIBILITIES OF NATIONAL MANAGER FOR NATIONAL SECURITY TELECOMMUNICATIONS AND INFORMATION SYSTEMS SECURITY.

In carrying out the authorities and responsibilities of the National Manager for National Security Telecommunications and Information Systems Security under National Security Directive 42 (signed by the President on July 5, 1990), the National Manager shall not supervise, oversee, or execute, either directly or indirectly, any aspect of the National Intelligence Program.

SEC. 9304. CONTINUITY OF OPERATIONS PLANS FOR CERTAIN ELEMENTS OF THE INTELLIGENCE COMMUNITY IN THE CASE OF A NATIONAL EMERGENCY.

(a) DEFINITION OF COVERED NATIONAL EMERGENCY.—In this section, the term ''covered national emergency'' means the following:

(1) A major disaster declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(2) An emergency declared by the President under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191).

(3) A national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.).

(4) A public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d).

(b) IN GENERAL.—The Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each establish continuity of operations plans for use in the case of covered national emergencies for the element of the intelligence community concerned.

(c) SUBMISSION TO CONGRESS.—

(1) DIRECTOR OF NATIONAL INTELLIGENCE AND DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of National Intelligence and the Director of the Central Intelligence Agency shall each submit to the congressional intelligence committees the plan established under subsection (b) for that emergency for the element of the intelligence community concerned.

(2) DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE, DIRECTOR OF DEFENSE INTELLIGENCE AGENCY, DIRECTOR OF NATIONAL SECURITY AGENCY, AND DIRECTOR OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY.—Not later than 7 days after the date on which a covered national emergency is declared, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit the plan established under subsection (b) for that emergency for the element of the intelligence community concerned to the following:

(A) The congressional intelligence committees.

(B) The Committee on Armed Services of the Senate.

(C) The Committee on Armed Services of the House of Representatives.

(d) UPDATES.—During a covered national emergency, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the National Reconnaissance Office, the Director of the Defense Intelligence Agency, the Director of the National Security Agency, and the Director of the National Geospatial-Intelligence Agency shall each submit any updates to the plans submitted under subsection (c)—

(1) in accordance with that subsection; and

(2) in a timely manner consistent with section 501 of the National Security Act of 1947 (50 U.S.C. 3091).

SEC. 9305. APPLICATION OF EXECUTIVE SCHEDULE LEVEL III TO POSITION OF DIRECTOR OF NATIONAL RECONNAISSANCE OFFICE.

Section 5314 of title 5, United States Code, is amended by adding at the end the following:

''Director of the National Reconnaissance Office.''.

SEC. 9306. NATIONAL INTELLIGENCE UNIVERSITY.

(a) IN GENERAL.—Title X of the National Security Act of 1947 (50 U.S.C. 3191 et seq.) is amended by adding at the end the following:

''Subtitle D—National Intelligence University

''SEC. 1031. TRANSFER DATE.

''In this subtitle, the term 'transfer date' means the date on which the National Intelligence University is transferred from the Defense Intelligence Agency to the Director of National Intelligence under section 5324(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

''SEC. 1032. DEGREE-GRANTING AUTHORITY.

''(a) IN GENERAL.—Beginning on the transfer date, under regulations prescribed by the Director of National Intelligence, the President of the National Intelligence University may, upon the recommendation of the faculty of the University, confer appropriate degrees upon graduates who meet the degree requirements.

''(b) LIMITATION.—A degree may not be conferred under this section unless—

''(1) the Secretary of Education has recommended approval of the degree in accordance with the Federal Policy Governing Granting of Academic Degrees by Federal Agencies; and

''(2) the University is accredited by the appropriate academic accrediting agency or organization to award the degree, as determined by the Secretary of Education.

''(c) CONGRESSIONAL NOTIFICATION REQUIREMENTS.—

''(1) ACTIONS ON NONACCREDITATION.—Beginning on the transfer date, the Director shall promptly—

''(A) notify the congressional intelligence committees of any action by the Middle States Commission on Higher Education, or other appropriate academic accrediting agency or organization, to not accredit the University to award any new or existing degree; and

''(B) submit to such committees a report containing an explanation of any such action.

''(2) MODIFICATION OR REDESIGNATION OF DEGREE-GRANTING AUTHORITY.—Beginning on the transfer date, upon any modification or redesignation of existing degree-granting authority, the Director shall submit to the congressional intelligence committees a report containing—

''(A) the rationale for the proposed modification or redesignation; and

''(B) any subsequent recommendation of the Secretary of Education with respect to the proposed modification or redesignation.

''SEC. 1033. FACULTY MEMBERS; EMPLOYMENT AND COMPENSATION.

''(a) AUTHORITY OF DIRECTOR.—Beginning on the transfer date, the Director of National Intelligence may employ as many professors, instructors, and lecturers at the National Intelligence University as the Director considers necessary.

''(b) COMPENSATION OF FACULTY MEMBERS.—The compensation of persons employed under this section shall be as prescribed by the Director.

''(c) COMPENSATION PLAN.—The Director shall provide each person employed as a professor, instructor, or lecturer at the University on the transfer date an opportunity to elect to be paid under the compensation plan in effect on the day before the transfer date (with no reduction in pay) or under the authority of this section.

''SEC. 1034. ACCEPTANCE OF FACULTY RESEARCH GRANTS.

''The Director of National Intelligence may authorize the President of the National Intelligence University to accept qualifying research grants in the same manner and to the same degree as the President of the National Defense University under section 2165(e) of title 10, United States Code.

''SEC. 1035. CONTINUED APPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT TO THE BOARD OF VISITORS.

''The Federal Advisory Committee Act (5 U.S.C. App.) shall continue to apply to the Board of Visitors of the National Intelligence University on and after the transfer date.''.

(b) CONFORMING AMENDMENTS.—Section 5324 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended—

(1) in subsection (b)(1)(C), by striking ''subsection (e)(2)'' and inserting ''section 1032(b) of the National Security Act of 1947'';

(2) by striking subsections (e) and (f); and

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

(c) CLERICAL AMENDMENT.—The table of contents of the National Security Act of 1947 is amended by inserting after the item relating to section 1024 the following:

''Subtitle D—National Intelligence University

''Sec. 1031. Transfer date.
''Sec. 1032. Degree-granting authority.
''Sec. 1033. Faculty members; employment and compensation.
''Sec. 1034. Acceptance of faculty research grants.
''Sec. 1035. Continued applicability of the Federal Advisory Committee Act to the Board of Visitors.''.

SEC. 9307. REQUIRING FACILITATION OF ESTABLISHMENT OF SOCIAL MEDIA DATA AND THREAT ANALYSIS CENTER.

(a) REQUIREMENT TO FACILITATE ESTABLISHMENT.—Subsection (c)(1) of section 5323 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended, by striking ''may'' and inserting ''shall''.

(b) DEADLINE TO FACILITATE ESTABLISHMENT.—Such subsection is further amended by striking ''The Director'' and inserting ''Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director''.

(c) CONFORMING AMENDMENTS.—

(1) REPORTING.—Subsection (d) of such section is amended—

(A) in the matter before paragraph (1), by striking ''If the Director'' and all that follows through ''the Center, the'' and inserting ''The''; and

(B) in paragraph (1), by striking ''180 days after the date of the enactment of this Act'' and inserting ''180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021''.

(2) FUNDING.—Subsection (f) of such section is amended by striking ''fiscal year 2020 and 2021'' and inserting ''fiscal year 2021 and 2022''.

(3) CLERICAL.—Subsection (c) of such section is amended—

(A) in the subsection heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''; and

(B) in paragraph (1), in the paragraph heading, by striking ''AUTHORITY'' and inserting ''REQUIREMENT''.

SEC. 9308. DATA COLLECTION ON ATTRITION IN INTELLIGENCE COMMUNITY.

(a) STANDARDS FOR DATA COLLECTION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall establish standards for collecting data relating to attrition in the intelligence community workforce across demographics, specialities, and length of service.

(2) INCLUSION OF CERTAIN CANDIDATES.—The Director shall include, in the standards established under paragraph (1), standards for collecting data from candidates who accepted conditional offers of employment but chose to withdraw from the hiring process before entering into service, including data with respect to the reasons such candidates chose to withdraw.

(b) COLLECTION OF DATA.—Not later than 120 days after the date of the enactment of this Act, each element of the intelligence community shall begin collecting data on workforce and candidate attrition in accordance with the standards established under subsection (a).

(c) ANNUAL REPORT.—Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Director shall submit to the congressional intelligence committees a report on workforce and candidate attrition in the intelligence community that includes—

(1) the findings of the Director based on the data collected under subsection (b);

(2) recommendations for addressing any issues identified in those findings; and

(3) an assessment of timeliness in processing hiring applications of individuals previously employed by an element of the intelligence community, consistent with the Trusted Workforce 2.0 initiative sponsored by the Security Clearance, Suitability, and Credentialing Performance Accountability Council.

SEC. 9309. LIMITATION ON DELEGATION OF RESPONSIBILITY FOR PROGRAM MANAGEMENT OF INFORMATION-SHARING ENVIRONMENT.

(a) IN GENERAL.—Section 1016(b) of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485(b)), as amended by section 6402(a) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92), is further amended—

(1) in paragraph (1), in the matter before subparagraph (A), by striking ''Director of National Intelligence'' and inserting ''President'';

(2) in paragraph (2), by striking ''Director of National Intelligence'' both places it appears and inserting ''President''; and

(3) by adding at the end the following:

''(3) DELEGATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the President may delegate responsibility for carrying out this subsection.

''(B) LIMITATION.—The President may not delegate responsibility for carrying out this subsection to the Director of National Intelligence.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 2020.

SEC. 9310. IMPROVEMENTS TO PROVISIONS RELATING TO INTELLIGENCE COMMUNITY INFORMATION TECHNOLOGY ENVIRONMENT.

Section 6312 of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92) is amended by striking subsections (e) through (i) and inserting the following:

''(e) LONG-TERM ROADMAP.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a long-term roadmap for the intelligence community information technology environment.

''(f) BUSINESS PLAN.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, the Director of National Intelligence shall develop and maintain a business plan to implement the long-term roadmap required by subsection (e).''.

SEC. 9311. REQUIREMENTS AND AUTHORITIES FOR DIRECTOR OF THE CENTRAL INTELLIGENCE AGENCY TO IMPROVE EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

The Central Intelligence Agency Act of 1949 (50 U.S.C. 3501 et seq.) is amended by adding the following:

''SEC. 24. IMPROVEMENT OF EDUCATION IN SCIENCE, TECHNOLOGY, ENGINEERING, ARTS, AND MATHEMATICS.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' includes a department or agency of the Federal Government, a State, a political subdivision of a State, an individual, and a not-for-profit or other organization in the private sector.

''(2) EDUCATIONAL INSTITUTION.—The term 'educational institution' includes any public or private elementary school or secondary school, institution of higher education, college, university, or any other profit or nonprofit institution that is dedicated to improving science, technology, engineering, the arts, mathematics, business, law, medicine, or other fields that promote development and education relating to science, technology, engineering, the arts, or mathematics.

''(3) STATE.—The term 'State' means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

''(b) REQUIREMENTS.—The Director shall, on a continuing basis—

''(1) identify actions that the Director may take to improve education in the scientific, technology, engineering, arts, and mathematics (known as 'STEAM') skills necessary to meet the long-term national security needs of the United States for personnel proficient in such skills; and

''(2) establish and conduct programs to carry out such actions.

''(c) AUTHORITIES.—

''(1) IN GENERAL.—The Director, in support of educational programs in science, technology, engineering, the arts, and mathematics, may—

''(A) award grants to eligible entities;

''(B) provide cash awards and other items to eligible entities;

''(C) accept voluntary services from eligible entities;

''(D) support national competition judging, other educational event activities, and associated award ceremonies in connection with such educational programs; and

''(E) enter into one or more education partnership agreements with educational institutions in the United States for the purpose of encouraging and enhancing study in science, technology, engineering, the arts, and mathematics disciplines at all levels of education.

''(2) EDUCATION PARTNERSHIP AGREEMENTS.—

''(A) NATURE OF ASSISTANCE PROVIDED.—Under an education partnership agreement entered into with an educational institution under paragraph (1)(E), the Director may provide assistance to the educational institution by—

''(i) loaning equipment to the educational institution for any purpose and duration in support of such agreement that the Director considers appropriate;

''(ii) making personnel available to teach science courses or to assist in the development of science courses and materials for the educational institution;

''(iii) providing sabbatical opportunities for faculty and internship opportunities for students;

''(iv) involving faculty and students of the educational institution in Agency projects, including research and technology transfer or transition projects;

''(v) cooperating with the educational institution in developing a program under which students may be given academic credit for work on Agency projects, including research and technology transfer for transition projects; and

''(vi) providing academic and career advice and assistance to students of the educational institution.

''(B) PRIORITIES.—In entering into education partnership agreements under paragraph (1)(E), the Director shall prioritize entering into education partnership agreements with the following:

''(i) Historically Black colleges and universities and other minority-serving institutions, as described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

''(ii) Educational institutions serving women, members of minority groups, and other groups of individuals who traditionally are involved in the science, technology, engineering, arts, and mathematics professions in disproportionately low numbers.

''(d) DESIGNATION OF ADVISOR.—The Director shall designate one or more individuals within the Agency to advise and assist the Director regarding matters relating to science, technology, engineering, the arts, and mathematics education and training.''.

Subtitle B—Reports and Assessments Pertaining to Intelligence Community

SEC. 9321. ASSESSMENT BY THE COMPTROLLER GENERAL OF THE UNITED STATES ON EFFORTS OF THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT OF DEFENSE TO IDENTIFY AND MITIGATE RISKS POSED TO THE INTELLIGENCE COMMUNITY AND THE DEPARTMENT BY THE USE OF DIRECT-TO-CONSUMER GENETIC TESTING BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) ASSESSMENT REQUIRED.—The Comptroller General of the United States shall assess the efforts of the intelligence community and the Department of Defense to identify and mitigate the risks posed to the intelligence community and the Department by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

(b) REPORT REQUIRED.—

(1) DEFINITION OF UNITED STATES DIRECT-TO-CONSUMER GENETIC TESTING COMPANY.—In this subsection, the term ''United States direct-to-consumer genetic testing company'' means a private entity that—

(A) carries out direct-to-consumer genetic testing; and

(B) is organized under the laws of the United States or any jurisdiction within the United States.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress, including the congressional intelligence committees, the Committee on Armed Services of the Senate, and the Committee on Armed Services of the House of Representatives, a report on the assessment required by subsection (a).

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

(A) A description of key national security risks and vulnerabilities associated with direct-to-consumer genetic testing, including—

(i) how the Government of the People's Republic of China may be using data provided by personnel of the intelligence community and the Department through direct-to-consumer genetic tests; and

(ii) how ubiquitous technical surveillance may amplify those risks.

(B) An assessment of the extent to which the intelligence community and the Department have identified risks and vulnerabilities posed by direct-to-consumer genetic testing and have sought to mitigate such risks and vulnerabilities, or have plans for such mitigation, including the extent to which the intelligence community has determined—

(i) in which United States direct-to-consumer genetic testing companies the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China have an ownership interest; and

(ii) which United States direct-to-consumer genetic testing companies may have sold data to the Government of the People's Republic of China or entities owned or controlled by the Government of the People's Republic of China.

(C) Such recommendations as the Comptroller General may have for action by the intelligence community and the Department to improve the identification and mitigation of risks and vulnerabilities posed by the use of direct-to-consumer genetic testing by the Government of the People's Republic of China.

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

(c) COOPERATION.—The heads of relevant elements of the intelligence community and components of the Department shall—

(1) fully cooperate with the Comptroller General in conducting the assessment required by subsection (a); and

(2) provide any information and data required by the Comptroller General to conduct the assessment.

SEC. 9322. REPORT ON USE BY INTELLIGENCE COMMUNITY OF HIRING FLEXIBILITIES AND EXPEDITED HUMAN RESOURCES PRACTICES TO ASSURE QUALITY AND DIVERSITY IN THE WORKFORCE OF THE INTELLIGENCE COMMUNITY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on how elements of the intelligence community are exercising hiring flexibilities and expedited human resources practices afforded under section 3326 of title 5, United States Code, and subpart D of part 315 of title 5, Code of Federal Regulations, or successor regulation, to assure quality and diversity in the workforce of the intelligence community.

(b) OBSTACLES.—The report submitted under subsection (a) shall include identification of any obstacles encountered by the intelligence community in exercising the authorities described in such subsection.

SEC. 9323. REPORT ON SIGNALS INTELLIGENCE PRIORITIES AND REQUIREMENTS.

(a) REPORT REQUIRED.—Not later than 30 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on signals intelligence priorities and requirements subject to Presidential Policy Directive 28.

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

(1) The implementation of the annual process for advising the Director on signals intelligence priorities and requirements described in section 3 of Presidential Policy Directive 28.

(2) The signals intelligence priorities and requirements as of the most recent annual process.

(3) The application of such priorities and requirements to the signals intelligence collection efforts of the intelligence community.

(4) The contents of the classified annex referenced in section 3 of Presidential Policy Directive 28.

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

SEC. 9324. ASSESSMENT OF DEMAND FOR STUDENT LOAN REPAYMENT PROGRAM BENEFIT.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the head of each element of the intelligence community shall—

(1) calculate the number of personnel of that element who qualify for a student loan repayment program benefit;

(2) compare the number calculated under paragraph (1) to the number of personnel who apply for such a benefit;

(3) provide recommendations for how to structure such a program to optimize participation and enhance the effectiveness of the benefit as a retention tool, including with respect to the amount of the benefit offered and the length of time an employee receiving a benefit is required to serve under a continuing service agreement; and

(4) identify any shortfall in funds or authorities needed to provide such a benefit.

(b) INCLUSION IN FISCAL YEAR 2022 BUDGET SUBMISSION.—The Director of National Intelligence shall include in the budget justification materials submitted to Congress in support of the budget for the intelligence community for fiscal year 2022 (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) a report on the findings of the elements of the intelligence community under subsection (a).

SEC. 9325. ASSESSMENT OF INTELLIGENCE COMMUNITY DEMAND FOR CHILD CARE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community specified in subsection (b), shall submit to the congressional intelligence committees a report that includes—

(1) a calculation of the total annual demand for child care by employees of such elements, at or near the workplaces of such employees, including a calculation of the demand for early morning and evening child care;

(2) an identification of any shortfall between the demand calculated under paragraph (1) and the child care supported by such elements as of the date of the report;

(3) an assessment of options for addressing any such shortfall, including options for providing child care at or near the workplaces of employees of such elements;

(4) an identification of the advantages, disadvantages, security requirements, and costs associated with each such option;

(5) a plan to meet, by the date that is 5 years after the date of the report—

(A) the demand calculated under paragraph (1); or

(B) an alternative standard established by the Director for child care available to employees of such elements; and

(6) an assessment of needs of specific elements of the intelligence community, including any Government-provided child care that could be collocated with a workplace of employees of such an element and any available child care providers in the proximity of such a workplace.

(b) ELEMENTS SPECIFIED.—The elements of the intelligence community specified in this subsection are the following:

(1) The Central Intelligence Agency.

(2) The National Security Agency.

(3) The Defense Intelligence Agency.

(4) The National Geospatial-Intelligence Agency.

(5) The National Reconnaissance Office.

(6) The Office of the Director of National Intelligence.

SEC. 9326. OPEN SOURCE INTELLIGENCE STRATEGIES AND PLANS FOR THE INTELLIGENCE COMMUNITY.

(a) REQUIREMENT FOR SURVEY AND EVALUATION OF CUSTOMER FEEDBACK.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the head of each element of the intelligence community, shall—

(1) conduct a survey of the open source intelligence requirements, goals, monetary and property investments, and capabilities for each element of the intelligence community; and

(2) evaluate the usability and utility of the Open Source Enterprise by soliciting customer feedback and evaluating such feedback.

(b) REQUIREMENT FOR OVERALL STRATEGY AND FOR INTELLIGENCE COMMUNITY, PLAN FOR IMPROVING USABILITY OF OPEN SOURCE ENTERPRISE, AND RISK ANALYSIS OF CREATING OPEN SOURCE CENTER.—Not later than 180 days after the date of the enactment of this Act, the Director, in coordination with the head of each element of the intelligence community and using the findings of the Director with respect to the survey conducted under subsection (a), shall—

(1) develop a strategy for open source intelligence collection, analysis, and production that defines the overarching goals, roles, responsibilities, and processes for such collection, analysis, and production for the intelligence community;

(2) develop a plan for improving usability and utility of the Open Source Enterprise based on the customer feedback solicited under subsection (a)(2); and

(3) conduct a risk and benefit analysis of creating an open source center independent of any current intelligence community element.

(c) REQUIREMENT FOR PLAN FOR CENTRALIZED DATA REPOSITORY.—Not later than 270 days after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), and the risk and benefit analysis conducted under such subsection, the Director shall develop a plan for a centralized data repository of open source intelligence that enables all elements of the intelligence community—

(1) to use such repository for their specific requirements; and

(2) to derive open source intelligence advantages.

(d) REQUIREMENT FOR COST-SHARING MODEL.—Not later than 1 year after the date of the enactment of this Act and using the findings of the Director with respect to the survey and evaluation conducted under subsection (a), the strategy and plan developed under subsection (b), the risk and benefit analysis conducted under such subsection, and the plan developed under subsection (c), the Director shall develop a cost-sharing model that leverages the open source intelligence investments of each element of the intelligence community for the beneficial use of the entire intelligence community.

(e) CONGRESSIONAL BRIEFING.—Not later than 1 year after the date of the enactment of this Act, the Director of National Intelligence, the Director of the Central Intelligence Agency, the Director of the Defense Intelligence Agency, the Director of the National Geospatial-Intelligence Agency, and the Director of the National Security Agency shall jointly brief the congressional intelligence committees on—

(1) the strategy developed under paragraph (1) of subsection (b);

(2) the plan developed under paragraph (2) of such subsection;

(3) the plan developed under subsection (c); and

(4) the cost-sharing model developed under subsection (d).

TITLE XCIV—SECURITY CLEARANCES AND TRUSTED WORKFORCE

SEC. 9401. EXCLUSIVITY, CONSISTENCY, AND TRANSPARENCY IN SECURITY CLEARANCE PROCEDURES, AND RIGHT TO APPEAL.

(a) EXCLUSIVITY OF PROCEDURES.—Section 801 of the National Security Act of 1947 (50 U.S.C. 3161) is amended by adding at the end the following:

''(c) EXCLUSIVITY.—Except as provided in subsection (b) and subject to sections 801A and 801B, the procedures established pursuant to subsection (a) and promulgated and set forth under subpart A of title 32, Code of Federal Regulations, or successor regulations, shall be the exclusive procedures by which decisions about eligibility for access to classified information are governed.''.

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

''(d) PUBLICATION.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this subsection, the President shall—

''(A) publish in the Federal Register the procedures established pursuant to subsection (a); or

''(B) submit to Congress a certification that the procedures currently in effect that govern access to classified information as described in subsection (a)—

''(i) are published in the Federal Register; and

''(ii) comply with the requirements of subsection (a).

''(2) UPDATES.—Whenever the President makes a revision to a procedure established pursuant to subsection (a), the President shall publish such revision in the Federal Register not later than 30 days before the date on which the revision becomes effective.''.

(c) CONSISTENCY.—

(1) IN GENERAL.—Title VIII of the National Security Act of 1947 (50 U.S.C. 3161 et seq.) is amended by inserting after section 801 the following:

''SEC. 801A. DECISIONS RELATING TO ACCESS TO CLASSIFIED INFORMATION.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) CLASSIFIED INFORMATION.—The term 'classified information' includes sensitive compartmented information, restricted data, restricted handling information, and other compartmented information.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(b) IN GENERAL.—Each head of an agency that makes a determination regarding eligibility for access to classified information shall ensure that in making the determination, the head of the agency or any person acting on behalf of the head of the agency—

''(1) does not violate any right or protection enshrined in the Constitution of the United States, including rights articulated in the First, Fifth, and Fourteenth Amendments;

''(2) does not discriminate for or against an individual on the basis of race, ethnicity, color, religion, sex, national origin, age, or handicap;

''(3) is not carrying out—

''(A) retaliation for political activities or beliefs; or

''(B) a coercion or reprisal described in section 2302(b)(3) of title 5, United States Code; and

''(4) does not violate section 3001(j)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002) is amended by inserting after the item relating to section 801 the following:

''Sec. 801A. Decisions relating to access to classified information.''.

(d) RIGHT TO APPEAL.—

(1) IN GENERAL.—Such title, as amended by subsection (c), is further amended by inserting after section 801A the following:

''SEC. 801B. RIGHT TO APPEAL.

''(a) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given the term 'Executive agency' in section 105 of title 5, United States Code.

''(2) COVERED PERSON.—The term 'covered person' means a person, other than the President and Vice President, currently or formerly employed in, detailed to, assigned to, or issued an authorized conditional offer of employment for a position that requires access to classified information by an agency, including the following:

''(A) A member of the Armed Forces.

''(B) A civilian.

''(C) An expert or consultant with a contractual or personnel obligation to an agency.

''(D) Any other category of person who acts for or on behalf of an agency as determined by the head of the agency.

''(3) ELIGIBILITY FOR ACCESS TO CLASSIFIED INFORMATION.—The term 'eligibility for access to classified information' has the meaning given such term in the procedures established pursuant to section 801(a).

''(4) NEED FOR ACCESS.—The term 'need for access' has such meaning as the President may define in the procedures established pursuant to section 801(a).

''(5) RECIPROCITY OF CLEARANCE.—The term 'reciprocity of clearance', with respect to a denial by an agency, means that the agency, with respect to a covered person—

''(A) failed to accept a security clearance background investigation as required by paragraph (1) of section 3001(d) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(d));

''(B) failed to accept a transferred security clearance background investigation required by paragraph (2) of such section;

''(C) subjected the covered person to an additional investigative or adjudicative requirement in violation of paragraph (3) of such section; or

''(D) conducted an investigation in violation of paragraph (4) of such section.

''(6) SECURITY EXECUTIVE AGENT.—The term 'Security Executive Agent' means the officer serving as the Security Executive Agent pursuant to section 803.

''(b) AGENCY REVIEW.—

''(1) IN GENERAL.—Not later than 180 days after the date of the enactment of the Intelligence Authorization Act for Fiscal Year 2021, each head of an agency shall, consistent with the interest of national security, establish and publish in the Federal Register a process by which a covered person to whom eligibility for access to classified information was denied or revoked by the agency or for whom reciprocity of clearance was denied by the agency can appeal that denial or revocation within the agency.

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

''(A) In the case of a covered person to whom eligibility for access to classified information or reciprocity of clearance is denied or revoked by an agency, the following:

''(i) The head of the agency shall provide the covered person with a written—

''(I) detailed explanation of the basis for the denial or revocation as the head of the agency determines is consistent with the interests of national security and as permitted by other applicable provisions of law; and

''(II) notice of the right of the covered person to a hearing and appeal under this subsection.

''(ii) Not later than 30 days after receiving a request from the covered person for copies of the documents that formed the basis of the agency's decision to revoke or deny, including the investigative file, the head of the agency shall provide to the covered person copies of such documents as—

''(I) the head of the agency determines is consistent with the interests of national security; and

''(II) permitted by other applicable provisions of law, including—

''(aa) section 552 of title 5, United States Code (commonly known as the 'Freedom of Information Act');

''(bb) section 552a of such title (commonly known as the 'Privacy Act of 1974'); and

''(cc) such other provisions of law relating to the protection of confidential sources and privacy of individuals.

''(iii)(I) The covered person shall have the opportunity to retain counsel or other representation at the covered person's expense.

''(II) Upon the request of the covered person, and a showing that the ability to review classified information is essential to the resolution of an appeal under this subsection, counsel or other representation retained under this clause shall be considered for access to classified information for the limited purposes of such appeal.

''(iv)(I) The head of the agency shall provide the covered person an opportunity, at a point in the process determined by the agency head—

''(aa) to appear personally before an adjudicative or other authority, other than the investigating entity, and to present to such authority relevant documents, materials, and information, including evidence that past problems relating to the denial or revocation have been overcome or sufficiently mitigated; and

''(bb) to call and cross-examine witnesses before such authority, unless the head of the agency determines that calling and cross-examining witnesses is not consistent with the interests of national security.

''(II) The head of the agency shall make, as part of the security record of the covered person, a written summary, transcript, or recording of any appearance under item (aa) of subclause (I) or of any calling or cross-examining of witnesses under item (bb) of such subclause.

''(v) On or before the date that is 30 days after the date on which the covered person receives copies of documents under clause (ii), the covered person may request a hearing of the decision to deny or revoke by filing a written appeal with the head of the agency.

''(B) A requirement that each review of a decision under this subsection is completed on average not later than 180 days after the date on which a hearing is requested under subparagraph (A)(v).

''(3) AGENCY REVIEW PANELS.—

''(A) IN GENERAL.—Each head of an agency shall establish a panel to hear and review appeals under this subsection.

''(B) MEMBERSHIP.—

''(i) COMPOSITION.—Each panel established by the head of an agency under subparagraph (A) shall be composed of at least three employees of the agency selected by the agency head, two of whom shall not be members of the security field.

''(ii) TERMS.—A term of service on a panel established by the head of an agency under subparagraph (A) shall not exceed 2 years.

''(C) DECISIONS.—

''(i) WRITTEN.—Each decision of a panel established under subparagraph (A) shall be in writing and contain a justification of the decision.

''(ii) CONSISTENCY.—Each head of an agency that establishes a panel under subparagraph (A) shall ensure that each decision of the panel is consistent with the interests of national security and applicable provisions of law.

''(iii) OVERTURN.—The head of an agency may overturn a decision of the panel if, not later than 30 days after the date on which the panel issues the decision, the agency head personally exercises the authority granted by this clause to overturn such decision.

''(iv) FINALITY.—Each decision of a panel established under subparagraph (A) or overturned pursuant to clause (iii) of this subparagraph shall be final.

''(D) ACCESS TO CLASSIFIED INFORMATION.—The head of an agency that establishes a panel under subparagraph (A) shall afford access to classified information to the members of the panel as the agency head determines—

''(i) necessary for the panel to hear and review an appeal under this subsection; and

''(ii) consistent with the interests of national security.

''(4) REPRESENTATION BY COUNSEL.—

''(A) IN GENERAL.—Each head of an agency shall ensure that, under this subsection, a covered person appealing a decision of the head's agency under this subsection has an opportunity to retain counsel or other representation at the covered person's expense.

''(B) ACCESS TO CLASSIFIED INFORMATION.—

''(i) IN GENERAL.—Upon the request of a covered person appealing a decision of an agency under this subsection and a showing that the ability to review classified information is essential to the resolution of the appeal under this subsection, the head of the agency shall sponsor an application by the counsel or other representation retained under this paragraph for access to classified information for the limited purposes of such appeal.

''(ii) EXTENT OF ACCESS.—Counsel or another representative who is cleared for access under this subparagraph may be afforded access to relevant classified materials to the extent consistent with the interests of national security.

''(5) PUBLICATION OF DECISIONS.—

''(A) IN GENERAL.—Each head of an agency shall publish each final decision on an appeal under this subsection.

''(B) REQUIREMENTS.—In order to ensure transparency, oversight by Congress, and meaningful information for those who need to understand how the clearance process works, each publication under subparagraph (A) shall be—

''(i) made in a manner that is consistent with section 552 of title 5, United States Code, as amended by the Electronic Freedom of Information Act Amendments of 1996 (Public Law 104–231);

''(ii) published to explain the facts of the case, redacting personally identifiable information and sensitive program information; and

''(iii) made available on a website that is searchable by members of the public.

''(c) PERIOD OF TIME FOR THE RIGHT TO APPEAL.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any covered person who has been the subject of a decision made by the head of an agency to deny or revoke eligibility for access to classified information shall retain all rights to appeal under this section until the conclusion of the appeals process under this section.

''(2) WAIVER OF RIGHTS.—

''(A) PERSONS.—Any covered person may voluntarily waive the covered person's right to appeal under this section and such waiver shall be conclusive.

''(B) AGENCIES.—The head of an agency may not require a covered person to waive the covered person's right to appeal under this section for any reason.

''(d) WAIVER OF AVAILABILITY OF PROCEDURES FOR NATIONAL SECURITY INTEREST.—

''(1) IN GENERAL.—If the head of an agency determines that a procedure established under subsection (b) cannot be made available to a covered person in an exceptional case without damaging a national security interest of the United States by revealing classified information, such procedure shall not be made available to such covered person.

''(2) FINALITY.—A determination under paragraph (1) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(3) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (1) that a procedure established under subsection (b) cannot be made available to a covered person, the agency head shall, not later than 30 days after the date on which the agency head makes such determination, submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (1) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (1), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(e) DENIALS AND REVOCATIONS UNDER OTHER PROVISIONS OF LAW.—

''(1) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to limit or affect the responsibility and power of the head of an agency to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance in the interest of national security.

''(2) DENIALS AND REVOCATION.—The power and responsibility to deny or revoke eligibility for access to classified information or to deny reciprocity of clearance pursuant to any other provision of law or Executive order may be exercised only when the head of an agency determines that an applicable process established under this section cannot be invoked in a manner that is consistent with national security.

''(3) FINALITY.—A determination under paragraph (2) shall be final and conclusive and may not be reviewed by any other official or by any court.

''(4) REPORTING.—

''(A) CASE-BY-CASE.—

''(i) IN GENERAL.—In each case in which the head of an agency determines under paragraph (2) that a determination relating to a denial or revocation of eligibility for access to classified information or denial of reciprocity of clearance could not be made pursuant to a process established under this section, the agency head shall, not later than 30 days after the date on which the agency head makes such a determination under paragraph (2), submit to the Security Executive Agent and to the congressional intelligence committees a report stating the reasons for the determination.

''(ii) FORM.—A report submitted under clause (i) may be submitted in classified form as necessary.

''(B) ANNUAL REPORTS.—

''(i) IN GENERAL.—Not less frequently than once each fiscal year, the Security Executive Agent shall submit to the congressional intelligence committees a report on the determinations made under paragraph (2) during the previous fiscal year.

''(ii) CONTENTS.—Each report submitted under clause (i) shall include, for the period covered by the report, the following:

''(I) The number of cases and reasons for determinations made under paragraph (2), disaggregated by agency.

''(II) Such other matters as the Security Executive Agent considers appropriate.

''(f) RELATIONSHIP TO SUITABILITY.—No person may use a determination of suitability under part 731 of title 5, Code of Federal Regulations, or successor regulation, for the purpose of denying a covered person the review proceedings of this section where there has been a denial or revocation of eligibility for access to classified information or a denial of reciprocity of clearance.

''(g) PRESERVATION OF ROLES AND RESPONSIBILITIES UNDER EXECUTIVE ORDER 10865 AND OF THE DEFENSE OFFICE OF HEARINGS AND APPEALS.—Nothing in this section shall be construed to diminish or otherwise affect the procedures in effect on the day before the date of the enactment of this Act for denial and revocation procedures provided to individuals by Executive Order 10865 (50 U.S.C. 3161 note; relating to safeguarding classified information within industry), or successor order, including those administered through the Defense Office of Hearings and Appeals of the Department of Defense under Department of Defense Directive 5220.6, or successor directive.

''(h) RULE OF CONSTRUCTION RELATING TO CERTAIN OTHER PROVISIONS OF LAW.—This section and the processes and procedures established under this section shall not be construed to apply to paragraphs (6) and (7) of section 3001(j) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)).''.

(2) CLERICAL AMENDMENT.—The table of contents in the matter preceding section 2 of the National Security Act of 1947 (50 U.S.C. 3002), as amended by subsection (c), is further amended by inserting after the item relating to section 801A the following:

''Sec. 801B. Right to appeal.''.

SEC. 9402. ESTABLISHING PROCESS PARITY FOR SECURITY CLEARANCE REVOCATIONS.

Subparagraph (C) of section 3001(j)(4) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(4)) is amended to read as follows:

''(C) BURDENS OF PROOF.—

''(i) IN GENERAL.—Subject to clause (iii), in determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall find that paragraph (1) was violated if the individual has demonstrated that a disclosure described in paragraph (1) was a contributing factor in the adverse security clearance or access determination taken against the individual.

''(ii) CIRCUMSTANTIAL EVIDENCE.—An individual under clause (i) may demonstrate that the disclosure was a contributing factor in the adverse security clearance or access determination taken against the individual through circumstantial evidence, such as evidence that—

''(I) the official making the determination knew of the disclosure; and

''(II) the determination occurred within a period such that a reasonable person could conclude that the disclosure was a contributing factor in the determination.

''(iii) DEFENSE.—In determining whether the adverse security clearance or access determination violated paragraph (1), the agency shall not find that paragraph (1) was violated if, after a finding that a disclosure was a contributing factor, the agency demonstrates by clear and convincing evidence that it would have made the same security clearance or access determination in the absence of such disclosure.''.

SEC. 9403. FEDERAL POLICY ON SHARING OF DEROGATORY INFORMATION PERTAINING TO CONTRACTOR EMPLOYEES IN THE TRUSTED WORKFORCE.

(a) POLICY REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Security Executive Agent, in coordination with the principal members of the Performance Accountability Council and the Attorney General, shall issue a policy for the Federal Government on sharing of derogatory information pertaining to contractor employees engaged by the Federal Government.

(b) CONSENT REQUIREMENT.—

(1) IN GENERAL.—The policy issued under subsection (a) shall require, as a condition of accepting a security clearance with the Federal Government, that a contractor employee provide prior written consent for the Federal Government to share covered derogatory information with the chief security officer of the contractor employer that employs the contractor employee.

(2) COVERED DEROGATORY INFORMATION.—For purposes of this section, covered derogatory information—

(A) is information that—

(i) contravenes National Security Adjudicative Guidelines as specified in Security Executive Agent Directive 4 (10 C.F.R. 710 app. A), or any successor Federal policy;

(ii) a Federal Government agency certifies is accurate and reliable;

(iii) is relevant to a contractor's ability to protect against insider threats as required by section 1–202 of the National Industrial Security Program Operating Manual (NISPOM), or successor manual; and

(iv) may have a bearing on the contractor employee's suitability for a position of public trust or to receive credentials to access certain facilities of the Federal Government; and

(B) shall include any negative information considered in the adjudicative process, including information provided by the contractor employee on forms submitted for the processing of the contractor employee's security clearance.

(c) ELEMENTS.—The policy issued under subsection (a) shall—

(1) require Federal agencies, except under exceptional circumstances specified by the Security Executive Agent, to share with the contractor employer of a contractor employee engaged with the Federal Government the existence of potentially derogatory information and which National Security Adjudicative Guideline it falls under, with the exception that the Security Executive Agent may waive such requirement in circumstances the Security Executive Agent considers extraordinary;

(2) require that covered derogatory information shared with a contractor employer as described in subsection (b)(1) be used by the contractor employer exclusively for risk mitigation purposes under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual;

(3) require Federal agencies to share any mitigation measures in place to address the derogatory information;

(4) establish standards for timeliness for sharing the derogatory information;

(5) specify the methods by which covered derogatory information will be shared with the contractor employer of the contractor employee;

(6) allow the contractor employee, within a specified timeframe, the right—

(A) to contest the accuracy and reliability of covered derogatory information;

(B) to address or remedy any concerns raised by the covered derogatory information; and

(C) to provide documentation pertinent to subparagraph (A) or (B) for an agency to place in relevant security clearance databases;

(7) establish a procedure by which the contractor employer of the contractor employee may consult with the Federal Government prior to taking any remedial action under section 1–202 of the National Industrial Security Program Operating Manual, or successor manual, to address the derogatory information the Federal agency has provided;

(8) stipulate that the chief security officer of the contractor employer is prohibited from sharing or discussing covered derogatory information with other parties, including nonsecurity professionals at the contractor employer; and

(9) require companies in the National Industrial Security Program to comply with the policy.

(d) CONSIDERATION OF LESSONS LEARNED FROM INFORMATION-SHARING PROGRAM FOR POSITIONS OF TRUST AND SECURITY CLEARANCES.—In developing the policy issued under subsection (a), the Director shall consider, to the extent available, lessons learned from actions taken to carry out section 6611(f) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92).

TITLE XCV—REPORTS AND OTHER MATTERS

SEC. 9501. REPORT ON ATTEMPTS BY FOREIGN ADVERSARIES TO BUILD TELECOMMUNICATIONS AND CYBERSECURITY EQUIPMENT AND SERVICES FOR, OR TO PROVIDE SUCH EQUIPMENT AND SERVICES TO, CERTAIN ALLIES OF THE UNITED STATES.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) FIVE EYES COUNTRY.—The term ''Five Eyes country'' means any of the following:

(A) Australia.

(B) Canada.

(C) New Zealand.

(D) The United Kingdom.

(E) The United States.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency, the Director of the National Security Agency, and the Director of the Defense Intelligence Agency shall jointly submit to the appropriate committees of Congress a report on attempts by foreign adversaries to build telecommunications and cybersecurity equipment and services for, or to provide such equipment and services to, Five Eyes countries.

(c) ELEMENTS.—The report submitted under subsection (b) shall include the following:

(1) An assessment of United States intelligence sharing and intelligence and military force posture in any Five Eyes country that currently uses or intends to use telecommunications or cybersecurity equipment or services provided by a foreign adversary of the United States, including China and Russia.

(2) A description and assessment of mitigation of any potential compromises or risks for any circumstance described in paragraph (1).

(d) FORM.—The report required by subsection (b) shall include an unclassified executive summary, and may include a classified annex.

SEC. 9502. REPORT ON THREATS POSED BY USE BY FOREIGN GOVERNMENTS AND ENTITIES OF COMMERCIALLY AVAILABLE CYBER INTRUSION AND SURVEILLANCE TECHNOLOGY.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the threats posed by the use by foreign governments and entities of commercially available cyber intrusion and other surveillance technology.

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

(1) Matters relating to threats described in subsection (a) as they pertain to the following:

(A) The threat posed to United States persons and persons inside the United States.

(B) The threat posed to United States personnel overseas.

(C) The threat posed to employees of the Federal Government, including through both official and personal accounts and devices.

(2) A description of which foreign governments and entities pose the greatest threats from the use of technology described in subsection (a) and the nature of those threats.

(3) An assessment of the source of the commercially available cyber intrusion and other surveillance technology that poses the threats described in subsection (a), including whether such technology is made by United States companies or companies in the United States or by foreign companies.

(4) An assessment of actions taken, as of the date of the enactment of this Act, by the Federal Government and foreign governments to limit the export of technology described in subsection (a) from the United States or foreign countries to foreign governments and entities in ways that pose the threats described in such subsection.

(5) Matters relating to how the Federal Government, Congress, and foreign governments can most effectively mitigate the threats described in subsection (a), including matters relating to the following:

(A) Working with the technology and telecommunications industry to identify and improve the security of consumer software and hardware used by United States persons and persons inside the United States that is targeted by commercial cyber intrusion and surveillance software.

(B) Export controls.

(C) Diplomatic pressure.

(D) Trade agreements.

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

SEC. 9503. REPORTS ON RECOMMENDATIONS OF THE CYBERSPACE SOLARIUM COMMISSION.

(a) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Select Committee on Intelligence, the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on Energy and Natural Resources of the Senate; and

(2) the Committee on Armed Services, the Permanent Select Committee on Intelligence, the Committee on Homeland Security, the Committee on Science, Space, and Technology, and the Committee on Energy and Commerce of the House of Representatives.

(b) REPORTS REQUIRED.—Not later than 180 days after the date of the enactment of this Act, each head of an agency described in subsection (c) shall submit to the appropriate committees of Congress a report on the recommendations included in the report issued by the Cyberspace Solarium Commission under section 1652(k) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115–232).

(c) AGENCIES DESCRIBED.—The agencies described in this subsection are the following:

(1) The Office of the Director of National Intelligence.

(2) The Department of Homeland Security.

(3) The Department of Energy.

(4) The Department of Commerce.

(5) The Department of Defense.

(d) CONTENTS.—Each report submitted under subsection (b) by the head of an agency described in subsection (c) shall include the following:

(1) An evaluation of the recommendations in the report described in subsection (b) that the agency identifies as pertaining directly to the agency.

(2) A description of the actions taken, or the actions that the head of the agency may consider taking, to implement any of the recommendations (including a comprehensive estimate of requirements for appropriations to take such actions).

SEC. 9504. ASSESSMENT OF CRITICAL TECHNOLOGY TRENDS RELATING TO ARTIFICIAL INTELLIGENCE, MICROCHIPS, AND SEMICONDUCTORS AND RELATED SUPPLY CHAINS.

(a) ASSESSMENT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence shall complete a detailed assessment of critical technology trends relating to artificial intelligence, microchips, and semiconductors and related supply chains.

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

(1) EXPORT CONTROLS.—

(A) IN GENERAL.—An assessment of efforts by partner countries to enact and implement export controls and other technology transfer measures with respect to artificial intelligence, microchips, advanced manufacturing equipment, and other artificial intelligence enabled technologies critical to United States supply chains.

(B) IDENTIFICATION OF OPPORTUNITIES FOR COOPERATION.—The assessment under subparagraph (A) shall identify opportunities for further cooperation with international partners on a multilateral and bilateral basis to strengthen export control regimes and address technology transfer threats.

(2) SEMICONDUCTOR SUPPLY CHAINS.—

(A) IN GENERAL.—An assessment of global semiconductor supply chains, including areas to reduce United States vulnerabilities and maximize points of leverage.

(B) ANALYSIS OF POTENTIAL EFFECTS.—The assessment under subparagraph (A) shall include an analysis of the potential effects of significant geopolitical shifts, including those related to Taiwan.

(C) IDENTIFICATION OF OPPORTUNITIES FOR DIVERSIFICATION.—The assessment under subparagraph (A) shall also identify opportunities for diversification of United States supply chains, including an assessment of cost, challenges, and opportunities to diversify manufacturing capabilities on a multinational basis.

(3) COMPUTING POWER.—An assessment of trends relating to computing power and the effect of such trends on global artificial intelligence development and implementation, in consultation with the Director of the Intelligence Advanced Research Projects Activity, the Director of the Defense Advanced Research Projects Agency, and the Director of the National Institute of Standards and Technology, including forward-looking assessments of how computing resources may affect United States national security, innovation, and implementation relating to artificial intelligence.

(c) REPORT.—

(1) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Foreign Relations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Financial Services, and the Committee on Foreign Affairs of the House of Representatives.

(2) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director shall submit to the appropriate committees of Congress a report on the findings of the Director with respect to the assessment completed under subsection (a).

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

SEC. 9505. COMBATING CHINESE INFLUENCE OPERATIONS IN THE UNITED STATES AND STRENGTHENING CIVIL LIBERTIES PROTECTIONS.

(a) UPDATES TO ANNUAL REPORTS ON INFLUENCE OPERATIONS AND CAMPAIGNS IN THE UNITED STATES BY THE CHINESE COMMUNIST PARTY.—Section 1107(b) of the National Security Act of 1947 (50 U.S.C. 3237(b)) is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

''(8) An identification of influence activities and operations employed by the Chinese Communist Party against the United States science and technology sectors, specifically employees of the United States Government, researchers, scientists, and students in the science and technology sector in the United States.''.

(b) PLAN FOR FEDERAL BUREAU OF INVESTIGATION TO INCREASE PUBLIC AWARENESS AND DETECTION OF INFLUENCE ACTIVITIES BY THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.—

(1) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the congressional intelligence committees a plan—

(A) to increase public awareness of influence activities by the Government of the People's Republic of China; and

(B) to publicize mechanisms that members of the public can use—

(i) to detect such activities; and

(ii) to report such activities to the Bureau.

(2) CONSULTATION.—In carrying out paragraph (1), the Director shall consult with the following:

(A) The Director of the Office of Science and Technology Policy.

(B) Such other stakeholders outside the intelligence community, including professional associations, institutions of higher education, businesses, and civil rights and multicultural organizations, as the Director determines relevant.

(c) RECOMMENDATIONS OF THE FEDERAL BUREAU OF INVESTIGATION TO STRENGTHEN RELATIONSHIPS AND BUILD TRUST WITH COMMUNITIES OF INTEREST.—

(1) IN GENERAL.—The Director of the Federal Bureau of Investigation, in consultation with the Assistant Attorney General for the Civil Rights Division and the Chief Privacy and Civil Liberties Officer of the Department of Justice, shall develop recommendations to strengthen relationships with communities targeted by influence activities of the Government of the People's Republic of China and build trust with such communities through local and regional grassroots outreach.

(2) SUBMITTAL TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit to Congress the recommendations developed under paragraph (1).

(d) TECHNICAL CORRECTIONS.—The National Security Act of 1947 (50 U.S.C. 3001 et seq.) is amended—

(1) in section 1107 (50 U.S.C. 3237)—

(A) in the section heading, by striking ''**COMMUNIST PARTY OF CHINA**'' and inserting ''**CHINESE COMMUNIST PARTY**''; and

(B) by striking ''Communist Party of China'' both places it appears and inserting ''Chinese Communist Party''; and

(2) in the table of contents before section 2 (50 U.S.C. 3002), by striking the item relating to section 1107 and inserting the following new item:

''Sec. 1107. Annual reports on influence operations and campaigns in the United States by the Chinese Communist Party.''.

SEC. 9506. ANNUAL REPORT ON CORRUPT ACTIVITIES OF SENIOR OFFICIALS OF THE CHINESE COMMUNIST PARTY.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) ANNUAL REPORT REQUIRED.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter through 2025, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress a report on the corruption and corrupt activities of senior officials of the Chinese Communist Party.

(2) ELEMENTS.—

(A) IN GENERAL.—Each report under paragraph (1) shall include the following:

(i) A description of the wealth of, and corruption and corrupt activities among, senior officials of the Chinese Communist Party.

(ii) A description of any recent actions of the officials described in clause (i) that could be considered a violation, or potential violation, of United States law.

(iii) A description and assessment of targeted financial measures, including potential targets for designation of the officials described in clause (i) for the corruption and corrupt activities described in that clause and for the actions described in clause (ii).

(B) SCOPE OF REPORTS.—The first report under paragraph (1) shall include comprehensive information on the matters described in subparagraph (A). Any succeeding report under paragraph (1) may consist of an update or supplement to the preceding report under that subsection.

(3) COORDINATION.—In preparing each report, update, or supplement under this subsection, the Director of the Central Intelligence Agency shall coordinate as follows:

(A) In preparing the description required by clause (i) of paragraph (2)(A), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(B) In preparing the descriptions required by clauses (ii) and (iii) of such paragraph, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(4) FORM.—Each report under paragraph (1) shall include an unclassified executive summary, and may include a classified annex.

(c) SENSE OF CONGRESS.—It is the sense of Congress that the United States should undertake every effort and pursue every opportunity to expose the corruption and illicit practices of senior officials of the Chinese Communist Party, including President Xi Jinping.

SEC. 9507. REPORT ON CORRUPT ACTIVITIES OF RUSSIAN AND OTHER EASTERN EUROPEAN OLIGARCHS.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Banking, Housing, and Urban Affairs, the Committee on Finance, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Financial Services, the Committee on Foreign Affairs, the Committee on Ways and Means, and the Permanent Select Committee on Intelligence of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 100 days after the date of the enactment of this Act, the Director of the Central Intelligence Agency shall submit to the appropriate committees of Congress and the Undersecretary of State for Public Diplomacy and Public Affairs a report on the corruption and corrupt activities of Russian and other Eastern European oligarchs.

(c) ELEMENTS.—

(1) IN GENERAL.—Each report under subsection (b) shall include the following:

(A) A description of corruption and corrupt activities among Russian and other Eastern European oligarchs who support the Government of the Russian Federation, including estimates of the total assets of such oligarchs.

(B) An assessment of the impact of the corruption and corrupt activities described pursuant to subparagraph (A) on the economy and citizens of Russia.

(C) A description of any connections to, or support of, organized crime, drug smuggling, or human trafficking by an oligarch covered by subparagraph (A).

(D) A description of any information that reveals corruption and corrupt activities in Russia among oligarchs covered by subparagraph (A).

(E) A description and assessment of potential sanctions actions that could be imposed upon oligarchs covered by subparagraph (A) who support the leadership of the Government of Russia, including President Vladimir Putin.

(2) SCOPE OF REPORTS.—The first report under subsection (a) shall include comprehensive information on the matters described in paragraph (1). Any succeeding report under subsection (a) may consist of an update or supplement to the preceding report under that subsection.

(d) COORDINATION.—In preparing each report, update, or supplement under this section, the Director of the Central Intelligence Agency shall coordinate as follows:

(1) In preparing the assessment and descriptions required by subparagraphs (A) through (D) of subsection (c)(1), the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury and the Director of the Federal Bureau of Investigation.

(2) In preparing the description and assessment required by subparagraph (E) of such subsection, the Director of the Central Intelligence Agency shall coordinate with the head of the Office of Intelligence and Analysis of the Department of the Treasury.

(e) FORM.—

(1) IN GENERAL.—Subject to paragraph (2), each report under subsection (b) shall include an unclassified executive summary, and may include a classified annex.

(2) UNCLASSIFIED FORM OF CERTAIN INFORMATION.—The information described in subsection (c)(1)(D) in each report under subsection (b) shall be submitted in unclassified form.

SEC. 9508. REPORT ON BIOSECURITY RISK AND DISINFORMATION BY THE CHINESE COMMUNIST PARTY AND THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Select Committee on Intelligence, the Committee on Armed Services, the Committee on Foreign Relations, the Committee

on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Armed Services, the Committee on Energy and Commerce, the Committee on Foreign Affairs, and the Committee on Homeland Security of the House of Representatives.

(2) CRITICAL INFRASTRUCTURE.—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)).

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report identifying whether and how officials of the Chinese Communist Party and the Government of the People's Republic of China may have sought—

(1) to suppress information about—

(A) the outbreak of the novel coronavirus in Wuhan;

(B) the spread of the virus through China; and

(C) the transmission of the virus to other countries;

(2) to spread disinformation relating to the pandemic; or

(3) to exploit the pandemic to advance their national security interests.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments of reported actions and the effect of those actions on efforts to contain the novel coronavirus pandemic, including each of the following:

(1) The origins of the novel coronavirus outbreak, the time and location of initial infections, and the mode and speed of early viral spread.

(2) Actions taken by the Government of China to suppress, conceal, or misinform the people of China and those of other countries about the novel coronavirus outbreak in Wuhan.

(3) The effect of disinformation or the failure of the Government of China to fully disclose details of the outbreak on response efforts of local governments in China and other countries.

(4) Diplomatic, political, economic, intelligence, or other pressure on other countries and international organizations to conceal information about the spread of the novel coronavirus and the response of the Government of China to the contagion, as well as to influence or coerce early responses to the pandemic by other countries.

(5) Efforts by officials of the Government of China to deny access to health experts and international health organizations to afflicted individuals in Wuhan, pertinent areas of the city, or laboratories of interest in China, including the Wuhan Institute of Virology.

(6) Efforts by the Government of China, or those acting at its direction or with its assistance, to conduct cyber operations against international, national, or private health organizations conducting research relating to the novel coronavirus or operating in response to the pandemic.

(7) Efforts to control, restrict, or manipulate relevant segments of global supply chains, particularly in the sale, trade, or provision of relevant medicines, medical supplies, or medical equipment as a result of the pandemic.

(8) Efforts to advance the economic, intelligence, national security, and political objectives of the Government of China by exploiting vulnerabilities of foreign governments, economies, and companies under financial duress as a result of the pandemic or to accelerate economic espionage and intellectual property theft.

(9) Efforts to exploit the disruption of the pharmaceutical and telecommunications industries as well as other industries tied to critical infrastructure and bilateral trade between China and the United States and between China and allies and partners of the United States in order to advance the economic and political objectives of the Government of China following the pandemic.

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

SEC. 9509. REPORT ON EFFECT OF LIFTING OF UNITED NATIONS ARMS EMBARGO ON ISLAMIC REPUBLIC OF IRAN.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the Defense Intelligence Agency, in consultation with such heads of other elements of the intelligence community as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on—

(1) the plans of the Government of the Islamic Republic of Iran to acquire military arms if the ban on arms transfers to or from such government under United Nations Security Council resolutions are lifted; and

(2) the effect such arms acquisitions may have on regional security and stability.

(c) CONTENTS.—The report submitted under subsection (b) shall include assessments relating to plans of the Government of the Islamic Republic of Iran to acquire additional weapons, the intention of other countries to provide such weapons, and the effect such acquisition and provision would have on regional stability, including with respect to each of the following:

(1) The type and quantity of weapon systems under consideration for acquisition.

(2) The countries of origin of such systems.

(3) Likely reactions of other countries in the region to such acquisition, including the potential for proliferation by other countries in response.

(4) The threat that such acquisition could present to international commerce and energy supplies in the region, and the potential implications for the national security of the United States.

(5) The threat that such acquisition could present to the Armed Forces of the United States, of countries allied with the United States, and of countries partnered with the United States stationed in or deployed in the region.

(6) The potential that such acquisition could be used to deliver chemical, biological, or nuclear weapons.

(7) The potential for the Government of the Islamic Republic of Iran to proliferate weapons acquired in the absence of an arms embargo to regional groups, including Shi'a militia groups backed by such government.

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

SEC. 9510. REPORT ON IRANIAN ACTIVITIES RELATING TO NUCLEAR NONPROLIFERATION.

(a) DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Relations of the Senate; and

(2) the Permanent Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Foreign Affairs of the House of Representatives.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to the appropriate committees of Congress a report assessing—

(1) any relevant activities potentially relating to nuclear weapons research and development by the Islamic Republic of Iran; and

(2) any relevant efforts to afford or deny international access in accordance with international nonproliferation agreements.

(c) ASSESSMENTS.—The report required by subsection (b) shall include assessments, for the period beginning on January 1, 2018, and ending on the date of the submittal of the report, of the following:

(1) Activities to research, develop, or enrich uranium or reprocess plutonium with the intent or capability of creating weapons-grade nuclear material.

(2) Research, development, testing, or design activities that could contribute to or inform construction of a device intended to initiate or capable of initiating a nuclear explosion.

(3) Efforts to receive, transmit, store, destroy, relocate, archive, or otherwise preserve research, processes, products, or enabling materials relevant or relating to any efforts assessed under paragraph (1) or (2).

(4) Efforts to afford or deny international access, in accordance with international nonproliferation agreements, to locations, individuals, and materials relating to activities described in paragraph (1), (2), or (3).

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

SEC. 9511. SENSE OF CONGRESS ON THIRD OPTION FOUNDATION.

It is the sense of the Congress that—

(1) the work of the Third Option Foundation to heal, help, and honor members of the special operations community of the Central Intelligence Agency and their families is invaluable; and

(2) the Director of the Central Intelligence Agency should work closely with the Third Option Foundation in implementing section 19A of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3519b), as added by section 6412 of the Damon Paul Nelson and Matthew Young Pollard Intelligence Authorization Act for Fiscal Years 2018, 2019, and 2020 (Public Law 116–92).

SA 2302. Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of title XXXI, add the following:

Subtitle G—Radiation Compensation Exposure

SEC. 3171. SHORT TITLE.

This subtitle may be cited as the ''Radiation Exposure Compensation Act Amendments of 2020''.

SEC. 3172. REFERENCES.

Except as otherwise specifically provided, whenever in this subtitle an amendment or repeal is expressed in terms of an amendment to or repeal of a section or other provision of law, the reference shall be considered to be made to a section or other provision of the Radiation Exposure Compensation Act (Public Law 101–426; 42 U.S.C. 2210 note).

SEC. 3173. EXTENSION OF FUND.

Section 3(d) is amended—

(1) by striking the first sentence and inserting ''The Fund shall terminate 19 years after the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2020.''; and

(2) by striking ''22-year'' and inserting ''19-year''.

SEC. 3174. CLAIMS RELATING TO ATMOSPHERIC TESTING.

(a) LEUKEMIA CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS IN THE PACIFIC.—Section 4(a)(1)(A) is amended—

(1) in clause (i)—

(A) in subclause (II)—

(i) by striking ''in the affected area'' and inserting ''in an affected area''; and

(ii) by striking ''or'' after the semicolon;

(B) by redesignating subclause (III) as subclause (V); and

(C) by inserting after subclause (II) the following:

''(III) was physically present in an affected area for the period beginning on June 30, 1945, and ending on July 31, 1945; or

''(IV) was physically present in an affected area—

''(aa) for a period of at least 1 year during the period beginning on June 30, 1946, and ending on August 19, 1958; or

''(bb) for the period beginning on April 25, 1962, and ending on November 5, 1962; or''; and

(2) in clause (ii)(I), by striking ''physical presence described in subclause (I) or (II) of clause (i) or onsite participation described in clause (i)(III)'' and inserting ''physical presence described in subclause (I), (II), (III), or (IV) of clause (i) or onsite participation described in clause (i)(V)''.

(b) AMOUNTS FOR CLAIMS RELATED TO LEUKEMIA.—Section 4(a)(1) is amended—

(1) in subparagraph (A) by striking ''an amount'' and inserting ''the amount''; and

(2) by striking subparagraph (B) and inserting the following:

''(B) AMOUNT.—If the conditions described in subparagraph (C) are met, an individual who is described in subparagraph (A)(i) shall receive $150,000.''.

(c) SPECIFIED DISEASES CLAIMS RELATING TO TRINITY TEST IN NEW MEXICO AND TESTS IN THE PACIFIC.—Section 4(a)(2) is amended—

(1) in subparagraph (A), by striking ''in the affected area'' and inserting ''in an affected area'';

(2) in subparagraph (B)—

(A) by striking ''in the affected area'' and inserting ''in an affected area''; and

(B) by striking ''or'' at the end;

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following:

''(C) was physically present in an affected area for the period beginning on June 30, 1945, and ending on July 31, 1945;

''(D) was physically present in an affected area—

''(i) for a period of at least 2 years during the period beginning on June 30, 1946, and ending on August 19, 1958; or

''(ii) for the period beginning on April 25, 1962, and ending on November 5, 1962; or''.

(d) AMOUNTS FOR CLAIMS RELATED TO SPECIFIED DISEASES.—Section 4(a)(2) is amended in the matter following subparagraph (E) (as redesignated by subsection (c) of this section) by striking ''$50,000 (in the case of an individual described in subparagraph (A) or (B)) or $75,000 (in the case of an individual described in subparagraph (C)),'' and inserting ''$150,000''.

(e) MEDICAL BENEFITS.—Section 4(a) is amended by adding at the end the following:

''(5) MEDICAL BENEFITS.—An individual receiving a payment under this section shall be eligible to receive medical benefits in the same manner and to the same extent as an individual eligible to receive medical benefits under section 3629 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384t).''.

(f) DOWNWIND STATES.—Section 4(b)(1) is amended to read as follows:

''(1) 'affected area' means—

''(A) except as provided under subparagraphs (B) and (C), Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, and Utah;

''(B) with respect to a claim by an individual under subsection (a)(1)(A)(i)(III) or (2)(C), only New Mexico; and

''(C) with respect to a claim by an individual under subsection (a)(1)(A)(i)(IV) or (2)(D), only Guam.''.

SEC. 3175. CLAIMS RELATING TO URANIUM MINING.

(a) EMPLOYEES OF MINES AND MILLS.—Section 5(a)(1)(A)(i) is amended—

(1) by inserting ''(I)'' after ''(i)'';

(2) by striking ''December 31, 1971; and'' and inserting ''December 31, 1990; or''; and

(3) by adding at the end the following:

''(II) was employed as a core driller in a State referred to in subclause (I) during the period described in such subclause; and''.

(b) MINERS.—Section 5(a)(1)(A)(ii)(I) is amended by inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury'' after ''nonmalignant respiratory disease''.

(c) MILLERS, CORE DRILLERS, AND ORE TRANSPORTERS.—Section 5(a)(1)(A)(ii)(II) is amended—

(1) by inserting '', core driller,'' after ''was a miller'';

(2) by inserting ''(I)'' after ''clause (i)''; and

(3) by striking all that follows ''nonmalignant respiratory disease'' and inserting ''or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury; or''.

(d) COMBINED WORK HISTORIES.—Section 5(a)(1)(A)(ii) is further amended—

(1) by striking ''or'' at the end of subclause (I); and

(2) by adding at the end the following:

''(III)(aa) does not meet the conditions of subclause (I) or (II);

''(bb) worked, during the period described in clause (i)(I), in two or more of the following positions: miner, miller, core driller, and ore transporter;

''(cc) meets the requirements of paragraph (4) or (5), or both; and

''(dd) submits written medical documentation that the individual developed lung cancer or a nonmalignant respiratory disease or renal cancer or any other chronic renal disease, including nephritis and kidney tubal tissue injury after exposure to radiation through work in one or more of the positions referred to in item (aa);''.

(e) DATES OF OPERATION OF URANIUM MINE.—Section 5(a)(2)(A) is amended by striking ''December 31, 1971'' and inserting ''December 31, 1990''.

(f) SPECIAL RULES RELATING TO COMBINED WORK HISTORIES.—Section 5(a) is amended by adding at the end the following:

''(4) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR INDIVIDUALS WITH AT LEAST ONE YEAR OF EXPERIENCE.—An individual meets the requirements of this paragraph if the individual worked in one or more of the positions referred to in paragraph (1)(A)(ii)(III)(bb) for a period of at least one year during the period described in paragraph (1)(A)(i)(I).

''(5) SPECIAL RULE RELATING TO COMBINED WORK HISTORIES FOR MINERS.—An individual meets the requirements of this paragraph if the individual, during the period described in paragraph (1)(A)(i)(I), worked as a miner and was exposed to such number of working level months that the Attorney General determines, when combined with the exposure of such individual to radiation through work as a miller, core driller, or ore transporter during the period described in paragraph (1)(A)(i)(I), results in such individual being exposed to a total level of radiation that is greater or equal to the level of exposure of an individual described in paragraph (4).''.

(g) DEFINITION OF CORE DRILLER.—Section 5(b) is amended—

(1) by striking ''and'' at the end of paragraph (7);

(2) by striking the period at the end of paragraph (8) and inserting ''; and''; and

(3) by adding at the end the following:

''(9) the term 'core driller' means any individual employed to engage in the act or process of obtaining cylindrical rock samples of uranium or vanadium by means of a borehole drilling machine for the purpose of mining uranium or vanadium.''.

SEC. 3176. EXPANSION OF USE OF AFFIDAVITS IN DETERMINATION OF CLAIMS; REGULATIONS.

(a) AFFIDAVITS.—Section 6(b) is amended by adding at the end the following:

''(3) AFFIDAVITS.—

''(A) EMPLOYMENT HISTORY.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate the employment history of an individual as a miner, miller, core driller, or ore transporter if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the employment history of the individual;

''(ii) attests to the employment history of the individual;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(B) PHYSICAL PRESENCE IN AFFECTED AREA.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's physical presence in an affected area during a period described in section 4(a)(1)(A)(i) or section 4(a)(2) if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's presence in an affected area during that time period;

''(ii) attests to the individual's presence in an affected area during that period;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.

''(C) PARTICIPATION AT TESTING SITE.—For purposes of this Act, the Attorney General shall accept a written affidavit or declaration as evidence to substantiate an individual's participation onsite in a test involving the atmospheric detonation of a nuclear device if the affidavit—

''(i) is provided in addition to other material that may be used to substantiate the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(ii) attests to the individual's participation onsite in a test involving the atmospheric detonation of a nuclear device;

''(iii) is made subject to penalty for perjury; and

''(iv) is made by a person other than the individual filing the claim.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 6 is amended—

(1) in subsection (b)(2)(C), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)'';

(2) in subsection (c)(2)—

(A) in subparagraph (A)—

(i) in the first sentence, by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(ii) in clause (i), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), (a)(2)(C), or (a)(2)(D) of section 4''; and

(B) in subparagraph (B), by striking ''section 4(a)(2)(C)'' and inserting ''section 4(a)(2)(E)''; and

(3) in subsection (e), by striking ''subsection (a)(1), (a)(2)(A), or (a)(2)(B) of section 4'' and inserting ''subsection (a)(1), (a)(2)(A), (a)(2)(B), or (a)(2)(C) of section 4''.

(c) REGULATIONS.—Section 6(k) is amended by adding at the end the following: ''Not later than 180 days after the date of enactment of the Radiation Exposure Compensation Act Amendments of 2020, the Attorney General shall issue revised regulations to carry out this Act.''.

SEC. 3177. LIMITATION ON CLAIMS.

(a) EXTENSION OF FILING TIME.—Section 8(a) is amended—

(1) by striking ''22 years'' and inserting ''19 years''; and

(2) by striking ''2000'' and inserting ''2020''.

(b) RESUBMITTAL OF CLAIMS.—Section 8(b) is amended to read as follows:

''(b) RESUBMITTAL OF CLAIMS.—

''(1) DENIED CLAIMS.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2020, any claimant who has been denied compensation under this Act may resubmit a claim for consideration by the Attorney General in accordance with this Act not more than three times. Any resubmittal made before the date of the enactment of the Radiation Exposure Compensation Act Amendments of 2020 shall not be applied to the limitation under the preceding sentence.

''(2) PREVIOUSLY SUCCESSFUL CLAIMS.—

''(A) IN GENERAL.—After the date of enactment of the Radiation Exposure Compensation Act Amendments of 2020, any claimant who received compensation under this Act may submit a request to the Attorney General for additional compensation and benefits. Such request shall contain—

''(i) the claimant's name, social security number, and date of birth;

''(ii) the amount of award received under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2020;

''(iii) any additional benefits and compensation sought through such request; and

''(iv) any additional information required by the Attorney General.

''(B) ADDITIONAL COMPENSATION.—If the claimant received compensation under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2020 and submits a request under subparagraph (A), the Attorney General shall—

''(i) pay the claimant the amount that is equal to any excess of—

''(I) the amount the claimant is eligible to receive under this Act (as amended by the Radiation Exposure Compensation Act Amendments of 2020); minus

''(II) the aggregate amount paid to the claimant under this Act before the date of enactment of the Radiation Exposure Compensation Act Amendments of 2020; and

''(ii) in any case in which the claimant was compensated under section 4, provide the claimant with medical benefits under section 4(a)(5).''.

SEC. 3178. ATTORNEY FEES.

Section 9(b)(1) is amended by striking ''2 percent'' and inserting ''10 percent''.

SEC. 3179. GRANT PROGRAM ON EPIDEMIOLOGICAL IMPACTS OF URANIUM MINING AND MILLING.

(a) DEFINITIONS.—In this section—

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

(2) the term ''program'' means the grant program established under subsection (b); and

(3) the term ''Secretary'' means the Secretary of Health and Human Services.

(b) ESTABLISHMENT.—The Secretary shall establish a grant program relating to the epidemiological impacts of uranium mining and milling. Grants awarded under the program shall be used for the study of the epidemiological impacts of uranium mining and milling among non-occupationally exposed individuals, including family members of uranium miners and millers.

(c) ADMINISTRATION.—The Secretary shall administer the program through the National Institute of Environmental Health Sciences.

(d) ELIGIBILITY AND APPLICATION.—Any institution of higher education or nonprofit private entity shall be eligible to apply for a grant. To apply for a grant an eligible institution or entity shall submit to the Secretary an application at such time, in such manner, and containing or accompanied by such information as the Secretary may reasonably require.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2021 through 2023.

SEC. 3179A. ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM.

(a) COVERED EMPLOYEES WITH CANCER.—Section 3621(9) of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 73841(9)) is amended by striking subparagraph (A) and inserting the following:

''(A) An individual with a specified cancer who is a member of the Special Exposure Cohort, if and only if—

''(i) that individual contracted that specified cancer after beginning employment at a Department of Energy facility (in the case of a Department of Energy employee or Department of Energy contractor employee) or at an atomic weapons employer facility (in the case of an atomic weapons employee); or

''(ii) that individual—

''(I) contracted that specified cancer after beginning employment in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, or any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act; and

''(II) was employed in a uranium mine or uranium mill described under subclause (I) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) at any time during the period beginning on January 1, 1942, and ending on December 31, 1990.''.

(b) MEMBERS OF SPECIAL EXPOSURE COHORT.—Section 3626 of the Energy Employees Occupational Illness Compensation Program Act of 2000 (42 U.S.C. 7384q) is amended—

(1) in subsection (a), by striking paragraph (1) and inserting the following:

''(1) The Advisory Board on Radiation and Worker Health under section 3624 shall advise the President whether there is a class of employees—

''(A) at any Department of Energy facility who likely were exposed to radiation at that facility but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received; and

''(B) employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, who likely were exposed to radiation at that mine or mill but for whom it is not feasible to estimate with sufficient accuracy the radiation dose they received.''; and

(2) by striking subsection (b) and inserting the following:

''(b) DESIGNATION OF ADDITIONAL MEMBERS.—

''(1) Subject to the provisions of section 3621(14)(C), the members of a class of employees at a Department of Energy facility, or at an atomic weapons employer facility, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.

''(2) Subject to the provisions of section 3621(14)(C), the members of a class of employees employed in a uranium mine or uranium mill described under section 5(a)(1)(A)(i) of the Radiation Exposure Compensation Act (42 U.S.C. 2210 note) (including any individual who was employed in core drilling or the transport of uranium ore or vanadium-uranium ore from such mine or mill) located in Colorado, New Mexico, Arizona, Wyoming, South Dakota, Washington, Utah, Idaho, North Dakota, Oregon, Texas, and any State the Attorney General makes a determination under section 5(a)(2) of that Act for inclusion of eligibility under section 5(a)(1) of that Act, at any time during the period beginning on January 1, 1942, and ending on December 31, 1990, may be treated as members of the Special Exposure Cohort for purposes of the compensation program if the President, upon recommendation of the Advisory Board on Radiation and Worker Health, determines that—

''(A) it is not feasible to estimate with sufficient accuracy the radiation dose that the class received; and

''(B) there is a reasonable likelihood that such radiation dose may have endangered the health of members of the class.''.

SA 2303. Ms. MCSALLY submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I, add the following:

SEC. 114. AUXILIARY POWER UNIT (APU) PROCUREMENT FOR AIRBORNE RECONNAISSANCE-ENHANCED (ARL-E) AIRCRAFT.

(a) INCREASE.—The amount authorized to be appropriated by this Act for fiscal year 2021 for Aircraft Procurement, Army is hereby increased by $10,000,000, with the amount of such increase to be available for the procurement of 10 Auxiliary Power Units (APUs) and other necessary parts for the Airborne Reconnaissance-Enhanced (ARL-E) program.

(b) OFFSET.—The amount authorized to be appropriated for fiscal year 2021 for Operation and Maintenance, Air Force for Other Combat Operations Support Programs is hereby reduced by $10,000,000.

SA 2304. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title XII, add the following:

SEC. ___. REPORT ON THE ACTIVITIES OF THE PEOPLE'S REPUBLIC OF CHINA IN THE WESTERN HEMISPHERE.

(a) IN GENERAL.—The Director of National Intelligence and the Director of the Central Intelligence Agency shall jointly submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the economic, trade, environmental, military, security, and political activities of the People's Republic of China in the Western Hemisphere, including direct investment, development financing, loan deals, and state-owned enterprises in infrastructure and telecommunications projects.

(b) ELEMENT.—The report required by subsection (a) shall include an assessment of the activities of the People's Republic of China with respect to the following projects:

(1) The Port of Panama, Posorja Deepwater Port in Ecuador.

(2) The Port of Paranagual in Brazil.

(3) The China Harbor in the Bahamas.

(4) The telecom infrastructure carried out by Chinese companies, including Huawei and ZTE, in Colombia and Canada.

(5) The construction of the building for the Ministry of Foreign Affairs and Foreign Trade in Kingston, Jamaica.

(6) The building of the Coca Codo Sinclair Dam in Ecuador.

(7) The space-observation station in Argentina.

SA 2305. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of section G of title XII, add the following:

SEC. ___. WESTERN HEMISPHERE SECURITY STRATEGY.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Secretary of State shall jointly submit to appropriate committees of Congress a strategy for enhancing security cooperation and security assistance, and advancing United States strategic interests, in the Western Hemisphere.

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

(1) Activities to expand bilateral and multilateral security cooperation in Latin America and the Caribbean so as to maintain consistent United States presence in the region.

(2) Activities to build the defense and security capacity (other than civilian law enforcement) of partner countries in Latin America and the Caribbean.

(3) Activities to counter malign influence of state actors and transnational criminal organizations with connections to illicit trafficking, terrorism, or weapons proliferation.

(4) Efforts to disrupt, degrade, and counter transregional and transnational illicit trafficking, with an emphasis on illicit narcotics and precursor chemicals that produce illicit narcotics.

(5) Activities to provide transparency and support for strong and accountable defense institutions in the region through institutional capacity-building efforts, including efforts to ensure compliance with internationally-recognized human rights standards.

(6) Steps to expand bilateral and multinational military exercises and training with partner countries in Latin America and the Caribbean.

(7) The provision of assistance to such partner countries for regional defense and security organizations and institutions and national military or other security forces (other than civilian law enforcement) that carry out national or regional security missions.

(8) The provision of training and education to defense and security ministries, agencies, and headquarters-level organizations for organizations and forces described in paragraph (7).

(9) Activities to counter misinformation and disinformation campaigns and highlight corrupt, predatory and illegal practices.

(10) The provision of Department of Defense humanitarian assistance and disaster relief to support partner countries by promoting the development and growth of responsive institutions through activities such as—

(A) the provision of equipment, training, logistical support;

(B) transportation of humanitarian supplies or foreign security forces or personnel;

(C) making available, preparing, and transferring on-hand nonlethal Department stocks for humanitarian or health purposes to respond to unforeseen emergencies;

(D) the provision of Department humanitarian demining assistance and conducting physical security and stockpile-management activities; and

(E) as appropriate, conducting medical support operations or medical humanitarian missions, such as hospital ship deployments and base-operating services, to the extent required by the operation.

(11) Continued support for the women, peace, and security efforts of the Department of State to support the capacity of partner countries in the Western Hemisphere—

(A) to ensure that women and girls are safe and secure and the rights of women and girls are protected; and

(B) to promote the meaningful participation of women in the defense and security sectors.

(12) The provision of support to increase the capacity and effectiveness of Department educational programs and institutions, such as the William J. Perry Center, and international institutions, such as the Inter-American Defense Board and the Inter-American Defense College, that promote United States defense objectives through bilateral and regional relationships.

(13) Professional military education initiatives, including International Military and Education Training (IMET) assistance.

(14) The allocation of Navy maritime vessels to the United States 4th Fleet, including the use of ships scheduled to be decommissioned.

(15) A detailed assessment of the resources required to carry out such strategy and a plan to be executed in fiscal year 2022.

(c) APPROPRIATE COMMITTEES OF CONGRESS.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

SA 2306. Mr. DAINES submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. _____. PENALTIES FOR REPRESENTING VETERANS AS AGENTS AND ATTORNEYS WITHOUT RECOGNITION BY SECRETARY OF VETERANS AFFAIRS.

(a) IN GENERAL.—Section 5905 of title 38, United States Code, is amended to read as follows:

''§ 5905. Penalty for certain acts

''Whoever commits any of the following acts shall be fined as provided in title 18, or imprisoned for not more than one year, or both:

''(1) Acts or attempts to act as an agent (including as a financial planner, benefits claim advisor, or benefits claim prepper) or attorney for the preparation, presentation, or prosecution of a claim under a law administered by the Secretary—

''(A) without recognition by the Secretary as an agent or attorney under section 5904 of this title; or

''(B) while suspended or excluded under subsection (b) of such section.

''(2) The act of unlawfully withholding from any claimant or beneficiary any part of a benefit or claim under the laws administered by the Secretary that is allowed and due to the claimant or beneficiary.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to acts committed after the date that is 180 days after the date of the enactment of this Act.

SA 2307. Mrs. LOEFFLER submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

On page 808, strike lines 5 through 22 and insert the following:

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

(1) the United States Government has a responsibility to undertake all reasonable measures to ensure that members of the Armed Forces never confront a more technologically advanced foe;

(2) the United States maintains its unwavering commitment to the security of Israel as a Jewish state, strongly supports the right of Israel to self-defense, and encourages further development of advanced technology programs between the United States and Israel to enhance common security;

(3) the United States and Israel have several cooperative technology programs to develop and field capabilities in missile defense, countertunneling, and counter-unmanned aerial systems; and

(4) building on positive ongoing efforts, the United States and Israel should further institutionalize and strengthen their defense innovation partnership by establishing a United States-Israel Operations-Technology Working Group to identify and expeditiously field capabilities that the military forces of both countries need to deter and defeat respective adversaries.

SA 2308. Mr. CRUZ (for himself, Ms. SINEMA, Mr. WICKER, Ms. CANTWELL, Mr. KAINE, Mr. CORNYN, and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1610. CONTINUATION OF THE INTERNATIONAL SPACE STATION.

(a) PRESENCE IN LOW-EARTH ORBIT.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) it is in the national and economic security interests of the United States to maintain a continuous human presence in low-Earth orbit;

(B) the International Space Station is a strategic national security asset vital to the continued space exploration and scientific advancements of the United States; and

(C) low-Earth orbit should be utilized as a testbed to advance human space exploration, scientific discoveries, and United States economic competitiveness and commercial participation.

(2) HUMAN PRESENCE REQUIREMENT.—The United States shall continuously maintain the capability for a continuous human presence in low-Earth orbit through and beyond the useful life of the International Space Station.

(b) MAINTAINING A NATIONAL LABORATORY IN SPACE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States national laboratory in space, which currently consists of the United States segment of the International Space Station (designated as a national laboratory under section 70905 of title 51, United States Code)—

(i) benefits the scientific community and promotes commerce in space;

(ii) fosters stronger relationships among the National Aeronautics and Space Administration (referred to in this section as ''NASA'') and other Federal agencies, the private sector, and research groups and universities;

(iii) advances science, technology, engineering, and mathematics education through utilization of the unique microgravity environment; and

(iv) advances human knowledge and international cooperation;

(B) after the International Space Station is decommissioned, the United States should maintain a national microgravity laboratory in space;

(C) in maintaining a national microgravity laboratory described in subparagraph (B), the United States should make appropriate accommodations for different types of ownership and operational structures for the International Space Station and future space stations;

(D) the national microgravity laboratory described in subparagraph (B) should be maintained beyond the date on which the International Space Station is decommissioned and, if possible, in cooperation with international space partners to the extent practicable; and

(E) NASA should continue to support fundamental science research on future platforms in low-Earth orbit and cis-lunar space, short duration suborbital flights, drop towers, and other microgravity testing environments.

(2) REPORT.—The Administrator of NASA shall produce, in coordination with the National Space Council and other Federal agencies as the Administrator considers relevant, a report detailing the feasibility of establishing a microgravity national laboratory Federally Funded Research and Development Center to undertake the work related to the study and utilization of in-space conditions.

(c) CONTINUATION OF AUTHORITY.—

(1) IN GENERAL.—Section 501(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18351(a)) is amended by striking ''2024'' and inserting ''2030''.

(2) MAINTENANCE OF THE UNITED STATES SEGMENT AND ASSURANCE OF CONTINUED OPERATIONS OF THE INTERNATIONAL SPACE STATION.—Section 503(a) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18353(a)) is amended by striking ''2024'' and inserting ''2030''.

(3) RESEARCH CAPACITY ALLOCATION AND INTEGRATION OF RESEARCH PAYLOADS.—Section 504(d) of the National Aeronautics and Space Administration Authorization Act of 2010 (42 U.S.C. 18354(d)) is amended by striking ''2024'' each place it appears and inserting ''2030''.

(4) MAINTAINING USE THROUGH AT LEAST 2030.—Section 70907 of title 51, United States Code, is amended—

(A) in the section heading, by striking ''**2024**'' and inserting ''**2030**''; and

(B) by striking ''2024'' each place it appears and inserting ''2030''.

(d) TRANSITION PLAN REPORTS.—Section 50111(c)(2) of title 51, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''2023'' and inserting ''2028''; and

(2) in subparagraph (J), by striking ''2028'' and inserting ''2030''.

(e) EXEMPTION FROM THE IRAN, NORTH KOREA, AND SYRIA NONPROLIFERATION ACT.—Section 7(1) of the Iran, North Korea, and Syria Nonproliferation Act (Public Law 106–178; 50 U.S.C. 1701 note) is amended, in the undesignated matter following subparagraph (B), by striking ''December 31, 2025'' and inserting ''December 31, 2030''.

(f) DEPARTMENT OF DEFENSE ACTIVITIES ON INTERNATIONAL SPACE STATION.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall—

(A) identify and review each activity, program, and project of the Department of Defense completed, being carried out, or planned to be carried out on the International Space Station as of the date of the review; and

(B) provide to the appropriate committees of Congress a briefing that describes the results of the review.

(2) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Armed Services, the Committee on Commerce, Science, and Transportation, and the Committee on Appropriations of the Senate; and

(B) the Committee on Armed Services, the Committee on Science, Space, and Technology, and the Committee on Appropriations of the House of Representatives.

SA 2309. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title VIII, add the following:

SEC. 815. DOMESTIC SOURCING REQUIREMENTS FOR CERTAIN COMPONENTS FOR AUXILIARY SHIPS.

(a) ADDITIONAL PROCUREMENT LIMITATION.—Section 2534(a)(6) of title 10, United States Code, is amended to read as follows:

''(6) COMPONENTS FOR AUXILIARY SHIPS.—Subject to subsection (k), the following components must be engineered, manufactured and assembled in the United States:

''(A) Auxiliary equipment, including pumps, for all shipboard services.

''(B) Propulsion system components, including engines, reduction gears, and propellers.

''(C) Shipboard cranes.

''(D) Spreaders for shipboard cranes.

''(E) Medium-speed diesel engines.

''(F) Power Distribution equipment, Energy Storage Systems, energy storage/magazine equipment.

''(G) Auxiliary propulsion units and systems, including bow and tunnel thrusters, waterjets, dynamic positioning systems, and hybrid propulsion systems.

''(H) Ship service power generators and emergency generators, and hybrid drive systems.

''(I) Military Qualified Wire and Cable and derived products.

''(J) Propulsion shafting.

''(K) Crankshafts for marine engines.

''(L) Specialized Valves for pneumatic, fuel, firefighting, countermeasure wash down, and chilled water systems.

''(M) Air circuit breakers.

''(N) LV and HV switchgear.

''(O) Power converters.

''(P) Power inverters.

''(Q) Frequency converters.

''(R) Aircraft Electrical Starting Stations (AESS).

''(S) Degaussing systems.

''(T) Static Automatic Bus Transfer Switches (SABTs).

''(U) Inertial navigation systems and gyrocompass.

''(V) Propulsion and ship's service diesel engines.''.

(b) IMPLEMENTATION.—The second subsection in section 2534 of title 10, United States Code, designated as subsection (k) is amended to read as follows:

''(l) IMPLEMENTATION OF AUXILIARY SHIP COMPONENT LIMITATION.—Subsection (a)(6) applies only with respect to contracts awarded by the Secretary of a military department for new construction of an auxiliary ship 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. For purposes of this subsection, the term 'auxiliary ship' does not include an icebreaker.''.

SA 2310. Mrs. LOEFFLER submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

On page 808, strike lines 5 through 22 and insert the following:

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

(1) the United States Government has a responsibility to undertake all reasonable measures to ensure that members of the Armed Forces never confront a more technologically advanced foe;

(2) pursuant to section 3 of the United States-Israel Enhanced Security Cooperation Act of 2012 (22 U.S.C. 8602), it is the policy of the United States to affirm the unwavering commitment of the United States to the security of Israel as a Jewish state, support the right of Israel to self-defense and encourage further development of advanced technology programs between the United States and Israel;

(3) the United States and Israel have several cooperative technology programs to develop and field capabilities in missile defense, countertunneling, and counter-unmanned aerial systems; and

(4) building on positive ongoing efforts, the United States and Israel should further institutionalize and strengthen their defense innovation partnership by establishing a United States-Israel Operations-Technology Working Group to identify and expeditiously field capabilities that the military forces of both countries need to deter and defeat respective adversaries.

SA 2311. Mr. CASSIDY submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. STUDY ON FEASIBILITY OF CRUDE OIL STOCKPILES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Energy (referred to in this section as the ''Secretary'') shall conduct a study on the cost effectiveness, economic benefits, and feasibility of establishing, maintaining, and operating additional crude oil stockpiles.

(b) CONSIDERATIONS.—In conducting the study under subsection (a), the Secretary shall take into consideration—

(1) the economic, environmental, and energy security costs and benefits of additional storage locations both above and below ground, including the use of private sector and State-owned sites; and

(2) factors that impact how quickly a storage facility could be used to absorb additional crude oil.

(c) REPORT.—As soon as practicable after completing the study under subsection (a), the Secretary shall submit to the appropriate committees of jurisdiction of the Senate and the House of Representatives a report describing the findings and recommendations of the study.

SA 2312. Mr. INHOFE (for himself and Mr. MORAN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. ANNUITY SUPPLEMENT.

(a) IN GENERAL.—Section 8421a(c) of title 5, United States Code, is amended—

(1) by striking ''as an air traffic'' and inserting the following: ''as an—

''(1) air traffic'';

(2) in paragraph (1), as so designated, by striking the period at the end and inserting ''; or''; and

(3) by adding at the end the following:

''(2) air traffic controller pursuant to a contract made with the Secretary of Transportation under section 47124 of title 49.''.

(b) EFFECTIVE DATE.—This section, and the amendments made by this section, shall take effect on October 1, 2021.

SA 2313. Ms. CORTEZ MASTO (for herself, Ms. ROSEN, Mr. HEINRICH, Mr. MANCHIN, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle F of title XXXI, add the following:

SEC. 3168. REQUIREMENT FOR APPROVAL OF CONGRESS FOR CONDUCT OF EXPLOSIVE NUCLEAR TESTING.

Section 4210(a) of the Atomic Energy Defense Act (50 U.S.C. 2530(a)) is amended to read as follows:

''(a) EXPLOSIVE NUCLEAR TESTING.—

''(1) IN GENERAL.—No explosive nuclear testing may be conducted by the United States after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021, and none of the funds described in paragraph (2) may be obligated or expended to conduct such testing, unless—

''(A)(i) a foreign state conducts a nuclear test after that date; or

''(ii) there is a technical need for such testing;

''(B) not less than 180 days before the date proposed to conduct such testing, the President submits to Congress a notification described in paragraph (3) with respect to such testing; and

''(C) a joint resolution approving the testing with respect to which the notification is submitted under subparagraph (B) is enacted into law—

''(i) in the case of testing proposed to be conducted after a foreign state conducts a nuclear test—

''(I) without use of expedited procedures under paragraph (4); but

''(II) requiring, for passage in the Senate, the affirmative vote of two-thirds of Senators, duly chosen and sworn; or

''(ii) in the case of testing proposed to be conducted because there is a technical need for such testing, pursuant to paragraph (4).

''(2) FUNDS DESCRIBED.—The funds described in this paragraph are funds—

''(A) authorized to be appropriated or otherwise made available for fiscal year 2021 or any fiscal year thereafter; or

''(B) authorized to be appropriated or otherwise made available for any fiscal year before fiscal year 2021 and available for obligation as of the date of the enactment of the National Defense Authorization Act for Fiscal Year 2021.

''(3) NOTIFICATION DESCRIBED.—

''(A) IN GENERAL.—A notification described in this paragraph with respect to a proposal to conduct explosive nuclear testing shall include—

''(i) a description of the testing proposed to be conducted;

''(ii) a statement of the reasons for conducting the testing, including—

''(I) whether or not there is a technical need for conducting the testing;

''(II) if there is a technical need for conducting the testing—

''(aa) a description of the technical need;

''(bb) an assessment of alternative options for addressing the need; and

''(cc) an explanation of why those options were not selected; and

''(III) if the reason for conducting the testing is in response to a geopolitical event under the responsibility of the President acting as the Commander in Chief of the Armed Forces, a detailed explanation of why the testing would be in the supreme national interest of the United States;

''(iii) an estimate of the timelines and costs of conducting the testing; and

''(iv) any other information the President considers relevant.

''(B) FORM.—A notification described in subparagraph (A) shall be submitted in unclassified form but may include a classified annex.

''(4) JOINT RESOLUTION OF APPROVAL FOR EXPLOSIVE NUCLEAR TESTING FOR WHICH THERE IS A TECHNICAL NEED.—

''(A) JOINT RESOLUTION OF APPROVAL DEFINED.—In this paragraph, the term 'joint resolution of approval' means a joint resolution of either House of Congress the sole matter after the resolving clause of which is the following: 'Congress approves of the proposal of the President to conduct explosive nuclear testing for which there is a technical need, notice of which was submitted to Congress under section 4210(a) of the Atomic Energy Defense Act (50 U.S.C. 2530(a)) on _____.', with the blank space being filled with the appropriate date.

''(B) INTRODUCTION; REFERRAL.—A joint resolution of approval—

''(i) may be introduced in either House by any member; and

''(ii) shall be referred—

''(I) in the Senate, to the Committee on Armed Services of the Senate; and

''(II) in the House of Representatives, to the Committee on Armed Services of the House of Representatives.

''(C) CONSIDERATION IN HOUSE OF REPRESENTATIVES.—

''(i) REPORTING AND DISCHARGE.—The Committee on Armed Services of the House of Representatives shall report a joint resolution of approval to the House not later than 60 calendar days after the date of receipt of the notification submitted under paragraph (1)(B). If the committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be referred to the appropriate calendar.

''(ii) PROCEEDING TO CONSIDERATION.—After the Committee on Armed Services of the House of Representatives reports the joint resolution of approval to the House or has been discharged from its consideration, it shall be in order, not later than the 120th day after Congress receives the notification submitted under paragraph (1)(B), to move to proceed to consider the joint resolution in the House. All points of order against the motion are waived. Such a motion shall not be in order after the House has disposed of a motion to proceed on the joint resolution. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. The motion shall not be debatable. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

''(iii) CONSIDERATION.—The joint resolution of approval shall be considered as read. All points of order against the joint resolution and against its consideration are waived. The previous question shall be considered as ordered on the joint resolution to its passage without intervening motion except 24 hours of debate equally divided and controlled by the proponent and an opponent. A motion to reconsider the vote on passage of the joint resolution shall not be in order.

''(D) CONSIDERATION IN SENATE.—

''(i) REPORTING AND DISCHARGE.—The Committee on Armed Services of the Senate shall report a joint resolution of approval to the Senate not later than 60 calendar days after the date of receipt of the notification submitted under paragraph (1)(B). If the committee fails to report the joint resolution within that period, the committee shall be discharged from further consideration of the joint resolution and the joint resolution shall be placed on the Calendar of Business.

''(ii) FLOOR CONSIDERATION.—

''(I) IN GENERAL.—Notwithstanding Rule XXII of the Standing Rules of the Senate, it is in order at any time after the Committee on Armed Services reports a joint resolution of approval or is discharged from consideration of a joint resolution of approval to move to proceed to the consideration of the joint resolution, and all points of order against the motion to proceed to the joint resolution (and against consideration of the joint resolution) are waived. The motion to proceed is not debatable. The motion is not subject to a motion to postpone. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the joint resolution shall remain the unfinished business until disposed of.

''(II) CONSIDERATION.—Consideration of a joint resolution of approval, and on all debatable motions in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between the majority and minority leaders or their designees. A motion further to limit debate is in order and not debatable. An amendment to, a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

''(III) VOTE ON PASSAGE.—The vote on passage shall occur immediately following the conclusion of the debate on a joint resolution of approval, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate. Passage of the joint resolution shall require the affirmative vote of two-thirds of Senators, duly chosen and sworn.

''(IV) RULINGS OF THE CHAIR ON PROCEDURE.—Appeals from the decisions of the Chair relating to the application of the rules of the Senate, as the case may be, to the procedure relating to a joint resolution of approval shall be decided without debate.

''(E) RULES RELATING TO SENATE AND HOUSE OF REPRESENTATIVES.—

''(i) COORDINATION WITH ACTION BY OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution of approval that is identical to the joint resolution of the House receiving the resolution, then the following procedures shall apply:

''(I) The joint resolution of the other House shall not be referred to a committee.

''(II) With respect to a joint resolution of the House receiving the resolution—

''(aa) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

''(bb) the vote on passage shall—

''(AA) require the affirmative vote of two-thirds of Senators, duly chosen and sworn, for passage; and

''(BB) be on the joint resolution of the other House.

''(ii) TREATMENT OF JOINT RESOLUTION OF OTHER HOUSE.—If one House fails to introduce or consider a joint resolution under this section, the joint resolution of the other House shall be entitled to expedited floor procedures under this paragraph.

''(iii) TREATMENT OF COMPANION MEASURES.—If, following passage of the joint resolution in the Senate, the Senate then receives an identical resolution from the House of Representatives, the resolution of the House shall not be debatable.

''(iv) CONSIDERATION OF VETO MESSAGES.—If the President vetoes a joint resolution of approval, debate on a veto message in the Senate shall be 1 hour equally divided between the majority and minority leaders or their designees.

''(F) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This paragraph enacted by the Senate and the House of Representatives—

''(i) as an exercise of the rulemaking power of the Senate and House, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of a joint resolution of approval, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(ii) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

''(5) DEFINITIONS.—In this subsection:

''(A) EXPLOSIVE NUCLEAR TESTING.—The term 'explosive nuclear testing'—

''(i) means testing involving the explosive compression or assembly of fissile material to exceed critical mass with the attendant release of any nuclear energy from fission processes; and

''(ii) does not include subcritical experiments carried out as part of the stockpile stewardship program under section 4201, laser fusion experiments, or other inertial confinement fusion experiments however driven.

''(B) TECHNICAL NEED.—The term 'technical need', with respect to explosive nuclear testing, means that all officials specified in section 4205(b) determine that an explosive nuclear test is necessary to resolve an issue with respect to the safety, reliability, performance, or military effectiveness of a nuclear weapon type.''.

SA 2314. Ms. CORTEZ MASTO (for herself and Ms. ROSEN) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle D of title XXVIII, add the following:

SEC. 28_____. TRANSFER AND WITHDRAWAL OF BUREAU OF LAND MANAGEMENT LAND FOR USE AS A NATIONAL CEMETERY.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term ''Federal land'' means the approximately 15 acres of Bureau of Land Management land in Elko, Nevada, that is more particularly described as NE¼ SW¼ NW¼, N½ SE¼ SW¼ NW¼, sec. 8, T. 34 N., R. 55 E., of the Mount Diablo Meridian, as depicted on the map prepared by the Bureau of Land Management, entitled ''Proposed National Cemetery-Elko Nevada'', and dated September 9, 2015.

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

(b) TRANSFER OF ADMINISTRATIVE JURISDICTION.—

(1) IN GENERAL.—Subject to valid existing rights, administrative jurisdiction over the Federal land is transferred from the Secretary to the Secretary of Veterans Affairs for use as a national cemetery in accordance with chapter 24 of title 38, United States Code.

(2) LEGAL DESCRIPTIONS.—

(A) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall publish in the Federal Register a notice containing a legal description of the Federal land.

(B) EFFECT.—A legal description published under subparagraph (A) shall have the same force and effect as if included in this section, except that the Secretary may correct any

clerical and typographical errors in the legal description.

(C) AVAILABILITY.—Copies of the legal description published under subparagraph (A) shall be available for public inspection in the appropriate offices of—

(i) the Bureau of Land Management; and

(ii) the National Cemetery Administration.

(D) COSTS.—The Secretary of Veterans Affairs shall reimburse the Secretary for the costs incurred by the Secretary in carrying out this paragraph, including the costs of any surveys and other reasonable costs.

(c) DUE DILIGENCE.—Before making a determination on whether the Federal land is appropriate for cemetery purposes, the Secretary of Veterans Affairs, in coordination with the Secretary, may complete appropriate environmental, cultural resource, and other due diligence activities with respect to the Federal land.

(d) WITHDRAWAL.—Subject to valid existing rights, for any period during which the Federal land is under the administrative jurisdiction of the Secretary of Veterans Affairs, the Federal land—

(1) is withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws; and

(2) shall be treated as property (as defined in section 102 of title 40, United States Code).

SA 2315. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place in title XVI, insert the following:

SEC. _____. NATIONAL RECONNAISSANCE OFFICE FUTURE COMMERCIAL SOURCES OF SATELLITE IMAGERY.

(1) FINDINGS.—The Senate finds the following:

(A) The National Reconnaissance Office (NRO) is moving forward with acquiring commercial satellite imagery following the end of the decade-long EnhancedView contract, set to end at the end of fiscal year 2020.

(B) The Director of the National Reconnaissance Office expects to continue a program of open competition likely leading to contracts with multiple awardees.

(C) The Office continues to be responsive to the requirements of the National Geospatial-Intelligence Agency (NGA) and the broader Department of Defense geospatial-intelligence (GEOINT) user community, including the combatant commands (COCOMs), functional commands, and other key elements of the Armed Forces, including fulfilling the geospatial-intelligence requirements of the user community to the greatest extent.

(D) The Office is working proactively with industry to apply commercial solutions to known intelligence, surveillance, and reconnaissance gaps as much as possible.

(2) BRIEFING REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Director of the National Reconnaissance Office shall submit to the congressional defense, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives a briefing on the plans of the Director to support the continuation of commercial data acquisitions.

(3) ELEMENTS.—The briefing required under subsection (2) shall cover the following:

(A) Identification of new commercial providers or new commercial data sets and solutions.

(B) Plans for transitioning providers from pilot programs to operational contracts.

(C) How user needs previously met by the EnhancedView contract will be met or exceeded by follow-on contracts.

(D) On-ramps for new capabilities responsive to additional user needs.

SA 2316. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title XVI, add the following:

SEC. 1610. REVIEW OF AND BRIEFING ON DEPARTMENT POLICIES TO MINIMIZE ORBITAL DEBRIS THREATS.

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

(1) National security depends on reliable access to and safe operations in space.

(2) Critical Department of Defense and intelligence community missions operating in space and providing multidomain support depend on minimizing orbital threats, including the threat posed by orbital debris.

(3) Satellites and rocket bodies are major sources of space debris, particularly in low-Earth orbit.

(4) In addition to the threat posed by space debris, there have been several notable close calls between active satellites and active and defunct spacecraft.

(5) The United States and global economies cannot afford actual space collisions, much less the additional debris that would result from such a collision.

(6) The United States Government maintains and updates orbital debris mitigation standard practices, and the most recent update was completed in November 2019.

(b) REVIEW.—The Secretary of Defense shall review the current policies of the Department for orbital debris mitigation, including compliance with the orbital debris mitigation standard practices referred to in subsection (a)(6).

(c) BRIEFING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall provide a briefing to the congressional defense committees on Department plans to reach full compliance with such orbital debris mitigation standard practices through the establishment of Department-wide orbital debris mitigation practices.

(2) ELEMENT.—The briefing required by paragraph (1) shall include a description of—

(A) nominal end-of-mission operations, in which after mission completion, all spacecraft and orbital launch vehicle components are disposed as planned; and

(B) off-nominal operations, in which, due to unexpected scenarios or mishaps, planned disposal of spacecraft and orbital launch vehicles are not able to be met.

SA 2317. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle B of title III, add the following:

SEC. 320. STUDY ON IMPACTS OF TRANSBOUNDARY FLOWS, SPILLS, OR DISCHARGES OF POLLUTION OR DEBRIS FROM THE TIJUANA RIVER ON PERSONNEL, ACTIVITIES, AND INSTALLATIONS OF DEPARTMENT OF DEFENSE.

(a) STUDY.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Administrator of the Environmental Protection Agency, the Secretary of State, and the United States Commissioner of the International Boundary and Water Commission, shall commission an independent scientific study of the impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River on the personnel, activities, and installations of the Department of Defense.

(2) ELEMENTS.—The study required by paragraph (1) shall address the short-term, long-term, primary, and secondary impacts of transboundary flows, spills, or discharges of pollution or debris from the Tijuana River and include recommendations to mitigate such impacts.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the appropriate committees of Congress a report containing the results of the study under subsection (a), including all findings and recommendations resulting from the study.

(c) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this section, the term ''appropriate committees of Congress'' means—

(1) the Committee on Armed Services, the Committee on Environment and Public Works, and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services, the Committee on Transportation and Infrastructure, and the Committee on Foreign Affairs of the House of Representatives.

SA 2318. Ms. HARRIS submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle A of title IX, add the following:

SEC. 906. SPECIAL INSPECTOR GENERAL FOR RACIAL AND ETHNIC DISPARITIES IN THE ARMED FORCES.

(a) SPECIAL INSPECTOR GENERAL FOR RACIAL AND ETHNIC DISPARITIES IN THE ARMED FORCES.—

(1) PURPOSES.—The purposes of this section are the following:

(A) To provide for the independent and objective conduct and supervision of audits and investigations relating to racial and ethnic disparities in military personnel and military justice systems, and white supremacy among military personnel.

(B) To provide recommendations to the Secretary of Defense and to Congress on actions necessary to eliminate racial and ethnic disparities in military personnel and military 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) 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 the Armed Forces (in this section referred to as the ''Inspector General''), who shall be appointed by the President 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 FIRST NOMINATION.—The nomination of an individual to be the first Inspector General to be appointed after the date of the enactment of this Act shall be made not later than 90 days after that date.

(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.—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 subparagraphs (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 statute 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 otherwise appropriated 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.

''(B) Any other matter that the Inspector General determines to include.

''(3) Any individual serving as the head of an Office of Inspector General, after the removal of an Inspector General under paragraph (1), shall issue to the Council of the Inspectors General on Integrity and Efficiency a report identifying any instances in which an investigation or matter described in paragraph (2) is closed prior to its completion, with a description of the reasons for closing the investigation or matter.''; and

(2) in section 8G(e), by adding at the end the following new paragraph:

''(3) In the event of the removal of an Inspector General, the Council of the Inspectors General on Integrity and Efficiency shall—

''(A) investigate the reasons for removal provided by the President;

''(B) publish a report including the determination of the Council whether the reasons described in subparagraph (A) are in accordance with the relevant provisions relating to for cause removal;

''(C) review any investigation that was being conducted by the Inspector General at the time of 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.''.

SA 2319. Ms. KLOBUCHAR (for herself, Mr. TILLIS, and Mrs. MURRAY) submitted an amendment intended to be proposed to amendment SA 2301 proposed by Mr. INHOFE to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1085. ADDITIONAL CARE FOR NEWBORN CHILDREN OF VETERANS.

Section 1786 of title 38, United States Code, is amended—

(1) in subsection (a), by striking ''The Secretary'' and inserting ''Except as provided in subsection (c), the Secretary''; and

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

''(c) EXCEPTION BASED ON MEDICAL NECESSITY.—Pursuant to such regulations as the Secretary shall prescribe to carry out this section, the Secretary may furnish more than seven days of health care services described in subsection (b), and may furnish transportation necessary to receive such services, to a newborn child based on medical necessity if the child is in need of additional care, including if the child has been discharged or released from a hospital and requires readmittance to ensure the health and welfare of the child.''.

SA 2320. Mr. THUNE submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. NATIONAL SPECIAL ACTIVITY AIRSPACE PLANNING AND INTEGRATION OFFICE.

(a) ESTABLISHMENT.—In order to provide a balanced approach to National Defense requirements with the need to promote Commerce, not later than 1 year after the date of enactment of this Act, the Administrator, in coordination with the Secretary, shall establish a National Special Activity Airspace Planning and Integration Office concerning matters of special activity airspace.

(b) INTENT.—The Office shall carry out its mission—

(1) pursuant to the Report to Congress on the Joint Review of Special Activity Airspace, 1989 (submitted pursuant to section 104(b) of the Airport and Airway Safety and Capacity Expansion Act of 1987 (Public Law 100–223), with the Office serving in lieu of the facility;

(2) pursuant to the National Special Activity Airspace Program of the FAA; and

(3) in light of the expanded information management of the Federal Government.

(c) MISSION.—The mission of the Office shall be the following:

(1) To develop and maintain a joint Department and FAA strategic plan that integrates and guides development of special activity airspace into an evolving National Airspace System and seeks compatible solutions to foreseeable airspace requirements and priorities in support of the National Defense Strategy and emerging Service and Department defined requirements. Such strategic plan should recognize the following:

(A) The Nation's airspace is a vital, but limited, resource which is receiving unprecedented competition for use from all segments of the aviation community.

(B) The Department has a legitimate and continuing need for access to special activity airspace. New weapons systems and tactics will generate dynamic and changing airspace needs.

(C) The emerging requirement to automate, monitor, and record data regarding utilization of special activity airspace, including real time tracking and strategy development to support dynamic special activity airspace use compatible with civil Performance Based Navigation.

(2) To make recommendations and facilitate strategic and regional planning regarding the need for development, modification, or revocation of special activity airspace, including—

(A) special activity airspace to meet the Research, Development, Test and Evaluation, and training requirements to meet Department and Service requirements for peacetime, contingency, and wartime operations;

(B) recommendation of special activity airspace locations and Service validated parameters therein to support existing Department installations; and

(C) review Aeronautical Studies conducted in conjunction with special activities airspace determinations.

(3) To make recommendations that provide a balanced approach to National Defense requirements with the need to promote Commerce, including commercial, business, other Federal, and general aviation, including the release of airspace designated for military use to the FAA or to other air navigation service providers, as appropriate, when the airspace is not needed for military requirements.

(4) To make recommendations of special activity airspace use with respect to costs and cost avoidance of military, other Federal, and commercial aviation use.

(5) To support the efficient use of the national airspace system for all stakeholders, including military and other Federal flight operations supported by taxpayer funding.

(d) DIRECTOR.—The Office shall be headed by a director, who shall be appointed by the Administrator and shall report to an FAA employee not lower than the Chief Operating Officer Air Traffic Control.

(e) DEPUTY DIRECTOR.—The Secretary shall appoint the deputy director of the Office, who shall report to the Executive Director of the Policy Board for Federal Aviation.

(f) STAFF.—The Office shall be staffed by Federal employees of the FAA, military and civilian personnel of the Department, and other employees considered by the director and deputy director of the Office.

(g) LIAISON.—The Director shall appoint a member of the staff of the Office to serve as a liaison with other Federal and commercial users of the national airspace system regarding the activities of the Office.

(h) OMBUDSMAN.—The Director may appoint a member of the staff of the Office to serve as ombudsman of the Office. The ombudsman shall serve as a liaison with the public, including community groups, on issues regarding the activities of the Office.

(i) LIMITATION.—The provisions of this section, including the establishment of the Office, shall not restrict or otherwise affect—

(1) the regulatory authority or management authority of the FAA over the National Airspace System, including airspace delegated to the Department or other Federal agencies, pursuant to titles 14 and 32, Code of Federal Regulations;

(2) the regulatory authority or management authority of the Department or the Services to organize, train, and equip for National Defense under title 10, United States Code; and

(3) the air traffic control authority of controlling agencies or the scheduling authority of the using or scheduling agencies.

(j) DEFINITIONS.—In this section:

(1) ADMINISTRATOR.—The term ''Administrator'' means the Administrator of the FAA.

(2) DEPARTMENT.—The term ''Department'' means the Department of Defense and the Services as defined in title 10 of the Code of Federal regulations.

(3) FAA.—The term ''FAA'' means the Federal Aviation Administration.

(4) SERVICE.—The term ''Service'' means the Military Services.

(5) OFFICE.—The term ''Office'' means the National Special Activity Airspace Planning and Integration Office established under this section.

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

(7) SPECIAL ACTIVITY AIRSPACE.—The term ''special activity airspace'' means all special activity airspace, including regulatory special use airspace, non-regulatory special use airspace, and other non-regulatory airspace (including air traffic control assigned areas of the National Airspace System).

SA 2321. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. PERMANENT SBIR AND STTR AUTHORITY FOR THE DEPARTMENT OF DEFENSE.

Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (m), by inserting ''\, except with respect to the Department of Defense'' after ''September 30, 2022''; and

(2) in subsection (n)(1)(A)—

(A) by inserting ''(or, with respect to the Department of Defense, any fiscal year)'' after ''2022''; and

(B) by inserting ''(or, with respect to the Department of Defense, for any fiscal year)'' after ''for that fiscal year''.

SA 2322. Mr. DURBIN (for himself, Mr. BROWN, Ms. WARREN, and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. _____. 85/15 RULE.

(a) IN GENERAL.—Section 102(b) of the Higher Education Act of 1965 (20 U.S.C. 1002(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking ''and'' after the semicolon;

(B) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(F) meets the requirements of paragraph (2).'';

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

(3) by inserting after paragraph (1) the following:

''(2) REVENUE SOURCES.—

''(A) IN GENERAL.—In order to qualify as a proprietary institution of higher education under this subsection, an institution shall derive not less than 15 percent of the institution's revenues from sources other than Federal funds, as calculated in accordance with subparagraphs (B) and (C).

''(B) FEDERAL FUNDS.—In this paragraph, the term 'Federal funds' means any Federal financial assistance provided, under this Act or any other Federal law, through a grant, contract, subsidy, loan, guarantee, insurance, or other means to a proprietary institution, including Federal financial assistance that is disbursed or delivered to an institution or on behalf of a student or to a student to be used to attend the institution, except that such term shall not include any monthly housing stipend provided under the Post-9/11 Veterans Educational Assistance Program under chapter 33 of title 38, United States Code.

''(C) IMPLEMENTATION OF NON-FEDERAL REVENUE REQUIREMENT.—In making calculations under subparagraph (A), an institution of higher education shall—

''(i) use the cash basis of accounting;

''(ii) consider as revenue only those funds generated by the institution from—

''(I) tuition, fees, and other institutional charges for students enrolled in programs eligible for assistance under title IV;

''(II) activities conducted by the institution that are necessary for the education and training of the institution's students, if such activities are—

''(aa) conducted on campus or at a facility under the control of the institution;

''(bb) performed under the supervision of a member of the institution's faculty; and

''(cc) required to be performed by all students in a specific educational program at the institution; and

''(III) a contractual arrangement with a Federal agency for the purpose of providing job training to low-income individuals who are in need of such training;

''(iii) presume that any Federal funds that are disbursed or delivered to an institution on behalf of a student or directly to a student will be used to pay the student's tuition, fees, or other institutional charges, regardless of whether the institution credits such funds to the student's account or pays such funds directly to the student, except to the extent that the student's tuition, fees, or other institutional charges are satisfied by—

''(I) grant funds provided by an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(II) institutional scholarships described in clause (v);

''(iv) include no loans made by an institution of higher education as revenue to the school, except for payments made by students on such loans;

''(v) include a scholarship provided by the institution—

''(I) only if the scholarship is in the form of monetary aid based upon the academic achievements or financial need of students, disbursed to qualified student recipients during each fiscal year from an established restricted account; and

''(II) only to the extent that funds in that account represent designated funds, or income earned on such funds, from an outside source that—

''(aa) has no affiliation with the institution; and

''(bb) shares no employees with the institution; and

''(vi) exclude from revenues—

''(I) the amount of funds the institution received under part C of title IV, unless the institution used those funds to pay a student's institutional charges;

''(II) the amount of funds the institution received under subpart 4 of part A of title IV;

''(III) the amount of funds provided by the institution as matching funds for any Federal program;

''(IV) the amount of Federal funds provided to the institution to pay institutional charges for a student that were refunded or returned; and

''(V) the amount charged for books, supplies, and equipment, unless the institution includes that amount as tuition, fees, or other institutional charges.

''(D) REPORT TO CONGRESS.—Not later than July 1, 2021, and by July 1 of each succeeding year, the Secretary shall submit to the authorizing committees a report that contains, for each proprietary institution of higher education that receives assistance under title IV and as provided in the audited financial statements submitted to the Secretary by each institution pursuant to the requirements of section 487(c)—

''(i) the amount and percentage of such institution's revenues received from Federal funds; and

''(ii) the amount and percentage of such institution's revenues received from other sources.''.

(b) REPEAL OF EXISTING REQUIREMENTS.—Section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094) is amended—

(1) in subsection (a)—

(A) by striking paragraph (24);

(B) by redesignating paragraphs (25) through (29) as paragraphs (24) through (28), respectively;

(C) in paragraph (24)(A)(ii) (as redesignated by subparagraph (B)), by striking ''subsection (e)'' and inserting ''subsection (d)''; and

(D) in paragraph (26) (as redesignated by subparagraph (B)), by striking ''subsection (h)'' and inserting ''subsection (g)'';

(2) by striking subsection (d);

(3) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(4) in the matter preceding paragraph (1) of subsection (d) (as redesignated by paragraph (3)), by striking ''(a)(25)'' and inserting ''(a)(24)'';

(5) in subsection (f)(1) (as redesignated by paragraph (3)), by striking ''subsection (e)(2)'' and inserting ''subsection (d)(2)''; and

(6) in subsection (g)(1) (as redesignated by paragraph (3)), by striking ''subsection (a)(27)'' in the matter preceding subparagraph (A) and inserting ''subsection (a)(26)''.

(c) CONFORMING AMENDMENTS.—The Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) is amended—

(1) in section 152 (20 U.S.C. 1019a)—

(A) in subsection (a)(1)(A), by striking ''subsections (a)(27) and (h) of section 487'' and inserting ''subsections (a)(26) and (g) of section 487''; and

(B) in subsection (b)(1)(B)(i)(I), by striking ''section 487(e)'' and inserting ''section 487(d)'';

(2) in section 153(c)(3) (20 U.S.C. 1019b(c)(3)), by striking ''section 487(a)(25)'' each place the term appears and inserting ''section 487(a)(24)'';

(3) in section 496(c)(3)(A) (20 U.S.C. 1099b(c)(3)(A)), by striking ''section 487(f)'' and inserting ''section 487(e)''; and

(4) in section 498(k)(1) (20 U.S.C. 1099c(k)(1)), by striking ''section 487(f)'' and inserting ''section 487(e)''.

SA 2323. Mr. DURBIN (for himself, Mr. BROWN, Ms. WARREN, and Ms. HASSAN) submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end of subtitle E of title V, add the following:

SEC. ____. AVAILABILITY OF PUBLIC INFORMATION REGARDING CIVIL AND CRIMINAL ACTIONS AND INVESTIGATIONS INVOLVING POSTSECONDARY EDUCATIONAL INSTITUTIONS.

(a) IN GENERAL.—The Secretary of Defense shall ensure that any online consumer tool offered or supported by the Department of Defense that provides information to servicemembers regarding specific postsecondary educational institutions, such as Tuition Assistance DECIDE or any successor or similar program, includes for each such institution an accounting of pending investigations and civil or criminal actions against the institution by Federal agencies and State attorneys general, to the extent such information is publicly available.

(b) SOURCES OF INFORMATION.—In gathering publicly available information on investigations and civil or criminal actions described in subsection (a), the Secretary of Defense shall—

(1) consult the heads of other Federal agencies and, as practicable, State attorneys general; and

(2) review any reports required to be filed with the Securities and Exchange Commission under section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m and 78o(d)), including Form 10–Q and Form 10–K.

(c) CONSULTATION REGARDING PRESENTATION.—To ensure that the information required under subsection (a) is presented in the most useful and effective way possible for servicemembers, the Secretary of Defense shall consult with the Secretary of Education, the Consumer Financial Protection Bureau, and servicemember and consumer advocates.

SA 2324. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. _____. HOMELAND SECURITY HIGHER EDUCATION ADVISORY COUNCIL.

(a) IN GENERAL.—The Secretary shall establish a council to be known as the ''Homeland Security Higher Education Advisory Council''.

(b) DUTIES OF COUNCIL.—The Council shall provide advice and recommendations to the Secretary on matters concerning homeland security and the academic community relating to the following:

(1) The threat of malign foreign influence and interference in the United States.

(2) Proposed regulatory changes impacting institutions of higher education.

(3) Promoting the openness of academic research and the exchange of ideas between institutions of higher education and the Federal Government.

(4) Promoting campus resilience resources to address a range of threats or hazards affecting institutions of higher education.

(5) Homeland security academic and research programs.

(6) Student and recent graduate recruitment to Federal Government employment.

(7) Issues relating to international students, including—

(A) obtaining and maintaining a visa;

(B) processing H–1B visas and Optional Practical Training; and

(C) monitoring student visa recipients who stay past their authorized time in the United States.

(8) Issues relating to undocumented students.

(9) Cybersecurity.

(10) Any other matters the Secretary considers appropriate.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall be composed of not fewer than 21 members appointed by the Secretary, of whom 9 shall be from governmental positions specified in paragraph (2), and not fewer than 12 members shall be from non-governmental positions specified in paragraph (3).

(2) GOVERNMENTAL POSITIONS.—Governmental positions specified in this paragraph are the following:

(A) The Bureau of Consular Affairs of the Department of State.

(B) The Bureau of Education and Cultural Affairs of the Department of State.

(C) U.S. Customs and Border Protection.

(D) The Office for Civil Rights and Civil Liberties of the Department of Homeland Security.

(E) The Science and Technology Directorate of the Department of Homeland Security.

(F) The Office of Science and Technology Cooperation of the Department of State.

(G) The Student and Exchange Visitor Program of the Department of Homeland Security.

(H) United States Citizenship and Immigration Services.

(I) Office of the Citizenship and Immigration Services Ombudsman.

(J) Homeland Security Investigations of the U.S. Immigration and Customs Enforcement.

(K) The Department of Justice.

(L) The intelligence community, as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(3) NON-GOVERNMENTAL POSITIONS.—Non-governmental positions specified in this paragraph are the following:

(A) Twelve presidents or chancellors of a university, with a distribution of such universities being private, public, and regionally diverse.

(B) Senior leaders of relevant higher education associations.

(4) TIMING OF APPOINTMENTS.—Appointments to the Council shall be made not later than 4 months after the date of enactment of this Act.

(5) TERMS.—

(A) IN GENERAL.—Each member of the Council shall be appointed for a term of 2 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.—The Chairperson and Vice Chairperson of the Council 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 Chairperson or Vice Chairperson occurs, as the case may be.

(d) MEETING.—

(1) INITIAL MEETING.—The Council shall hold its initial meeting not later than 30 days after the final appointment of all members under subsection (c)(4).

(2) MEETINGS.—The Council shall meet not fewer than 3 times each year at the call of the Chairperson or Vice Chairperson.

(3) QUORUM.—Sixteen members of the Council, of whom 8 members shall be appointed from governmental positions and 8 members shall be appointed from non-governmental positions, shall constitute a quorum.

(e) COMPENSATION.—

(1) PROHIBITION OF 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, United States Code.

(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) REPORT.—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 appropriate congressional committees a report containing a detailed statement of the advice and recommendations of the Council pursuant to subsection (b).

(h) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

(i) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Homeland Security, the Committee on the Judiciary, and the Committee on Science, Space, and Technology of the House of Representatives.

(2) COUNCIL.—The term ''Council'' means the Homeland Security Higher Education Advisory Council established under this section.

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

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Homeland Security.

SA 2325. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill S. 4049, 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; which was ordered to lie on the table; as follows:

At the end, add the following:

DIVISION E—AMERICAN DREAM AND PROMISE ACT

TITLE LI—DREAM ACT

SEC. 5101. SHORT TITLE.

This title may be cited as the ''Dream Act of 2020''.

Subtitle A—Treatment of Certain Long-term Residents Who Entered the United States as Children

SEC. 5111. PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, and except as provided in section 5113(c)(2), an alien shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence under this section, to have obtained such status on a conditional basis subject to the provisions of this title.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary or the Attorney General shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, or without the conditional basis as provided in section 5113(c)(2), an alien who is inadmissible or deportable from the United States (or is under a grant of Deferred Enforced Departure or has temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a)) if—

(A) the alien has been continuously physically present in the United States since the date that is 4 years before the date of the enactment of this Act;

(B) the alien was younger than 18 years of age on the date on which the alien entered the United States and has continuously resided in the United States since such entry;

(C) the alien—

(i) subject to section 5123(d), is not inadmissible under paragraph (1), (6)(E), (6)(G), (8), or (10) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iii) is not barred from adjustment of status under this title based on the criminal and national security grounds described under subsection (c), subject to the provisions of such subsection; and

(D) the alien—

(i) has been admitted to an institution of higher education;

(ii) has been admitted to an area career and technical education school at the postsecondary level;

(iii) in the United States, has obtained—

(I) a high school diploma or a commensurate alternative award from a public or private high school;

(II) a General Education Development credential, a high school equivalency diploma recognized under State law, or another similar State-authorized credential;

(III) a credential or certificate from an area career and technical education school at the secondary level; or

(IV) a recognized postsecondary credential; or

(iv) is enrolled in secondary school or in an education program assisting students in—

(I) obtaining a high school diploma or its recognized equivalent under State law;

(II) passing the General Education Development test, a high school equivalence diploma examination, or other similar State-authorized exam;

(III) obtaining a certificate or credential from an area career and technical education school providing education at the secondary level; or

(IV) obtaining a recognized postsecondary credential.

(2) APPLICATION FEE.—

(A) IN GENERAL.—The Secretary may, subject to an exemption under section 5123(c), require an alien applying under this section to pay a reasonable fee that is commensurate with the cost of processing the application but does not exceed $495.00.

(B) SPECIAL PROCEDURE FOR APPLICANTS WITH DACA.—The Secretary shall establish a streamlined procedure for aliens who have been granted DACA and who meet the requirements for renewal (under the terms of the program in effect on January 1, 2017) to apply for cancellation of removal and adjustment of status to that of an alien lawfully admitted for permanent residence on a conditional basis under this section, or without the conditional basis as provided in section 5113(c)(2). Such procedure shall not include a requirement that the applicant pay a fee, except that the Secretary may require an applicant who meets the requirements for lawful permanent residence without the conditional basis under section 5113(c)(2) to pay a fee that is commensurate with the cost of processing the application, subject to the exemption under section 5123(c).

(3) BACKGROUND CHECKS.—The Secretary may not grant an alien permanent resident status on a conditional basis under this section until the requirements of section 5122 are satisfied.

(4) MILITARY SELECTIVE SERVICE.—An alien applying for permanent resident status on a conditional basis under this section, or without the conditional basis as provided in section 5113(c)(2), shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. 3801 et seq.), if the alien is subject to registration under such Act.

(c) CRIMINAL AND NATIONAL SECURITY BARS.—

(1) GROUNDS OF INELIGIBILITY.—Except as provided in paragraph (2), an alien is ineligible for adjustment of status under this title (whether on a conditional basis or without the conditional basis as provided in section 5113(c)(2)) if any of the following apply:

(A) The alien is inadmissible under paragraph (2) or (3) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).

(B) Excluding any offense under State law for which an essential element is the alien's immigration status, and any minor traffic offense, the alien has been convicted of—

(i) any felony offense;

(ii) three or more misdemeanor offenses (excluding simple possession of cannabis or cannabis-related paraphernalia, any offense involving cannabis or cannabis-related paraphernalia which is no longer prosecutable in the State in which the conviction was entered, and any offense involving civil disobedience without violence) not occurring on the same date, and not arising out of the same act, omission, or scheme of misconduct; or

(iii) a misdemeanor offense of domestic violence, unless the alien demonstrates that such crime is related to the alien having been—

(I) a victim of domestic violence, sexual assault, stalking, child abuse or neglect, abuse or neglect in later life, or human trafficking;

(II) battered or subjected to extreme cruelty; or

(III) a victim of criminal activity described in section 101(a)(15)(U)(iii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(U)(iii)).

(2) WAIVERS FOR CERTAIN MISDEMEANORS.—For humanitarian purposes, family unity, or if otherwise in the public interest, the Secretary may—

(A) waive the grounds of inadmissibility under subparagraphs (A), (C), and (D) of section 212(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(2)), unless the conviction forming the basis for inadmissibility would otherwise render the alien ineligible under paragraph (1)(B) (subject to subparagraph (B)); and

(B) for purposes of clauses (ii) and (iii) of paragraph (1)(B), waive consideration of—

(i) one misdemeanor offense if the alien has not been convicted of any offense in the 5-year period preceding the date on which the alien applies for adjustment of status under this title; or

(ii) up to two misdemeanor offenses if the alien has not been convicted of any offense in the 10-year period preceding the date on which the alien applies for adjustment of status under this title.

(3) AUTHORITY TO CONDUCT SECONDARY REVIEW.—

(A) IN GENERAL.—Notwithstanding an alien's eligibility for adjustment of status under this title, and subject to the procedures described in this paragraph, the Secretary of Homeland Security may, as a matter of non-delegable discretion, provisionally deny an application for adjustment of status (whether on a conditional basis or without the conditional basis as provided in section 5113(c)(2)) if the Secretary, based on clear and convincing evidence, which shall include credible law enforcement information, determines that the alien is described in subparagraph (B) or (D).

(B) PUBLIC SAFETY.—An alien is described in this subparagraph if—

(i) excluding simple possession of cannabis or cannabis-related paraphernalia, any offense involving cannabis or cannabis-related paraphernalia which is no longer prosecutable in the State in which the conviction was entered, any offense under State law for which an essential element is the alien's immigration status, any offense involving civil disobedience without violence, and any minor traffic offense, the alien—

(I) has been convicted of a misdemeanor offense punishable by a term of imprisonment of more than 30 days; or

(II) has been adjudicated delinquent in a State or local juvenile court proceeding that resulted in a disposition ordering placement in a secure facility; and

(ii) the alien poses a significant and continuing threat to public safety related to such conviction or adjudication.

(C) PUBLIC SAFETY DETERMINATION.—For purposes of subparagraph (B)(ii), the Secretary shall consider the recency of the conviction or adjudication; the length of any imposed sentence or placement; the nature and seriousness of the conviction or adjudication, including whether the elements of the offense include the unlawful possession or use of a deadly weapon to commit an offense or other conduct intended to cause serious bodily injury; and any mitigating factors pertaining to the alien's role in the commission of the offense.

(D) GANG PARTICIPATION.—An alien is described in this subparagraph if the alien has, within the 5 years immediately preceding the date of the application, knowingly, willfully, and voluntarily participated in offenses committed by a criminal street gang (as described in subsections (a) and (c) of section 521 of title 18, United States Code) with the intent to promote or further the commission of such offenses.

(E) EVIDENTIARY LIMITATION.—For purposes of subparagraph (D), allegations of gang membership obtained from a State or Federal in-house or local database, or a network of databases used for the purpose of recording and sharing activities of alleged gang members across law enforcement agencies, shall not establish the participation described in such paragraph.

(F) NOTICE.—

(i) IN GENERAL.—Prior to rendering a discretionary decision under this paragraph, the Secretary of Homeland Security shall provide written notice of the intent to provisionally deny the application to the alien (or the alien's counsel of record, if any) by certified mail and, if an electronic mail address is provided, by electronic mail (or other form of electronic communication). Such notice shall—

(I) articulate with specificity all grounds for the preliminary determination, including the evidence relied upon to support the determination; and

(II) provide the alien with not less than 90 days to respond.

(ii) SECOND NOTICE.—Not more than 30 days after the issuance of the notice under clause (i), the Secretary of Homeland Security shall provide a second written notice that meets the requirements of such clause.

(iii) NOTICE NOT RECEIVED.—Notwithstanding any other provision of law, if an applicant provides good cause for not contesting a provisional denial under this paragraph, including a failure to receive notice as required under this subparagraph, the Secretary of Homeland Security shall, upon a motion filed by the alien, reopen an application for adjustment of status under this title and allow the applicant an opportunity to respond, consistent with clause (i)(II).

(G) JUDICIAL REVIEW.—An alien is entitled to judicial review of the Secretary's decision to provisionally deny an application under this paragraph in accordance with the procedures described in section 5126(c).

(4) DEFINITIONS.—For purposes of this subsection—

(A) the term ''felony offense'' means an offense under Federal or State law that is punishable by a maximum term of imprisonment of more than 1 year;

(B) the term ''misdemeanor offense'' means an offense under Federal or State law that is punishable by a term of imprisonment of more than 5 days but not more than 1 year;

(C) the term ''crime of domestic violence'' means any offense that has as an element the use, attempted use, or threatened use of physical force against a person committed by a current or former spouse of the person, by an individual with whom the person shares a child in common, by an individual who is cohabiting with or has cohabited with the person as a spouse, by an individual similarly situated to a spouse of the person under the domestic or family violence laws of the jurisdiction where the offense occurs, or by any other individual against a person who is protected from that individual's acts under the domestic or family violence laws of the United States or any State, Indian tribal government, or unit of local government; and

(D) the term ''convicted'', ''conviction'', ''adjudicated'', or ''adjudication'' does not include a judgment that has been expunged or set aside, that resulted in a rehabilitative disposition, or the equivalent.

(d) LIMITATION ON REMOVAL OF CERTAIN ALIEN MINORS.—An alien who is under 18 years of age and meets the requirements under subparagraphs (A), (B), and (C) of subsection (b)(1) shall be provided a reasonable opportunity to meet the educational requirements under subparagraph (D) of such subsection. The Attorney General or the Secretary may not commence or continue with removal proceedings against such an alien.

(e) WITHDRAWAL OF APPLICATION.—The Secretary of Homeland Security shall, upon receipt of a request to withdraw an application for adjustment of status under this section, cease processing of the application, and close the case. Withdrawal of the application under this subsection shall not prejudice any future application filed by the applicant for any immigration benefit under this title or under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

SEC. 5112. TERMS OF PERMANENT RESIDENT STATUS ON A CONDITIONAL BASIS.

(a) PERIOD OF STATUS.—Permanent resident status on a conditional basis is—

(1) valid for a period of 10 years, unless such period is extended by the Secretary; and

(2) subject to revocation under subsection (c).

(b) NOTICE OF REQUIREMENTS.—At the time an alien obtains permanent resident status on a conditional basis, the Secretary shall provide notice to the alien regarding the provisions of this title and the requirements to have the conditional basis of such status removed.

(c) REVOCATION OF STATUS.—The Secretary may revoke the permanent resident status on a conditional basis of an alien only if the Secretary—

(1) determines that the alien ceases to meet the requirements under section 5111(b)(1)(C); and

(2) prior to the revocation, provides the alien—

(A) notice of the proposed revocation; and

(B) the opportunity for a hearing to provide evidence that the alien meets such requirements or otherwise to contest the proposed revocation.

(d) RETURN TO PREVIOUS IMMIGRATION STATUS.—An alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is revoked under subsection (c), shall return to the immigration status that the alien had immediately before receiving permanent resident status on a conditional basis.

SEC. 5113. REMOVAL OF CONDITIONAL BASIS OF PERMANENT RESIDENT STATUS.

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL BASIS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall remove the conditional basis of an alien's permanent resident status granted under this title and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) is described in section 5111(b)(1)(C);

(B) has not abandoned the alien's residence in the United States during the period in which the alien has permanent resident status on a conditional basis; and

(C)(i) has obtained a degree from an institution of higher education, or has completed at least 2 years, in good standing, of a program in the United States leading to a bachelor's degree or higher degree or a recognized postsecondary credential from an area career and technical education school providing education at the postsecondary level;

(ii) has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge; or

(iii) demonstrates earned income for periods totaling at least 3 years and at least 75 percent of the time that the alien has had a valid employment authorization, except that, in the case of an alien who was enrolled in an institution of higher education, an area career and technical education school to obtain a recognized postsecondary credential, or an education program described in section 5111(b)(1)(D)(iii), the Secretary shall reduce such total 3-year requirement by the total of such periods of enrollment.

(2) HARDSHIP EXCEPTION.—The Secretary shall remove the conditional basis of an alien's permanent resident status and grant the alien status as an alien lawfully admitted for permanent residence if the alien—

(A) satisfies the requirements under subparagraphs (A) and (B) of paragraph (1);

(B) demonstrates compelling circumstances for the inability to satisfy the requirements under subparagraph (C) of such paragraph; and

(C) demonstrates that—

(i) the alien has a disability;

(ii) the alien is a full-time caregiver; or

(iii) the removal of the alien from the United States would result in hardship to the alien or the alien's spouse, parent, or child who is a national of the United States or is lawfully admitted for permanent residence.

(3) CITIZENSHIP REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conditional basis of an alien's permanent resident status granted under this title may not be removed unless the alien demonstrates that the alien satisfies the requirements under section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(B) EXCEPTION.—Subparagraph (A) shall not apply to an alien who is unable to meet the requirements under such section 5312(a) due to disability.

(4) APPLICATION FEE.—The Secretary may, subject to an exemption under section 5123(c), require aliens applying for removal of the conditional basis of an alien's permanent resident status under this section to pay a reasonable fee that is commensurate with the cost of processing the application.

(5) BACKGROUND CHECK.—The Secretary may not remove the conditional basis of an alien's permanent resident status until the requirements of section 5122 are satisfied.

(b) TREATMENT FOR PURPOSES OF NATURALIZATION.—

(1) IN GENERAL.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), an alien granted permanent resident status on a conditional basis shall be considered to have been admitted to the United States, and be present in the United States, as an alien lawfully admitted for permanent residence.

(2) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization while the alien is in permanent resident status on a conditional basis.

(c) TIMING OF APPROVAL OF LAWFUL PERMANENT RESIDENT STATUS.—

(1) IN GENERAL.—An alien granted permanent resident status on a conditional basis under this title may apply to have such conditional basis removed at any time after such alien has met the eligibility requirements set forth in subsection (a).

(2) APPROVAL WITH REGARD TO INITIAL APPLICATIONS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary or the Attorney General shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent resident status without conditional basis, any alien who—

(i) demonstrates eligibility for lawful permanent residence status on a conditional basis under section 5111(b); and

(ii) subject to the exceptions described in subsections (a)(2) and (a)(3)(B) of this section, already has fulfilled the requirements of paragraphs (1) and (3) of subsection (a) of this section at the time such alien first submits an application for benefits under this title.

(B) BACKGROUND CHECKS.—Subsection (a)(5) shall apply to an alien seeking lawful permanent resident status without conditional basis in an initial application in the same manner as it applies to an alien seeking removal of the conditional basis of an alien's permanent resident status. Section 5111(b)(3) shall not be construed to require the Secretary to conduct more than one identical security or law enforcement background check on such an alien.

(C) APPLICATION FEES.—In the case of an alien seeking lawful permanent resident status without conditional basis in an initial application, the alien shall pay the fee required under subsection (a)(4), subject to the exemption allowed under section 5123(c), but shall not be required to pay the application fee under section 5111(b)(2).

Subtitle B—General Provisions

SEC. 5121. DEFINITIONS.

In this title:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this title that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) APPROPRIATE UNITED STATES DISTRICT COURT.—The term ''appropriate United States district court'' mean the United States District Court for the District of Columbia or the United States district court with jurisdiction over the alien's principal place of residence.

(3) AREA CAREER AND TECHNICAL EDUCATION SCHOOL.—The term ''area career and technical education school'' has the meaning given such term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302).

(4) DACA.—The term ''DACA'' means deferred action granted to an alien pursuant to the Deferred Action for Childhood Arrivals policy announced by the Secretary of Homeland Security on June 15, 2012.

(5) DISABILITY.—The term ''disability'' has the meaning given such term in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)).

(6) FEDERAL POVERTY LINE.—The term ''Federal poverty line'' has the meaning given such term in section 213A(h) of the Immigration and Nationality Act (8 U.S.C. 1183a).

(7) HIGH SCHOOL; SECONDARY SCHOOL.—The terms ''high school'' and ''secondary school'' have the meanings given such terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(8) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(9) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education''—

(A) except as provided in subparagraph (B), has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and

(B) does not include an institution of higher education outside of the United States.

(10) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' has the meaning given such term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(11) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Homeland Security.

(12) UNIFORMED SERVICES.—The term ''Uniformed Services'' has the meaning given the term ''uniformed services'' in section 101(a) of title 10, United States Code.

SEC. 5122. SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA; BACKGROUND CHECKS.

(a) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant an alien adjustment of status under this title, on either a conditional or permanent basis, unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for aliens who are unable to provide such biometric or biographic data because of a physical impairment.

(b) BACKGROUND CHECKS.—The Secretary shall use biometric, biographic, and other data that the Secretary determines appropriate to conduct security and law enforcement background checks and to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for adjustment of status under this title, on either a conditional or permanent basis. The status of an alien may not be adjusted, on either a conditional or permanent basis, unless security and law enforcement background checks are completed to the satisfaction of the Secretary.

SEC. 5123. LIMITATION ON REMOVAL; APPLICATION AND FEE EXEMPTION; WAIVER OF GROUNDS FOR INADMISSIBILITY AND OTHER CONDITIONS ON ELIGIBLE INDIVIDUALS.

(a) LIMITATION ON REMOVAL.—An alien who appears to be prima facie eligible for relief under this title shall be given a reasonable opportunity to apply for such relief and may not be removed until, subject to section 5126(c), a final decision establishing ineligibility for relief is rendered.

(b) APPLICATION.—An alien present in the United States who has been ordered removed or has been permitted to depart voluntarily from the United States may, notwithstanding such order or permission to depart, apply for adjustment of status under this title. Such alien shall not be required to file a separate motion to reopen, reconsider, or vacate the order of removal. If the Secretary approves the application, the Secretary shall cancel the order of removal. If the Secretary renders a final administrative decision to deny the application, the order of removal or permission to depart shall be effective and enforceable to the same extent as if the application had not been made, only after all available administrative and judicial remedies have been exhausted.

(c) FEE EXEMPTION.—An applicant may be exempted from paying an application fee required under this title if the applicant—

(1) is younger than 18 years of age;

(2) received total income, during the 12-month period immediately preceding the date on which the applicant files an application under this title, that is less than 150 percent of the Federal poverty line;

(3) is in foster care or otherwise lacks any parental or other familial support; or

(4) cannot care for himself or herself because of a serious, chronic disability.

(d) WAIVER OF GROUNDS OF INADMISSIBILITY.—With respect to any benefit under this title, and in addition to the waivers under section 5111(c)(2), the Secretary may waive the grounds of inadmissibility under paragraph (1), (6)(E), (6)(G), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes, for family unity, or because the waiver is otherwise in the public interest.

(e) ADVANCE PAROLE.—During the period beginning on the date on which an alien applies for adjustment of status under this title and ending on the date on which the Secretary makes a final decision regarding such application, the alien shall be eligible to apply for advance parole. Section 101(g) of the Immigration and Nationality Act (8 U.S.C. 1101(g)) shall not apply to an alien granted advance parole under this section.

(f) EMPLOYMENT.—An alien whose removal is stayed pursuant to this title, who may not be placed in removal proceedings pursuant to this title, or who has pending an application under this title, shall, upon application to the Secretary, be granted an employment authorization document.

SEC. 5124. DETERMINATION OF CONTINUOUS PRESENCE AND RESIDENCE.

(a) EFFECT OF NOTICE TO APPEAR.—Any period of continuous physical presence or continuous residence in the United States of an alien who applies for permanent resident status under this title (whether on a conditional basis or without the conditional basis as provided in section 5113(c)(2)) shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(b) TREATMENT OF CERTAIN BREAKS IN PRESENCE OR RESIDENCE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), an alien shall be considered to have failed to maintain—

(A) continuous physical presence in the United States under this title if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days; and

(B) continuous residence in the United States under this title if the alien has departed from the United States for any period exceeding 180 days, unless the alien establishes to the satisfaction of the Secretary of Homeland Security that the alien did not in fact abandon residence in the United States during such period.

(2) EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.—The Secretary may extend the time periods described in paragraph (1) for an alien who demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien's control, including the serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(3) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized by the Secretary may not be counted toward any period of departure from the United States under paragraph (1).

(c) WAIVER OF PHYSICAL PRESENCE.—With respect to aliens who were removed or departed the United States on or after January 20, 2017, and who were continuously physically present in the United States for at least 4 years prior to such removal or departure, the Secretary may, as a matter of discretion, waive the physical presence requirement under section 5111(b)(1)(A) for humanitarian purposes, for family unity, or because a waiver is otherwise in the public interest. The Secretary, in consultation with the Secretary of State, shall establish a procedure for such aliens to apply for relief under section 5111 from outside the United States if they would have been eligible for relief under such section, but for their removal or departure.

SEC. 5125. EXEMPTION FROM NUMERICAL LIMITATIONS.

Nothing in this title or in any other law may be construed to apply a numerical limitation on the number of aliens who may be granted permanent resident status under this title (whether on a conditional basis, or without the conditional basis as provided in section 5113(c)(2)).

SEC. 5126. AVAILABILITY OF ADMINISTRATIVE AND JUDICIAL REVIEW.

(a) ADMINISTRATIVE REVIEW.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall provide to aliens who have applied for adjustment of status under this title a process by which an applicant may seek administrative appellate review of a denial of an application for adjustment of status, or a revocation of such status.

(b) JUDICIAL REVIEW.—Except as provided in subsection (c), and notwithstanding any other provision of law, an alien may seek judicial review of a denial of an application for adjustment of status, or a revocation of such status, under this title in an appropriate United States district court.

(c) JUDICIAL REVIEW OF A PROVISIONAL DENIAL.—

(1) IN GENERAL.—Notwithstanding any other provision of law, if, after notice and the opportunity to respond under section 5111(c)(3)(E), the Secretary provisionally denies an application for adjustment of status under this title, the alien shall have 60 days from the date of the Secretary's determination to seek review of such determination in an appropriate United States district court.

(2) SCOPE OF REVIEW AND DECISION.—Notwithstanding any other provision of law, review under paragraph (1) shall be de novo and based solely on the administrative record, except that the applicant shall be given the opportunity to supplement the administrative record and the Secretary shall be given the opportunity to rebut the evidence and arguments raised in such submission. Upon issuing its decision, the court shall remand the matter, with appropriate instructions, to the Department of Homeland Security to render a final decision on the application.

(3) APPOINTED COUNSEL.—Notwithstanding any other provision of law, an applicant seeking judicial review under paragraph (1) shall be represented by counsel. Upon the request of the applicant, counsel shall be appointed for the applicant, in accordance with procedures to be established by the Attorney General within 90 days of the date of the enactment of this Act, and shall be funded in accordance with fees collected and deposited in the Immigration Counsel Account under section 5132.

(d) STAY OF REMOVAL.—

(1) IN GENERAL.—Except as provided in paragraph (2), an alien seeking administrative or judicial review under this title may not be removed from the United States until a final decision is rendered establishing that the alien is ineligible for adjustment of status under this title.

(2) EXCEPTION.—The Secretary may remove an alien described in paragraph (1) pending judicial review if such removal is based on criminal or national security grounds described in this title. Such removal shall not affect the alien's right to judicial review under this title. The Secretary shall promptly return a removed alien if a decision to deny an application for adjustment of status under this title, or to revoke such status, is reversed.

SEC. 5127. DOCUMENTATION REQUIREMENTS.

(a) DOCUMENTS ESTABLISHING IDENTITY.—An alien's application for permanent resident status under this title (whether on a conditional basis, or without the conditional basis as provided in section 5113(c)(2)) may include, as evidence of identity, the following:

(1) A passport or national identity document from the alien's country of origin that includes the alien's name and the alien's photograph or fingerprint.

(2) The alien's birth certificate and an identity card that includes the alien's name and photograph.

(3) A school identification card that includes the alien's name and photograph, and school records showing the alien's name and that the alien is or was enrolled at the school.

(4) A Uniformed Services identification card issued by the Department of Defense.

(5) Any immigration or other document issued by the United States Government bearing the alien's name and photograph.

(6) A State-issued identification card bearing the alien's name and photograph.

(7) Any other evidence determined to be credible by the Secretary.

(b) DOCUMENTS ESTABLISHING ENTRY, CONTINUOUS PHYSICAL PRESENCE, LACK OF ABANDONMENT OF RESIDENCE.—To establish that an alien was younger than 18 years of age on the date on which the alien entered the United States, and has continuously resided in the United States since such entry, as required under section 5111(b)(1)(B), that an alien has been continuously physically present in the United States, as required under section 5111(b)(1)(A), or that an alien has not abandoned residence in the United States, as required under section 5113(a)(1)(B), the alien may submit the following forms of evidence:

(1) Passport entries, including admission stamps on the alien's passport.

(2) Any document from the Department of Justice or the Department of Homeland Security noting the alien's date of entry into the United States.

(3) Records from any educational institution the alien has attended in the United States.

(4) Employment records of the alien that include the employer's name and contact information, or other records demonstrating earned income.

(5) Records of service from the Uniformed Services.

(6) Official records from a religious entity confirming the alien's participation in a religious ceremony.

(7) A birth certificate for a child who was born in the United States.

(8) Hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization.

(9) Automobile license receipts or registration.

(10) Deeds, mortgages, or rental agreement contracts.

(11) Rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address.

(12) Tax receipts.

(13) Insurance policies.

(14) Remittance records, including copies of money order receipts sent in or out of the country.

(15) Travel records.

(16) Dated bank transactions.

(17) Two or more sworn affidavits from individuals who are not related to the alien who have direct knowledge of the alien's continuous physical presence in the United States, that contain—

(A) the name, address, and telephone number of the affiant; and

(B) the nature and duration of the relationship between the affiant and the alien.

(18) Any other evidence determined to be credible by the Secretary.

(c) DOCUMENTS ESTABLISHING ADMISSION TO AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has been admitted to an institution of higher education, the alien may submit to the Secretary a document from the institution of higher education certifying that the alien—

(1) has been admitted to the institution; or

(2) is currently enrolled in the institution as a student.

(d) DOCUMENTS ESTABLISHING RECEIPT OF A DEGREE FROM AN INSTITUTION OF HIGHER EDUCATION.—To establish that an alien has acquired a degree from an institution of higher education in the United States, the alien may submit to the Secretary a diploma or other document from the institution stating that the alien has received such a degree.

(e) DOCUMENTS ESTABLISHING RECEIPT OF A HIGH SCHOOL DIPLOMA, GENERAL EDUCATIONAL DEVELOPMENT CREDENTIAL, OR A RECOGNIZED EQUIVALENT.—To establish that in the United States an alien has earned a high school diploma or a commensurate alternative award from a public or private high school, has obtained the General Education Development credential, or otherwise has satisfied section 5111(b)(1)(D)(iii), the alien may submit to the Secretary the following:

(1) A high school diploma, certificate of completion, or other alternate award.

(2) A high school equivalency diploma or certificate recognized under State law.

(3) Evidence that the alien passed a State-authorized exam, including the General Education Development test, in the United States.

(4) Evidence that the alien successfully completed an area career and technical education program, such as a certification, certificate, or similar alternate award.

(5) Evidence that the alien obtained a recognized postsecondary credential.

(6) Any other evidence determined to be credible by the Secretary.

(f) DOCUMENTS ESTABLISHING ENROLLMENT IN AN EDUCATIONAL PROGRAM.—To establish that an alien is enrolled in any school or education program described in section 5111(b)(1)(D)(iv) or 5113(a)(1)(C), the alien may submit school records from the United States school that the alien is currently attending that include—

(1) the name of the school; and

(2) the alien's name, periods of attendance, and current grade or educational level.

(g) DOCUMENTS ESTABLISHING EXEMPTION FROM APPLICATION FEES.—To establish that an alien is exempt from an application fee under section 5123(c), the alien may submit to the Secretary the following relevant documents:

(1) DOCUMENTS TO ESTABLISH AGE.—To establish that an alien meets an age requirement, the alien may provide proof of identity, as described in subsection (a), that establishes that the alien is younger than 18 years of age.

(2) DOCUMENTS TO ESTABLISH INCOME.—To establish the alien's income, the alien may provide—

(A) employment records or other records of earned income, including records that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency;

(B) bank records; or

(C) at least two sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work and income that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien.

(3) DOCUMENTS TO ESTABLISH FOSTER CARE, LACK OF FAMILIAL SUPPORT, OR SERIOUS, CHRONIC DISABILITY.—To establish that the alien is in foster care, lacks parental or familial support, or has a serious, chronic disability, the alien may provide at least two sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—

(A) a statement that the alien is in foster care, otherwise lacks any parental or other familiar support, or has a serious, chronic disability, as appropriate;

(B) the name, address, and telephone number of the affiant; and

(C) the nature and duration of the relationship between the affiant and the alien.

(h) DOCUMENTS ESTABLISHING QUALIFICATION FOR HARDSHIP EXEMPTION.—To establish that an alien satisfies one of the criteria for the hardship exemption set forth in section 5113(a)(2)(C), the alien may submit to the Secretary at least two sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that warrant the exemption, that contain—

(1) the name, address, and telephone number of the affiant; and

(2) the nature and duration of the relationship between the affiant and the alien.

(i) DOCUMENTS ESTABLISHING SERVICE IN THE UNIFORMED SERVICES.—To establish that an alien has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge, the alien may submit to the Secretary—

(1) a Department of Defense form DD–214;

(2) a National Guard Report of Separation and Record of Service form 22;

(3) personnel records for such service from the appropriate Uniformed Service; or

(4) health records from the appropriate Uniformed Service.

(j) DOCUMENTS ESTABLISHING EARNED INCOME.—

(1) IN GENERAL.—An alien may satisfy the earned income requirement under section 5113(a)(1)(C)(iii) by submitting records that—

(A) establish compliance with such requirement; and

(B) have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency.

(2) OTHER DOCUMENTS.—An alien who is unable to submit the records described in paragraph (1) may satisfy the earned income requirement by submitting at least two types of reliable documents that provide evidence of employment or other forms of earned income, including—

(A) bank records;

(B) business records;

(C) employer or contractor records;

(D) records of a labor union, day labor center, or organization that assists workers in employment;

(E) sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work, that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien;

(F) remittance records; or

(G) any other evidence determined to be credible by the Secretary.

(k) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident status under this title (whether on a conditional basis, or without the conditional basis as provided in section 5113(c)(2)) is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or restrict the use of such document or class of documents.

SEC. 5128. RULE MAKING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish in the Federal Register interim final rules implementing this title, which shall allow eligible individuals to immediately apply for relief under section 5111 or 5113(c)(2). Notwithstanding section 553 of title 5, United States Code, the regulation shall be effective, on an interim basis, immediately upon publication, but may be subject to change and revision after public notice and opportunity for a period of public comment. The Secretary shall finalize such rules not later than 180 days after the date of publication.

(b) PAPERWORK REDUCTION ACT.—The requirements under chapter 35 of title 44, United States Code, (commonly known as the ''Paperwork Reduction Act'') shall not apply to any action to implement this title.

SEC. 5129. CONFIDENTIALITY OF INFORMATION.

(a) IN GENERAL.—The Secretary may not disclose or use information (including information provided during administrative or judicial review) provided in applications filed under this title or in requests for DACA for the purpose of immigration enforcement.

(b) REFERRALS PROHIBITED.—The Secretary, based solely on information provided in an application for adjustment of status under this title (including information provided during administrative or judicial review) or an application for DACA, may not refer an applicant to U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or any designee of either such entity.

(c) LIMITED EXCEPTION.—Notwithstanding subsections (a) and (b), information provided in an application for adjustment of status under this title may be shared with Federal security and law enforcement agencies—

(1) for assistance in the consideration of an application for adjustment of status under this title;

(2) to identify or prevent fraudulent claims;

(3) for national security purposes; or

(4) for the investigation or prosecution of any felony offense not related to immigration status.

(d) PENALTY.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. 5130. GRANT PROGRAM TO ASSIST ELIGIBLE APPLICANTS.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall establish, within U.S. Citizenship and Immigration Services, a program to award grants, on a competitive basis, to eligible nonprofit organizations that will use the funding to assist eligible applicants under this title by providing them with the services described in subsection (b).

(b) USE OF FUNDS.—Grant funds awarded under this section shall be used for the design and implementation of programs that provide—

(1) information to the public regarding the eligibility and benefits of permanent resident status under this title (whether on a conditional basis, or without the conditional basis as provided in section 5113(c)(2)), particularly to individuals potentially eligible for such status;

(2) assistance, within the scope of authorized practice of immigration law, to individuals submitting applications for adjustment of status under this title (whether on a conditional basis, or without the conditional basis as provided in section 5113(c)(2)), including—

(A) screening prospective applicants to assess their eligibility for such status;

(B) completing applications and petitions, including providing assistance in obtaining the requisite documents and supporting evidence; and

(C) providing any other assistance that the Secretary or grantee considers useful or necessary to apply for adjustment of status under this title (whether on a conditional basis, or without the conditional basis as provided in section 5113(c)(2)); and

(3) assistance, within the scope of authorized practice of immigration law, and instruction, to individuals—

(A) on the rights and responsibilities of United States citizenship;

(B) in civics and English as a second language;

(C) in preparation for the General Education Development test; and

(D) in applying for adjustment of status and United States citizenship.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AMOUNTS AUTHORIZED.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2020 through 2030 to carry out this section.

(2) AVAILABILITY.—Any amounts appropriated pursuant to paragraph (1) shall remain available until expended.

SEC. 5131. PROVISIONS AFFECTING ELIGIBILITY FOR ADJUSTMENT OF STATUS.

An alien's eligibility to be lawfully admitted for permanent residence under this title (whether on a conditional basis, or without the conditional basis as provided in section 5113(c)(2)) shall not preclude the alien from seeking any status under any other provision of law for which the alien may otherwise be eligible.

SEC. 5132. SUPPLEMENTARY SURCHARGE FOR APPOINTED COUNSEL.

(a) IN GENERAL.—Except as provided in section 5122 and in cases where the applicant is exempt from paying a fee under section 5123(c), in any case in which a fee is charged pursuant to this title, an additional surcharge of $25 shall be imposed and collected for the purpose of providing appointed counsel to applicants seeking judicial review of the Secretary's decision to provisionally deny an application under section 5126(c)(3).

(b) IMMIGRATION COUNSEL ACCOUNT.—There is established in the general fund of the Treasury a separate account which shall be known as the ''Immigration Counsel Account''. Fees collected under subsection (a) shall be deposited into the Immigration Counsel Account and shall to remain available until expended for purposes of providing appointed counsel as required under this title.

(c) REPORT.—At the end of each 2-year period, beginning with the establishment of this account, the Secretary of Homeland Security shall submit a report to the Congress concerning the status of the account, including any balances therein, and recommend any adjustment in the prescribed fee that may be required to ensure that the receipts collected from the fee charged for the succeeding two years equal, as closely as possible, the cost of providing appointed counsel as required under this title.

SEC. 5133. ANNUAL REPORT ON PROVISIONAL DENIAL AUTHORITY.

Not later than 1 year after the date of the enactment of this Act, and annually thereafter, the Secretary of Homeland Security shall submit to the Congress a report detailing the number of applicants that receive—

(1) a provisional denial under this title;

(2) a final denial under this title without seeking judicial review;

(3) a final denial under this title after seeking judicial review; and

(4) an approval under this title after seeking judicial review.

TITLE LII—AMERICAN PROMISE ACT

SEC. 5201. SHORT TITLE.

This title may be cited as the ''American Promise Act of 2019''.

Subtitle A—Treatment of Certain Nationals of Certain Countries Designated for Temporary Protected Status or Deferred Enforced Departure

SEC. 5211. ADJUSTMENT OF STATUS FOR CERTAIN NATIONALS OF CERTAIN COUNTRIES DESIGNATED FOR TEMPORARY PROTECTED STATUS OR DEFERRED ENFORCED DEPARTURE.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary or the Attorney General shall cancel the removal of, and adjust to the status of an alien lawfully admitted for permanent residence, an alien described in subsection (b) if the alien—

(1) applies for such adjustment, including submitting any required documents under section 5227, not later than 3 years after the date of the enactment of this Act;

(2) has been continuously physically present in the United States for a period of not less than 3 years before the date of the enactment of this Act; and

(3) is not inadmissible under paragraph (1), (2), (3), (6)(D), (6)(E), (6)(F), (6)(G), (8), or (10) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)).

(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STATUS.—An alien shall be eligible for adjustment of status under this section if the alien is an individual—

(1) who—

(A) is a national of a foreign state (or part thereof) (or in the case of an alien having no nationality, is a person who last habitually resided in such state) with a designation under subsection (b) of section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) on January 1, 2017, who had or was otherwise eligible for temporary protected status on such date notwithstanding subsections (c)(1)(A)(iv) and (c)(3)(C) of such section; and

(B) has not engaged in conduct since such date that would render the alien ineligible for temporary protected status under section 244(c)(2) of the Immigration and Nationality Act (8 U.S.C. 1245a(c)(2)); or

(2) who was eligible for Deferred Enforced Departure as of January 1, 2017, and has not engaged in conduct since that date that would render the alien ineligible for Deferred Enforced Departure.

(c) APPLICATION.—

(1) FEE.—The Secretary shall, subject to an exemption under section 5223(c), require an alien applying for adjustment of status under this section to pay a reasonable fee

that is commensurate with the cost of processing the application, but does not exceed $1,140.

(2) BACKGROUND CHECKS.—The Secretary may not grant an alien permanent resident status on a conditional basis under this section until the requirements of section 5222 are satisfied.

(3) WITHDRAWAL OF APPLICATION.—The Secretary of Homeland Security shall, upon receipt of a request to withdraw an application for adjustment of status under this section, cease processing of the application and close the case. Withdrawal of the application under this subsection shall not prejudice any future application filed by the applicant for any immigration benefit under this title or under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

Subtitle B—General Provisions

SEC. 5221. DEFINITIONS.

(a) IN GENERAL.—In this title:

(1) IN GENERAL.—Except as otherwise specifically provided, any term used in this title that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) DISABILITY.—The term ''disability'' has the meaning given such term in section 3(1) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(1)).

(3) FEDERAL POVERTY LINE.—The term ''Federal poverty line'' has the meaning given such term in section 213A(h) of the Immigration and Nationality Act (8 U.S.C. 1183a).

(4) IMMIGRATION LAWS.—The term ''immigration laws'' has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(5) SECRETARY.—Except as otherwise specifically provided, the term ''Secretary'' means the Secretary of Homeland Security.

(6) UNIFORMED SERVICES.—The term ''Uniformed Services'' has the meaning given the term ''uniformed services'' in section 101(a) of title 10, United States Code.

(b) TREATMENT OF EXPUNGED CONVICTIONS.—For purposes of adjustment of status under this title, the terms ''convicted'' and ''conviction'', as used in sections 212 and 244 of the Immigration and Nationality Act (8 U.S.C. 1182, 1254a), do not include a judgment that has been expunged or set aside, that resulted in a rehabilitative disposition, or the equivalent.

SEC. 5222. SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA; BACKGROUND CHECKS.

(a) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not grant an alien adjustment of status under this title unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for aliens who are unable to provide such biometric or biographic data because of a physical impairment.

(b) BACKGROUND CHECKS.—The Secretary shall use biometric, biographic, and other data that the Secretary determines appropriate to conduct security and law enforcement background checks and to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for adjustment of status under this title. The status of an alien may not be adjusted unless security and law enforcement background checks are completed to the satisfaction of the Secretary.

SEC. 5223. LIMITATION ON REMOVAL; APPLICATION AND FEE EXEMPTION; WAIVER OF GROUNDS FOR INADMISSIBILITY AND OTHER CONDITIONS ON ELIGIBLE INDIVIDUALS.

(a) LIMITATION ON REMOVAL.—An alien who appears to be prima facie eligible for relief under this title shall be given a reasonable opportunity to apply for such relief and may not be removed until, subject to section 5226(c), a final decision establishing ineligibility for relief is rendered.

(b) APPLICATION.—An alien present in the United States who has been ordered removed or has been permitted to depart voluntarily from the United States may, notwithstanding such order or permission to depart, apply for adjustment of status under this title. Such alien shall not be required to file a separate motion to reopen, reconsider, or vacate the order of removal. If the Secretary approves the application, the Secretary shall cancel the order of removal. If the Secretary renders a final administrative decision to deny the application, the order of removal or permission to depart shall be effective and enforceable to the same extent as if the application had not been made, only after all available administrative and judicial remedies have been exhausted.

(c) FEE EXEMPTION.—An applicant may be exempted from paying an application fee required under this title if the applicant—

(1) is younger than 18 years of age;

(2) received total income, during the 12-month period immediately preceding the date on which the applicant files an application under this title, that is less than 150 percent of the Federal poverty line;

(3) is in foster care or otherwise lacks any parental or other familial support; or

(4) cannot care for himself or herself because of a serious, chronic disability.

(d) WAIVER OF GROUNDS OF INADMISSIBILITY.—

(1) IN GENERAL.—Except as provided in paragraph (2), with respect to any benefit under this title, and in addition to any waivers that are otherwise available, the Secretary may waive the grounds of inadmissibility under paragraph (1), subparagraphs (A), (C), and (D) of paragraph (2), subparagraphs (D) through (G) of paragraph (6), or paragraph (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes, for family unity, or because the waiver is otherwise in the public interest.

(2) EXCEPTION.—The Secretary may not waive a ground described in paragraph (1) if such inadmissibility is based on a conviction or convictions, and such conviction or convictions would otherwise render the alien ineligible under section 244(c)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1254a(c)(2)(B)).

(e) ADVANCE PAROLE.—During the period beginning on the date on which an alien applies for adjustment of status under this title and ending on the date on which the Secretary makes a final decision regarding such application, the alien shall be eligible to apply for advance parole. Section 101(g) of the Immigration and Nationality Act (8 U.S.C. 1101(g)) shall not apply to an alien granted advance parole under this section.

(f) EMPLOYMENT.—An alien whose removal is stayed pursuant to this title, or who has pending an application under this title, shall, upon application to the Secretary, be granted an employment authorization document.

SEC. 5224. DETERMINATION OF CONTINUOUS PRESENCE.

(a) EFFECT OF NOTICE TO APPEAR.—Any period of continuous physical presence in the United States of an alien who applies for adjustment of status under this title shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(b) TREATMENT OF CERTAIN BREAKS IN PRESENCE.—

(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), an alien shall be considered to have failed to maintain continuous physical presence in the United States under this title if the alien has departed from the United States for any period exceeding 90 days or for any periods, in the aggregate, exceeding 180 days.

(2) EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.—The Secretary may extend the time periods described in paragraph (1) for an alien who demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien's control, including the serious illness of the alien, or death or serious illness of a parent, grandparent, sibling, or child of the alien.

(3) TRAVEL AUTHORIZED BY THE SECRETARY.—Any period of travel outside of the United States by an alien that was authorized by the Secretary may not be counted toward any period of departure from the United States under paragraph (1).

(c) WAIVER OF PHYSICAL PRESENCE.—With respect to aliens who were removed or departed the United States on or after January 20, 2017, and who were continuously physically present in the United States for at least 3 years prior to such removal or departure, the Secretary may, as a matter of discretion, waive the physical presence requirement under section 5211(a)(2) for humanitarian purposes, for family unity, or because a waiver is otherwise in the public interest. The Secretary, in consultation with the Secretary of State, shall establish a procedure for such aliens to apply for relief under section 5211 from outside the United States if they would have been eligible for relief under such section, but for their removal or departure.

SEC. 5225. EXEMPTION FROM NUMERICAL LIMITATIONS.

Nothing in this title or in any other law may be construed to apply a numerical limitation on the number of aliens who may be granted permanent resident status under this title.

SEC. 5226. AVAILABILITY OF ADMINISTRATIVE AND JUDICIAL REVIEW.

(a) ADMINISTRATIVE REVIEW.—Not later than 30 days after the date of the enactment of this Act, the Secretary shall provide to aliens who have applied for adjustment of status under this title a process by which an applicant may seek administrative appellate review of a denial of an application for adjustment of status, or a revocation of such status.

(b) JUDICIAL REVIEW.—Notwithstanding any other provision of law, an alien may seek judicial review of a denial of an application for adjustment of status, or a revocation of such status, under this title in the United States district court with jurisdiction over the alien's residence.

(c) STAY OF REMOVAL.—

(1) IN GENERAL.—Except as provided in paragraph (2), an alien seeking administrative or judicial review under this title may not be removed from the United States until a final decision is rendered establishing that the alien is ineligible for adjustment of status under this title.

(2) EXCEPTION.—The Secretary may remove an alien described in paragraph (1) pending judicial review if such removal is based on criminal or national security grounds. Such removal does not affect the alien's right to judicial review under this title. The Secretary shall promptly return a removed alien if a decision to deny an application for adjustment of status under this title, or to revoke such status, is reversed.

SEC. 5227. DOCUMENTATION REQUIREMENTS.

(a) DOCUMENTS ESTABLISHING IDENTITY.—An alien's application for permanent resident status under this title may include, as evidence of identity, the following:

(1) A passport or national identity document from the alien's country of origin that includes the alien's name and the alien's photograph or fingerprint.

(2) The alien's birth certificate and an identity card that includes the alien's name and photograph.

(3) A school identification card that includes the alien's name and photograph, and school records showing the alien's name and that the alien is or was enrolled at the school.

(4) A Uniformed Services identification card issued by the Department of Defense.

(5) Any immigration or other document issued by the United States Government bearing the alien's name and photograph.

(6) A State-issued identification card bearing the alien's name and photograph.

(7) Any other evidence determined to be credible by the Secretary.

(b) DOCUMENTS ESTABLISHING CONTINUOUS PHYSICAL PRESENCE.—An alien's application for permanent resident status under this title may include, as evidence that the alien has been continuously physically present in the United States, as required under section 5211(a)(2), the following:

(1) Passport entries, including admission stamps on the alien's passport.

(2) Any document from the Department of Justice or the Department of Homeland Security noting the alien's date of entry into the United States.

(3) Records from any educational institution the alien has attended in the United States.

(4) Employment records of the alien that include the employer's name and contact information.

(5) Records of service from the Uniformed Services.

(6) Official records from a religious entity confirming the alien's participation in a religious ceremony.

(7) A birth certificate for a child who was born in the United States.

(8) Hospital or medical records showing medical treatment or hospitalization, the name of the medical facility or physician, and the date of the treatment or hospitalization.

(9) Automobile license receipts or registration.

(10) Deeds, mortgages, or rental agreement contracts.

(11) Rent receipts or utility bills bearing the alien's name or the name of an immediate family member of the alien, and the alien's address.

(12) Tax receipts.

(13) Insurance policies.

(14) Remittance records, including copies of money order receipts sent in or out of the country.

(15) Travel records.

(16) Dated bank transactions.

(17) Two or more sworn affidavits from individuals who are not related to the alien who have direct knowledge of the alien's continuous physical presence in the United States, that contain—

(A) the name, address, and telephone number of the affiant; and

(B) the nature and duration of the relationship between the affiant and the alien.

(18) Any other evidence determined to be credible by the Secretary.

(c) DOCUMENTS ESTABLISHING EXEMPTION FROM APPLICATION FEES.—An alien's application for permanent resident status under this title may include, as evidence that the alien is exempt from an application fee under section 5223(c), the following:

(1) DOCUMENTS TO ESTABLISH AGE.—To establish that an alien meets an age requirement, the alien may provide proof of identity, as described in subsection (a), that establishes that the alien is younger than 18 years of age.

(2) DOCUMENTS TO ESTABLISH INCOME.—To establish the alien's income, the alien may provide—

(A) employment records or other records of earned income, including records that have been maintained by the Social Security Administration, the Internal Revenue Service, or any other Federal, State, or local government agency;

(B) bank records; or

(C) at least two sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the alien's work and income that contain—

(i) the name, address, and telephone number of the affiant; and

(ii) the nature and duration of the relationship between the affiant and the alien.

(3) DOCUMENTS TO ESTABLISH FOSTER CARE, LACK OF FAMILIAL SUPPORT, OR SERIOUS, CHRONIC DISABILITY.—To establish that the alien is in foster care, lacks parental or familial support, or has a serious, chronic disability, the alien may provide at least two sworn affidavits from individuals who are not related to the alien and who have direct knowledge of the circumstances that contain—

(A) a statement that the alien is in foster care, otherwise lacks any parental or other familiar support, or has a serious, chronic disability, as appropriate;

(B) the name, address, and telephone number of the affiant; and

(C) the nature and duration of the relationship between the affiant and the alien.

(d) AUTHORITY TO PROHIBIT USE OF CERTAIN DOCUMENTS.—If the Secretary determines, after publication in the Federal Register and an opportunity for public comment, that any document or class of documents does not reliably establish identity or that permanent resident status under this title is being obtained fraudulently to an unacceptable degree, the Secretary may prohibit or restrict the use of such document or class of documents.

SEC. 5228. RULEMAKING.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall publish in the Federal Register interim final rules implementing this title, which shall allow eligible individuals to immediately apply for relief under section 5211. Notwithstanding section 553 of title 5, United States Code, the regulation shall be effective, on an interim basis, immediately upon publication, but may be subject to change and revision after public notice and opportunity for a period of public comment. The Secretary shall finalize such rules not later than 180 days after the date of publication.

(b) PAPERWORK REDUCTION ACT.—The requirements under chapter 35 of title 44, United States Code, (commonly known as the ''Paperwork Reduction Act'') shall not apply to any action to implement this title.

SEC. 5229. CONFIDENTIALITY OF INFORMATION.

(a) IN GENERAL.—The Secretary may not disclose or use information provided in applications filed under this title (including information provided during administrative or judicial review) for the purpose of immigration enforcement.

(b) REFERRALS PROHIBITED.—The Secretary, based solely on information provided in an application for adjustment of status under this title (including information provided during administrative or judicial review), may not refer an applicant to U.S. Immigration and Customs Enforcement, U.S. Customs and Border Protection, or any designee of either such entity.

(c) LIMITED EXCEPTION.—Notwithstanding subsections (a) and (b), information provided in an application for adjustment of status under this title may be shared with Federal security and law enforcement agencies—

(1) for assistance in the consideration of an application for adjustment of status under this title;

(2) to identify or prevent fraudulent claims;

(3) for national security purposes; or

(4) for the investigation or prosecution of any felony not related to immigration status.

(d) PENALTY.—Any person who knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than $10,000.

SEC. 5230. GRANT PROGRAM TO ASSIST ELIGIBLE APPLICANTS.

(a) ESTABLISHMENT.—The Secretary of Homeland Security shall establish, within U.S. Citizenship and Immigration Services, a program to award grants, on a competitive basis, to eligible nonprofit organizations that will use the funding to assist eligible applicants under this title by providing them with the services described in subsection (b).

(b) USE OF FUNDS.—Grant funds awarded under this section shall be used for the design and implementation of programs that provide—

(1) information to the public regarding the eligibility and benefits of permanent resident status under this title, particularly to individuals potentially eligible for such status;

(2) assistance, within the scope of authorized practice of immigration law, to individuals submitting applications for adjustment of status under this title, including—

(A) screening prospective applicants to assess their eligibility for such status;

(B) completing applications and petitions, including providing assistance in obtaining the requisite documents and supporting evidence; and

(C) providing any other assistance that the Secretary or grantee considers useful or necessary to apply for adjustment of status under this title; and

(3) assistance, within the scope of authorized practice of immigration law, and instruction, to individuals—

(A) on the rights and responsibilities of United States citizenship;

(B) in civics and English as a second language;

(C) in preparation for the General Education Development test; and

(D) in applying for adjustment of status and United States citizenship.

(c) AUTHORIZATION OF APPROPRIATIONS.—

(1) AMOUNTS AUTHORIZED.—There are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2021 through 2031 to carry out this section.

(2) AVAILABILITY.—Any amounts appropriated pursuant to paragraph (1) shall remain available until expended.

SEC. 5231. PROVISIONS AFFECTING ELIGIBILITY FOR ADJUSTMENT OF STATUS.

An alien's eligibility to be lawfully admitted for permanent residence under this title shall not preclude the alien from seeking any status under any other provision of law for which the alien may otherwise be eligible.

PRIVILEGES OF THE FLOOR

Mr. INHOFE. Mr. President, I ask unanimous consent to grant floor privileges for the duration of the consideration of the NDAA to Travis Tarbox, my defense fellow, and Jillian Schofield, our GAO detailee.

The PRESIDING OFFICER. Without objection, it is so ordered.